

Item No. 7.1	Classification: Open	Date: 16 July 2018	Meeting Name: Planning Committee
Report title:	Development Management planning application: Council's own development Application 17/AP/4651 for: Full Planning Application Address: GROUND FLOOR, PERRONET HOUSE GAYWOOD ESTATE, PRINCESS STREET, LONDON, SE1 6JR Proposal: Change of use of 12 existing garages / parking spaces to provide retail space (use class A1), café space (use class A3) and ancillary storage / plant and servicing space, together with new glazing and doors to south, east and west elevations.		
Ward(s) or groups affected:	St.George's		
From:	Victoria Lewis		
Application Start Date 13/12/2017		Application Expiry Date 07/02/2018	
Earliest Decision Date 05/01/2018		Time Extension Date 20/07/2018	

RECOMMENDATION

1. That planning permission be granted, subject to conditions.

This application was on the agenda for the 3rd July 2018 Planning Committee, but was deferred owing to time constraints.

BACKGROUND INFORMATION

Site location and description

2. The application relates to a parking area on the ground floor of Perronet House, an 11-storey block of flats located in the heart of Elephant and Castle Town Centre, to the north of the London College of Communications. The ground floor of the building contains two parking areas, northern and southern, together with the Princess Street Medical Practice which is accessed from Princess Street and occupies part of the ground and first floor of the building, and St George's Pharmacy.
3. This application relates specifically to the southern parking area which is accessed from St George's Road via a small servicing area which also serves the pharmacy and the medical practice. There are two vehicle accesses into the servicing area located alongside each other, one leading to the garages and the other leading to 5 parking spaces which serve the medical practice. The southern parking area is enclosed by brick walls and metal roller shutters and used to contain 16 garages, but the application advises that they have been closed since 2012 on account of safety reasons. Four of the parking spaces were lost in around 2014 / 2015 when part of the space was converted to form the pharmacy, and 12 unused spaces remain.

4. The site does not sit within a conservation area and the building is not listed. The Michael Faraday Memorial is a grade II listed structure approximately 50m to the south-east of the site, and the Elliot's Row Conservation Area is to the south and west of the site.

Details of proposal

5. This application has been submitted by the Council, and seeks full planning permission to convert the 12 existing garages in the southern parking area into 314sqm of retail space (use class A1) and 170sqm of cafe space (use class A3), with 66sqm of ancillary storage and WCs (550sqm in total). The proposal has been named 'Elephant Arcade'.
6. The main entrance to the building would be from the eastern elevation, leading to 11 retail units ranging from 10-29sqm in size which would face each other across a 3.8m wide arcade. At the end of the arcade there would be storage areas and WCs. The cafe space would occupy the south-western corner of the building and could be accessed from the retail arcade or from new doors in the southern elevation of the building. The applicant has advised that it could accommodate up to 100 people, including 24 seats outside the south-eastern corner of the building. External alterations proposed comprise the installation of metal framed, double-glazed shopfronts and doors, together with new planters in front of the shopfront windows. Matching brick would be used to infill / make good where required.
7. This application is before Members for determination following a "call-in" request from Councillors, and due to its links to planning application 16/AP/4458 for redevelopment of the Elephant and Castle Shopping Centre and London College of Communications sites, which is also to be considered by Members at this committee. The Perronet House proposal has been developed by the Council in order to provide affordable retail space for independent traders affected by the proposed redevelopment of the shopping centre, and with the potential exception of the café, would be offered to them in the first instance. It is intended that the space at Perronet House would be completed before the closure of the shopping centre, so that traders could move straight in.

Planning history

8. 14/AP/3976 - Conversion of part of the ground floor car park of an existing housing block into pharmacy. Existing shutters in the external wall are to be converted into shop windows / door. Planning permission was GRANTED in December 2014 and has been implemented. The consented hours of use for the pharmacy are 0800-1830 Monday to Friday, 0900-1700 on Saturdays; the pharmacy is not permitted to open on Sundays and is only permitted to open for four hours on Bank Holidays to provide emergency pharmaceutical. The hours were restricted in order to protect residential amenity.
9. 12/AP/3875 - Conversion of part of the ground floor car park of an existing housing block to a pharmacy (use class A1) with the provision of glazed shopfronts. Planning permission was GRANTED in July 2013. This was for a similar proposal to the above, but would have occupied a larger area.
10. 07/AP/2275 - Conversion of existing storage space on ground floor into a shop (Use Class A1), together with the installation of a new shopfront. This application related to the northern parking area, and storage space facing London Road. The application was presented to Borough and Bankside Community Council in May 2008 with a recommendation for approval. Members resolved to refuse

