

<b>Item No:</b> 7.1 & 7.2	<b>Classification:</b> Open	<b>Date:</b> 20 November 2018	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		<b>Addendum</b> Late observations, consultation responses, and further information.	
<b>Ward(s) or groups affected:</b>		Old Kent Road & Rye Lane	
<b>From:</b>		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 of each 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 7.1 – Application 18/AP/1431 for: Full Planning Permission – Muslim Association OF Nigeria, 365 Old Kent Road, London, SE1 5JH**

4. In the Officer's report the "Ward(s) or groups affected" was incorrectly identified as South Bermondsey. This should read Old Kent Road.
5. The wrong date for the completion of the Section 106 Agreement is included in paragraph 21 of the Officer's report. This should be consistent with paragraph 1 and read; "That, in the event that the Section 106 Legal Agreement is not completed by 20<sup>th</sup> May 2019, that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 143 of this report".
6. In paragraph 45, TfL's concern that the main entrance door would encroach onto existing highway space is noted, but this is not addresses in the Officer's response. This matter was clarified with a revised ground floor plan showing that the main entrance door would sit entirely within the applicant's red line boundary and therefore not encroach on the public footway.
7. In Table 8, the references to paragraph 142 are incorrect. These should refer to paragraph 118.
8. Since the completion of the Officer's report, it has been agreed with the applicant that, should planning permission be granted, a Community Use Agreement would be required by the Section 106 Legal Agreement. This would secure the use of the facility by all members of the community and include a mechanism by which this would be

regularly reported. This should be considered along with the other S106 obligations listed in paragraph 142.

9. Since the completion of the Officer's Report, the applicant has also provided details of two consultation meetings that were held with the residents of Wessex House on 30<sup>th</sup> July 2018 and 12<sup>th</sup> October 2018.

#### **Additional Objection**

10. An additional letter of objection has been received from a resident of Wessex House. This brings the total number of representations to 186, consisting of 167 in favour, 14 against and five neither for nor against. Concerns about the following issues are raised in this additional objection:
  - Proposed building height;
  - The call to prayer;
  - Noise from the lift;
  - Archaeological remains on the site; and
  - Noise from congregation when leaving the mosque.
11. These concerns are all addressed in the Case Officer's report. To summarise, the height proposed is appropriate for this prominent corner site and would sit comfortably between Wessex house, Astley House and the Southernwood Retail Park. It has been confirmed in writing by the applicant that there would be no call to prayer. A compliance condition is recommended to ensure this is the case. The lift would not result in harmful noise levels. An acoustic assessment demonstrating that the proposed development would not cause harm to sensitive receptors surrounding the site is recommended. The Council's Archaeology Officer has reviewed the application and concluded that, subject to the recommended conditions, the development would not cause harm to the archaeological value of the site. In terms of events management and the congregation coming to and from the mosque, the applicant has submitted a Travel Plan, management of which would be secured through the Section 106 Legal Agreement.

#### **Conditions**

12. An additional condition is recommended to require details of external lighting. The recommended wording is as follows:

##### **"External Lighting**

Details of any external lighting, including lighting proposed within the sculptural minaret feature, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with TfL where necessary, before any such lighting is installed. The details submitted should include design, power and position of luminaries. The development shall not be carried out otherwise than in accordance with any such approval given.

##### **Reason:**

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 Design and Conservation and Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007."

13. Condition 23 in the Officer's report duplicates the requirements set out in Condition 15, so it is recommended that condition 23 should be removed.
14. Condition 6, requiring a Piling Method Statement, did not have a policy reference in the associated reason. It is recommended that this should be revised to read as follows; "Reason: To ensure that any piling works do not impact on local underground sewerage utility infrastructure, in accordance with the National Planning Policy Framework 2018, Strategic Policy 13, High Environmental Standards, of the Core Strategy 2011 and Saved Policy 3.1, Environmental Effects, of the Southwark Plan (2007). The proposed works are in close proximity to underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the details of the piling method statement."

## **Item 7.2 – Application 18/AP/2156 for: Full Planning Permission – 112B Peckham High Street, London, SE15 5ED**

### **Corrections to the report**

Paragraph 17:

15. Highlights the acceptability of the principle of development. It states the loss of retail at first floor would be acceptable. However, there would be no loss of retail at first floor but actually an existing residential unit would be replaced. The only loss of commercial space is at ground floor level and this is 4sqm. This is considered acceptable and results in the same conclusion that the proposal is would accord with saved planning policy on town centre uses.

Paragraph 30:

16. The reference to the remaining ratio of daylight distribution in the last sentence is incorrect and should read be 0.67 instead of 0.63.

Paragraph 53:

17. The site is between two 4 storey buildings not a 3 and a 4 storey building.

### **Conditions**

18. An additional condition is recommended to ensure that the new development would proceed soon after demolition so the site is not left empty for an unspecified amount of time. The condition would require a construction contract to be entered into, giving reassurances that the redevelopment of the site shall go ahead simultaneously. The condition recommended is below:

Prior to commencement of demolition works, a valid construction contract (under which one of the parties is obliged to carry out and complete the works of redevelopment of the site for which planning permission was granted simultaneously with this consent) shall be entered into and evidence of the construction contract shall be submitted to for approval in writing by the Local Planning Authority.

### **Reasons**

To maintain the character and appearance of the Rye Lane Conservation Area in accordance with The National Planning Policy Framework 2018, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.15

Conservation of the Historic Environment, 3.16 Conservation Areas, and 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites of The Southwark Plan 2007.

### **REASON FOR URGENCY**

19. 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 Planning 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 and would inconvenience all those who attend the meeting

### **REASON FOR LATENESS**

20. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Individual files	Place and Well Being Department 160 Tooley Street London SE1 2QH	Planning enquiries Telephone: 020 7525 5403