

COMMUNITY COUNCILS
A voice for your community



Camberwell Community Council

Planning Agenda

DATE: Tuesday 13 September 2005	TIME: 7.00pm
PLACE: Southwark Town Hall Peckham Road SE5 8UB	

- 1. Welcome and introductions**
- 2. Apologies**
- 3. Notification of any items which the Chair deems urgent**
- 4. Disclosure of Members' interests and dispensations**
- 5. Planning Application for Decision:**

Item 1/1 24 Grove Hill Road SE5 – Full Planning Permission

Item 1/2 190 Southampton Way SE5 7EU- Full Planning Permission

- 6. Closing Comments by Chair**

ADDITIONAL INFORMATION

Camberwell Community Council Membership

Councillor Veronica Ward *Chair*

Councillor John Friary *Vice Chair*

Councillor Vicky Naish

Councillor Tony Ritchie

Councillor Ian Wingfield

Councillor Alison Moise

Councillor Dora Dixon-Fyle

Councillor Dermot McInerney

Councillor Peter John

Carers' Allowances

If you are a Southwark resident and have paid someone to look after your children, or an elderly dependant or a dependant with disabilities, so that you can attend this meeting, you may claim an allowance from the Council. Please collect a claim form from the clerk at the meeting.

Deputations

For information on deputations please ask the clerk for the relevant handout.

Exclusion of Press and Public

The following motion should be moved, seconded and approved if the Community Council wishes to exclude the press and public to deal with reports revealing exempt information.

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraphs 1-15, Access to Information Procedure Rules of the Constitution.”

Transport Assistance for Disabled Members of the Public

Members of the public with a disability who wish to attend Community Council meetings and who require transport assistance in order to access the meeting, are requested to call the meeting clerk at the number below to give his/her contact and address details. The clerk will arrange for a driver to collect the person and provide return transport after the meeting. There will be no charge to the person collected. Please note that it is necessary to call the clerk as far in advance as possible, at least three working days before the meeting.

Wheelchair access

The Southwark Town Hall is wheelchair accessible.

For further information, please contact the Community Council Development Officer:

Sharna Quirke

Phone: 0207 525 7385

E-mail: sharna.quirke@southwark.gov.uk

Council Website: www.southwark.gov.uk

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 7514. To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 7525 7514

আপনি যদি আপনার ভাষায় কমিউনিটি কাউন্সিল সম্বন্ধে তথ্য চান তাহলে অনুগ্রহ করে 020 7525 0640 নম্বরে টেলিফোন করুন

কোন বিশেষ প্রয়োজন সম্বন্ধে যদি আমাদের জানাতে চান যেমন ট্রান্সপোর্ট অথবা সংকেত দ্বারা অনুবাদক/ইন্টারপ্রেটার তাহলে 020 7525 0640 নম্বরে টেলিফোন করুন

Bengali

Kendi dilinizde Toplum meclisleri hakkønda bilgi almak için 020 7525 7514'nolu telefonu arayønøz.

Özel gereksinimlerinizi bize bildirmek için 020 7525 7514'nolu telefonu çeviriniz.

Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

Si aad noogu sheegto haddii aad leedahay baahi gaar ama wax gooni kuu ah sida gaadiid, af celiyaha dadka indha la' fadlan tilifooni 020 7525 7514

Somali

如果你需要有關社區委員會的訊息翻譯成中文，請致電提出要求，號碼：020 7525 0640

欲想通知我們你有的特別需求或需要，例如接送車輛或手語/傳譯員，請致電通知，號碼：020 7525 0640

Chinese

Se voce quiser informações nos conselhos comunitários traduzidas em sua □nautho por favor ligue para 020 7525 7514

Para-nos informar de quaisquer necessidades especiais ou requisitos , tipo trasporte, linguagem dos sinais/ intérprete, por favor ligue para 020 7525 7514.

Portuguese

Si vous □nautho avoir l'information sur les Conseils de la Communauté (Community Councils) traduite en votre langue téléphonez SVP au 020 7525 7514

Pour nous informer de tout besoin ou condition spéciale, telles que le transport ou le signataire / interprète, téléphonez SVP au 020 7525 7514

French

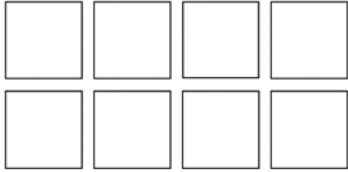
Si precisa información traducida a su idioma, sobre los concejos del Comunidad (Community Councils) por favor llame al número de teléfono 020 7525 7514 Si tiene necesidades o requisitos específicos, como es el transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

Spanish

Lati bẽre fun itumọ irohin nipa Council agbegbe re (Community Council) ni ede abini re, jowo pe telifoonu 020 7525 7514.

Lati je ki a mo nipa iranlowo tabi idi pato, gegebi oko (moto) tabi olutumọ, jowo pe telifoonu 020 7525 7514.

Yoruba



COMMUNITY COUNCILS
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Camberwell Community Council

Planning Meeting

Minutes of the Camberwell Community Council Planning Meeting held on Thursday 21 July 2005 at the Sacred Heart Roman Catholic Church, 2 Knatchbull Road, Camberwell

The meeting opened at **7.20pm** and was adjourned to 7:25 to wait for Ward Cllr Dixon-Fyle.