permission on the basis of lack of a noise attenuation report, and because an emergency access from the shop would have given access to the northern parking area, making this area unsecured. The decision was not issued however, and the application was treated as withdrawn in August 2011 which means that no formal decision was made.

11. 03/AP/0021 - Change of use of ground and first floor to a doctors' surgery, as extension to existing surgery together with the provision of two parking spaces at the front. Planning permission was GRANTED in February 2003.

Planning history of adjoining sites

12. Although not an adjoining site, the planning application for Perronet House is linked to the following application for the shopping centre site:

Shopping centre site Elephant and Castle, 26, 28, 30 and 32 New Kent Road, Arches 6 and 7 Elephant Road and London College of Communications

13. 16/AP/4458 - Phased, mixed-use redevelopment of the existing Elephant and Castle shopping centre and London College of Communication sites comprising the demolition of all existing buildings and structures and redevelopment to comprise buildings ranging in height from single storey to 35 storeys (with a maximum building height of 124.5m AOD) above multi-level and single basements, to provide a range of uses including 979 residential units (use class C3), retail (use Class A1-A4), office (Use Class B1), Education (use class D1), assembly and leisure (use class D2) and a new station entrance and station box for use as a London underground operational railway station; means of access, public realm and landscaping works, parking and cycle storage provision, plant and servicing areas, and a range of other associated and ancillary works and structures. Application UNDER CONSIDERATION.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

14. The main issues to be considered in respect of this application are:
 - a) principle in terms of land use;
 - b) transport;
 - c) amenity;
 - d) design;
 - e) flood risk;
 - f) sustainable development implications;
 - g) planning obligations;
 - f) community infrastructure levy;
 - h) other matters

Planning policy

15. Planning policy designations (Proposals Map)
 - Central Activity Zone
 - Air Quality Management Area
 - Elephant and Castle Major Town Centre
 - Elephant and Castle Opportunity Area
 - Strategic view 23A.1 (Serpentine Bridge to Palace of Westminster)

16. National Planning Policy Framework (the Framework)

- Section 1 Building a strong competitive economy
- Section 2 Ensuring the vitality and viability of town centres
- Section 4 Promoting sustainable transport
- Section 7 Requiring good design

National Planning Practice Guidance

17. The London Plan 2016

- Policy 2.15 Town Centres
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.6 Architecture

18. Core Strategy 2011

- Strategic Policy 1 Sustainable Development
- Strategic Policy 2 Sustainable Transport
- Strategic Policy 3 Shopping, leisure and entertainment
- Strategic Policy 12 Design and Conservation
- Strategic Policy 13 High Environmental Standards

Southwark Plan 2007 (July) - saved policies

19. 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.

- Policy 1.7 Development within town and local centres
- Policy 3.2 - Protection of amenity
- Policy 3.7 - Waste reduction
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in design
- Policy 3.13 - Urban design
- Policy 5.2 - Transport impacts
- Policy 5.3 - Walking and cycling
- Policy 5.6 - Car parking

20. Supplementary Planning Documents

Elephant and Castle Supplementary Planning Document (SPD) and Opportunity Area Planning Framework (OAPF) (March 2012)

Principle of development

21. The proposal seeks to provide new retail and cafe floorspace which would be entirely consistent with the town centre policies in the Core Strategy, the Saved Southwark Plan, and the Elephant and Castle SPD. It would be make a good use of unused

garages and would be acceptable in land use terms. The planning application advises that the cafe space could act as a reception for the retail units and could be used for community events.

22. Concerns have been raised following public consultation on the application that the existing garages were not closed for safety reasons, but that they were going to be closed to allow the pharmacy to be developed and were not re-opened when it was found that the pharmacy required less space than anticipated. Whilst this is noted, as set out in the transport issues section of this report the site is located in an area with excellent public transport links and where a reduction in parking would be acceptable in principle and would encourage sustainable modes of travel.
23. Guidance note 1 of the Elephant and Castle SPD requires developments providing at least 1,000sqm of retail floorspace to provide a range of shop unit sizes, including affordable units. It requires at least 10% of new retail floorspace (GIA) to be affordable for small and medium-sized enterprises in the opportunity area which have been displaced as a result of development, new business start-ups, or independent retailers (this is the SPD eligibility criteria). Suitable businesses should have 3 units or less, and rents should be discounted by not less than a total reduction of 40% below market rate, averaged over a 5 year period.
24. The proposed development would provide less than 1,000sqm of retail floorspace therefore the SPD guidance does not apply. However, the proposal has been formulated by the Council's Regeneration Division to provide affordable retail space for independent traders affected by the proposed redevelopment of the Elephant and Castle Shopping Centre site. This site includes the shopping centre, the market stalls and kiosks around it, 26-32 (evens) New Kent Road, and railway arches 6 and 7 Elephant Road, and independent traders there currently occupy around 4,005sqm of floorspace.
25. The retail units would be offered to these traders in the first instance with priority likely to be to those traders who have been there the longest. Any space left over could be occupied by other independent businesses from the shopping centre site, followed by independent businesses in the Elephant and Castle Opportunity Area which would be displaced by development and new business start-ups and this would be in accordance with guidance on affordable retail space in the Elephant and Castle SPD.
26. The Regeneration Division is currently preparing a brief for potential operators of the development. The intention is that a single operator would be appointed to manage the site, and any lease granted to an operator would stipulate that the retail units must in the first instance be offered to independent traders within the existing shopping centre site, and that their rent levels must either match those at the existing shopping centre or must comply with the SPD criteria. The process of allocating units would be overseen by Tree Shepherd, an independent business advisor which has been appointed to support traders affected by the proposed shopping centre redevelopment. Concerns have been raised during public consultation that the Council should operate the development, but the intention is that an operator with experience of managing similar developments would be brought on board.
27. Notwithstanding the links to the planned redevelopment of the shopping centre site, the proposal is considered to be acceptable in land use terms in any event, irrespective of any links with the shopping centre.
28. Overall the proposed development is considered to be acceptable in land use terms, and would make a sustainable use of disused garage space.

Transport issues

29. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse transport impacts, and that adequate servicing space is provided.
30. The site has a public transport accessibility level (PTAL) of 6b (excellent) and is located very close to both the Bakerloo Line and Northern Line underground stations at Elephant and Castle, and to Elephant and Castle overground station which adjoins the shopping centre site.

Servicing and trip generation

31. As stated, servicing for the proposed development would take place from an existing servicing area which is accessed from St George's Road. It currently provides access to the southern garages, to five car parking spaces used by the medical practice, and for servicing by the pharmacy which receives two deliveries per day including refuse collection, and these usually take place mid morning. The Design and Access Statement (DAS) advises that a meeting has been held with the Princess Street Medical Practice and the use of the loading area would not conflict with their operations.
32. Additional trip generation information has been submitted during the course of the application, and it is anticipated that the proposal would result in 3 vehicle trips per day including refuse vehicles. This would not be a significant amount and would not have an adverse impact upon the existing highway network, and delivery slots would be organised by the site manager. At the request of the Council's Highways Development Management Team vehicle tracking diagrams have been submitted which demonstrate that a 7.5 tonne delivery vehicle and a refuse truck would be able to enter and exit the site in a forward gear.

Car parking

33. Concerns have been raised by neighbouring residents regarding the permanent loss of the garages, on the basis that they should be brought back into use for people who live in Perronet House who could use them for parking, or personal and business storage.
34. The southern parking area originally contained 16 garages; four were lost when the pharmacy was constructed, leaving 12 remaining. The proposal would result in the loss of 12 of these, which the planning application advises have not been in use since 2012 when they were closed for safety reasons including anti-social behaviour. The northern parking area which is accessed from Princess Street is still in use and contains 50 garages, 29 of which are let to residents of Perronet House, 11 to other residents, and 10 are not in use as they are awaiting repair. However, 8 of the disused 10 have now been repaired and will be available soon. There are 7 people in Perronet House waiting for a garage, and they would be able to rent one of these garages once they are ready.
35. The site has excellent public transport links, and as such a reduction in car parking is considered to be acceptable in principle.

Cycle parking

36. The London Plan requires 8 cycle parking spaces to serve the development, comprising two long stay and 6 short stay spaces. The proposed development would provide 10 cycle parking spaces in the form of Sheffield stands would be located

outside the southern elevation of the cafe, and a condition to secure these spaces is recommended. Transport for London (TfL) have advised that cycle parking should be provided accordance with the draft new London Plan which would require one additional space, although they note that the weight to be attributed to this plan is matter for the decision maker. Given the very early stages of this plan, officers consider that it should be attributed very little weight. It is noted however, that there would be sufficient space to provide additional cycle parking if there is demand.

37. Concerns have been raised by neighbouring residents that access to the servicing area would cut across an existing cycle route. There is a dual (2 way) cycle lane outside the site which runs across the entrance to the servicing area, and cycle superhighway 7 runs along Princess Street. Given the low number of deliveries anticipated, which would be conditioned to take place outside of peak hours, it is not considered that this would have an adverse impact upon cyclists or pedestrians including when considered cumulatively with the medical practice and pharmacy.

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

38. Strategic policy 13 of the Core Strategy 'High environmental standards' seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work; saved policy 3.2 of the Southwark Plan states that permission will not be granted for development where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.
39. Concerns have been raised by neighbouring residents that the proposal would result in unacceptable noise and disturbance, both through the structure and from increased use of the service yard, cooking odours, anti-social behaviour and increased litter in the area. These issues are addressed in turn below, although it is noted that flats above shops and cafes is a very common arrangement, and exists along numerous streets across Southwark and London.
40. Acoustic information has been submitted during the course of the application which has been reviewed by the Council's Environmental Protection Team (EPT). EPT are satisfied that the proposal would not result in any unacceptable noise and disturbance to neighbouring residents, including a number of flats which would sit directly above the proposed development. EPT have recommended a condition limiting plant noise, and this has been included in the draft recommendation.
41. No hours of operation for the proposed development have been provided, and EPT has recommended that they be restricted to 8am to 9pm daily. It is noted that these hours would exceed the consented hours for the existing pharmacy, which is consented to open between 8.30am-6.30pm Monday to Friday, 9am to 5pm on Saturdays, not at all on Sundays, and for four hours on Bank Holidays to provide emergency pharmaceutical cover. However, the Environmental Protection Team was not consulted on either of the applications for the pharmacy, and the consented hours simply reflected the hours which the applicant applied for. EPT has confirmed that no noise complaints have been received related to the pharmacy, and given the town centre location, the hours of use for the proposed development suggested by EPT are have been included in the draft recommendation.
42. As stated there could be up to 24 chairs outside the proposed cafe, on the south-eastern corner of the building. If planning permission is granted, the applicant would need to obtain a Tables and Chairs licence from the Council for any external seating

which would consider whether adequate footway widths would be retained. It is understood that these licences do not cover hours of use, therefore the hours of use condition should also apply to any outside seating.

43. Servicing for the proposed development would take place from the servicing area off St George's Road, which is overlooked by a number of flats in Perronet House. For transport reasons, servicing would need to take place outside peak hours. It is recommended that a condition be imposed only allowing servicing to take place between 9am and 4pm Monday to Friday, 10am to 4pm on Saturday and not at all on Sundays or Bank Holidays, in order to protect the amenity of neighbouring occupiers. Only three servicing vans are anticipated per day and, subject to these hours, this should not generate significant amounts of noise or disturbance.
44. With regard to cooking odours, no primary cooking would take place in the cafe. Items served would include hot and cold drinks, sandwiches, and warmed foods such as re-heated soups. EPT has recommended that this be secured by way of condition, to ensure that there would be no loss of amenity to neighbouring residents.
45. Concerns have been raised by neighbouring residents that anti-social behaviour which takes place around the existing shopping centre could end up gravitating towards Perronet House as a result of the proposal, and that syringes have been found in the garages. Whilst these concerns are noted, the Perronet House proposals are of a much smaller scale than the shopping centre and any instances of anti-social behaviour would be dealt with by the site manager. The proposal would bring the unused garages into active use and would increase natural surveillance of the area.
46. A dedicated refuse store would be provided within the building and a condition to secure this is recommended. Cafe staff would be responsible for keeping the external seating area clean and tidy. It is noted that there are three bins in the public realm around the site.
47. Concerns have also been raised by neighbouring residents that the existing first floor overhang around the south-eastern corner of the building is too low and should be omitted. The plans show that this is approximately 2.4m above ground floor level, which is a typical floor to ceiling height within a residential property. The proposal does not include the removal of the overhang.

Design issues

48. Saved policies 3.12 and 3.13 of the Southwark Plan seek to ensure that developments are of a high standard of architectural and urban design.
49. Concerns have been raised by neighbouring residents that the external alterations proposed would be out of character with the building, that existing shops in Elephant and Castle Shopping Centre have a poor aesthetic and untidy appearance and that Perronet House residents would have no input into how traders would present their stores.
50. The existing garages are enclosed by brick walls with ventilation louvres and metal roller shutters. They present a dead frontage to the street and offer very little to the public realm. The proposed development would introduce a large new shopfront which would provide an active frontage to the building and activate the public realm in front of it and this is considered to be a significant improvement to the existing situation. The external alterations are considered to be appropriate in terms of their design and materials, and would enhance the appearance of the building.
51. The majority of the new shopfront would be taken up by the cafe with all but one of the

retail units having internal shopfronts which would face each other across the 3.8m wide arcade. Any advertisements proposed to the cafe or the street-facing retail unit would likely require separate advertisement consent, whereby the impact upon amenity and public safety would be taken into account. The site manager is also likely to have a role in how the units would be advertised and a coherent advertising strategy for the units could be developed.

52. All but one of the retail units would have a frontage to the street and this approach has been questioned as to whether it would provide the retail units with adequate prominence to promote trade. Retail arcades are not uncommon, however, and the proposal has been influenced by the Tiendas Del Sur retail arcade, a Latin American shopping centre which is located on the ground floor of Sherston House to the south of the site and which also has flats directly above. This shopping arcade has a hairdresser / barber shop and a grocery shop either side of the entrance to the arcade. One of the units is a cafe which has seating in the centre of the arcade and there are further shops around the edge of the space looking onto the seating area. This approach appears to work well and the arcade appeared well used on a number of visits to the site.
53. The layout of the proposed units would be flexible, allowing their size and shape to be altered depending on demand for traders. The proposal would form a small cluster of businesses, and the ability to form clusters is something traders at the shopping centre have expressed as being important to them.
54. The minor nature of the external alterations would be acceptable, and officers consider that they would enhance the appearance of the building and improve the public realm around it. The proposal would not affect the setting of any nearby heritage assets including the Faraday Memorial and the Elliot's Row Conservation Area. Overall the design of the proposal is considered to be acceptable.

Flood risk

55. The site is located in flood risk zone 3 which has a high probability of flooding. A flood risk assessment (FRA) has been submitted in support of the application and has been reviewed by the Environment Agency and the Council's Flood Risk and Drainage Team. The Environment Agency does not wish to make any comments on the application, and the Flood Risk and Drainage Team initially requested that the finished floor levels within the building be raised. This would not be possible owing to the existing floor to ceiling height therefore the Flood Risk and Drainage Team have recommended a condition requiring a flood evacuation plan to be submitted for approval and this has been included in the draft recommendation.

Sustainable development implications

56. The proposed development would make use of a disused garages and the reduction in car parking would encourage sustainable modes of travel. The proposed shopfronts would be double-glazed.

Community Infrastructure Levy (CIL)

57. The proposed development would not be CIL liable because the parking is ancillary to a wider building which is in lawful use.

Other matters

Community consultation

58. Neighbouring residents have raised concerns that pre-application consultation on the application showed that most Perronet House residents are not in favour of the proposals.
59. Details of consultation undertaken by the applicant before the planning application was submitted are set out in the Design and Access Statement (DAS). Consultation events were held in Perronet House on 13th-14th September 2017 and were attended by 8 residents, and consultation boards were displayed on the Council's website. The boards and a model of the development were then displayed at Tree Shepherd's office in the Elephant and Castle Shopping Centre. A drop in session for traders was held at the shopping centre to discuss both the shopping centre redevelopment proposals and the Perronet House proposals.
60. Feedback received comprised:
- Concerns about a publicly accessible east-west route through the site;
 - Loss of parking and storage;
 - Existing anti-social behaviour and
 - Quality of the proposed retail units.
61. To address some of these concerns the proposed door in the western entrance was subsequently changed to emergency access only, disused garages in the northern parking area have been repaired, the width of the arcade was widened to create more circulation space, and it was agreed that a single operator would be appointed to manage the site. At the request of the Princess Street Medical Practice dropped bollards were included on the plans which would prevent unauthorised use of the doctors' parking spaces. The pharmacy raised concerns regarding potential impact on their air conditioning unit, and a perforated screen is proposed to separate the equipment and to allow them both to operate as normal.
62. Concerns have been raised during public consultation on the application that the Perronet House and Princess Street Tenants and Residents' Association were not consulted on the application. At the time that public consultation on the application was undertaken (January 2018) officers understood that there was no TRA in place for Perronet House. Letters were in any event sent to all flats within the building, together with the pharmacy and medical practice and the list of properties consulted are included in the officer report. An objection has been received from the TRA, and is summarised in the consultation replies section of this report.

Fire safety

63. Concerns have been raised by a neighbouring resident that the proposal would increase fire risk in the block and that Perronet House has no sprinklers or communal fire alarms. As stated, if planning permission is granted the applicant will need to obtain Building Regulations Approval which considers fire safety matters. As part of the Building Regulations process the London Fire and Emergency Planning Authority must be consulted.

Determination of the application

64. Concerns have been raised by a neighbouring resident that, as the Council is the applicant, the Council should not determine the application. Whilst this is noted, the

Council is able to determine its own applications. The proposal has been subject to public consultation; the Planning Committee which will determine the application does not have a role in managing Perronet House and the committee meeting is open to the public.

Conclusion on planning issues

65. The proposed development would provide additional retail floorspace in the Elephant and Castle town centre which would be acceptable in land use terms. Although the proposal would result in a loss of parking, the garages have not been used since 2012 and the site is in an area with excellent public transport links and the Council is bringing 8 unused garages in the northern parking area back into use. A number of conditions are recommended to ensure that there would be no loss of amenity to neighbouring residential occupiers, and the design of the proposal would be acceptable. It is therefore recommended that planning permission be granted, subject to conditions.

Community impact statement

66. 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) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Summary of consultation responses

Environmental Protection Team

69. Initial recommendation for refusal based on lack of information. Acoustic information subsequently submitted which demonstrates that the proposal would not cause a loss of amenity to the flats above. To further ensure no loss of amenity, conditions relating to hours of use (8am to 9pm), plant noise and no primary cooking at the cafe are recommended.

Highways Development Management

70. Applicant to demonstrate that servicing vehicles can enter and exit the site in forward gear (vehicle tracking required).

71. Informative required: A temporary license will be required in order to place tables and seating on street space.
72. Subsequent comment that the vehicle tracking would be acceptable.

Flood and Drainage Team

73. Initial concerns that insufficient detail provided, but given that the proposal is for a less vulnerable use a condition for an emergency flood evacuation plan is recommended. Generally recommend that flood resilience measures be put in place. No drainage strategy has been provided, however, minimal external changes are proposed.

Transport for London

74. - The site is adjacent to St Georges Road and London Road and the former Elephant and Castle gyratory which all form part of the Transport for London Road Network (TLRN). St George's Road forms part of Cycle Superhighway 6.
 - The footway and carriageway on the TLRN at St George's Road, London Road and the Elephant and Castle must not be blocked during the construction works. Temporary obstructions must be kept to a minimum and should not encroach on space needed for safe passage for pedestrians and should not obstruct the flow of traffic. No skips or construction materials shall be kept on the footway or carriageway on the TLRN at any time and TfL scaffolding / hoarding licences may be required.
 - All vehicles associated with the proposal must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.
 - TfL will need to be consulted on any signage proposed for the development and given the café frontage onto the TLRN licences will be required for the operation of tables and chairs if they spill out of the site's red line boundary and onto the public highway.
 - TfL welcome the associated public realm improvements proposed for the site frontage.
 - Given the site's excellent PTAL of 6b and the ongoing improvements at Elephant and Castle to improve the public realm, a car-free proposal is supported. Additionally, the principle of change of use from parking garage to A1/A3 use is supported.
 - The 10 proposed cycle parking spaces conform with London Plan 2016 and would be accessible and secure.
 - Cycle parking should comply with the draft new London Plan (November 2017) which would require 1 short-stay and 1 long-stay cycle parking spaces.
 - Delivery and servicing will take place from the existing rear service yard currently used by Perronet House and the adjacent St George's Pharmacy. All vehicles entering and exiting the servicing area must do so in forward gear and no vehicles must wait on the red route or encroach upon the TLRN public highway. Deliveries should be timed outside of peak hours and booked to avoid conflict with other service bay users.
 - Provided the above guidance is followed, TfL Spatial Planning offers no objections to the proposed change of use in this location

Perronet House and Princess Street Residents Association

75. Object to the application on the following grounds:
- Unreasonable lead- in time for a committee meeting, as only a limited number of residents were advised of the meeting, but not all of those who objected to the application;
 - The TRA has not been engaged on the final vision for the proposal and must be so prior to a planning decision;
 - Residents and public mislead into believing the proposal will prevent anti-social behaviour in the garages (the issue was a door access);
 - Residents were proposed more consultation but this did not happen;
 - Tenants were removed from garages in 2013 for shop conversion, which was scaled back and the pharmacy delivered. Anti-social behaviour issues have arisen because the garage space was then mothballed;
 - Weak guarantees over the types of vendors which would operate from the space;
 - Shopping centre traders have clearly stated they prefer other locations;
 - Application should be deferred.
76. Two representations have been received in support of the application on the following grounds:
- Would provide more retail choice for residents;
 - There is little retail provision on the western side of Elephant and Castle and along St George's Road and the surrounding streets;
 - The site is located in Elephant and Castle Town Centre and new retail is in accordance with the NPPF;
 - Would provide independent retailers with an opportunity to relocate;
 - Good lighting and internal design would be essential to the success of the new retail units;
 - Prominent signage would help to increase the visibility of the shops;
 - Should consider whether the projecting elements of the building could be removed, given their low height;
 - The site has a PTAL of 6b, with exceptional public transport links;
 - The loss of the car parking spaces should not outweigh the benefits of additional retail floorspace for independent businesses in the area;
 - Would improve the safety of the area.
77. 7 representations have been received objecting to the application on the following grounds:
- Noise and disturbance;
 - Safety and anti-social behaviour, including more people being able to access the block;
 - Impact upon pedestrians and cyclists;
 - Loss of the garages;
 - Existing shops within the shopping centre have a poor aesthetic and are unsightly;
 - Increased litter;
 - Lack of consideration for Perronet House residents, and pre-application consultation showed that most residents do not support the development;
 - Fire risk;
 - External alterations would change the character of the building / potential for unsuitable advertisements;
 - There is a waiting list for garages;
 - The Council should be refurbishing and maintaining the existing garages for residents, not changing them to shops;

- Untrue that the garages were closed due to anti-social behaviour; they were closed to accommodate the pharmacy;
- Property devaluation - officer response - this is not a material planning consideration and cannot be taken into account.
- Poor quality new retail space would be provided;
- The developer for the shopping centre application should be providing space for traders, not Perronet House;
- Cooking odours;
- The building overhang on the east elevation is very low and more people would walk beneath it to access the shops and cafe.
- As the Council is the applicant, the Council should not determine the application;
- The Council should manage the development, not an independent operator.
- Objections not included in officer report;
- Residents not notified of the planning committee meeting;
- Syringes have been found in the garages, either from rough sleepers or people receiving medication from the pharmacy;
- The Fire and Emergency Planning Authority need to approve the conversion;
- The Tenants and Residents Association has not been consulted;
- Request that the application be deferred to allow for further consultation with residents.

Human rights implications

78. 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.
79. This application has the legitimate aim of providing a cafe and retail units. 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/1399-67 Application file: 17/AP/4651 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquires telephone: 020 7525 5403 Planning enquires email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5410 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Victoria Lewis, Team Leader	
Version	Final	
Dated	5 June 2018	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		23 June 2018