PRESENT

Councillors: Veronica Ward (Chair), John Friary (*Vice Chair*) and Tony Ritchie.

Officers: Lauren Katiyo (CCDO) and Tim King (Planning).

1. INTRODUCTION

Councillor Ward welcomed attendees and asked Members and Officers to introduce themselves.

2. APOLOGIES

Absence: Cllrs Vicky Naish, Ian Wingfield, Alison Moice, Dermot McInerney sent their apologies.

Late: Cllr Dora Dixon-Fyle

3. NOTIFICATION OF ANY OTHER ITEMS THE CHAIR DEEMS URGENT

None.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

None.

RECORDING OF MEMBERS' VOTES

Council Procedure Rule 1.17 (5) allows a Member to record her/his vote in respect of any Motions and amendments. Such requests are detailed in the following Minutes. Should a Member's vote be recorded in respect to an amendment, a copy of the amendment may be found in the Minute File and is available for public inspection.

The Committee considered the items set out on the agenda, a copy of which has been incorporated in the Minute File. Each of the following paragraphs relates to the item bearing the same number on the agenda. In every case the planning officer introduced the item to Members.

DEVELOPMENT CONTROL (SEE PAGES 4 TO 7 OF AGENDA)

ITEM 1/1: 140 Camberwell Road, SE5 – Full Planning Permission

Proposal: (05-AP-0363)
Change of use from retail A1 to a restaurant/takeaway A3, to be used in conjunction with the adjoining property with existing A3 use, together with the installation of an extract duct with its motor and flue positioned on the flat roof of the single storey element to the front of the property- RE-SUBMISSION

Recommendation: Grant

The Planning Officer introduced the item, describing the proposal, site and feedback from consultation. He added that the last application was refused in 2002 because it lacked proper duct and flue positioning requirements. He added that the resubmission is now compliant and fulfils the health authorities concerns. Initial concerns about fumes, smells and odours have now been addressed. To answer questions raised by members about the exact positioning of the chute and layout of the property, he produced photocopied pictures of the building and explained how the extension of the restaurant would look after completion. He mentioned there is a submission of 100 signatures in the neighbourhood to support the application.

Objectors: There were no objectors present.

Application Supporters: The applicant addressed the meeting for 3 minutes. She explained that the expansion of the restaurant would contribute to the regeneration of the area, create employment and a family-oriented social activity. A quiet state-of-the-art extractor unit will be installed and hidden from view, making the building more esthetically pleasing.

Ward Councillors

Cllr Dora Dixon-Fyle spoke in her capacity as ward councillor to say that the application fits in with regeneration and the current need to support BME enterprises.

Members asked the Planning Officer questions regarding operating hours and noise from the takeaway part of the business. It was noted that there was a mistake in the draft decision notice hours. Cllr Ritchie then suggested that the hours be defined as starting from 12 midday to 12 midnight and this was agreed. There will be no noise as there will be no motorcycles collecting or delivering takeaways. Members were satisfied with the officer's responses.

Councillors then made their decision as follows:

Decision: **AGREED to GRANT** permission as laid out in the draft decision notice in the agenda subject to the alteration of the operating hours in paragraph 3 to read 12 midday to 12 midnight from Monday to Sunday.

The meeting ended at **7.50pm**

CHAIR:

DATE:

Item No.	Classification Open	Date: 21 July 2005	Meeting Name: Camberwell Community Council
Report title:			
Ward(s) or groups affected:		All within Camberwell Community Council area	
From:		Strategic Director of Regeneration	

RECOMMENDATIONS

- 291 That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
- 291 That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
- 291 That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

- 291 The Council's powers to consider planning committee business detailed in Article 8 under Role and Functions of the Committee were agreed by the Constitutional Meeting of the Council on 24th February 2003. This function was delegated to the Planning Committee.

KEY ISSUES FOR CONSIDERATION

- 291 Members are asked to determine the attached applications in respect of site(s) within the Community Council boundaries.
- 291 Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
- 291 Applicants have the right to appeal to the Secretary of State for the Environment against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred

through employing Counsel to present the Council's case. The employment of Counsel is generally limited to complex inquiries or for very major proposals.

291 The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.

291 Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.

291 All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration budget.

EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED

291 **Equal opportunities considerations are contained within each item.**

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Borough Solicitor & Secretary

291 A resolution to grant planning permission shall mean that the Development & Building Control Manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Development & Building Control Manager shall constitute a planning permission.

291 A resolution to grant planning permission subject to legal agreement shall mean that the Development & Building Control Manager is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Borough Solicitor and Secretary, and which is satisfactory to the Development & Building Control Manager. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Borough Solicitor and Secretary. The planning permission will not be issued unless such an agreement is completed.

291 Section 70 of the Town and Country Planning Act 1990 requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 54A of the Town and Country Planning Act 1990 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan

unless material considerations indicate otherwise. The development plan is currently the Southwark Unitary Development Plan adopted by the Council in July 1995.

291 Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:

291 restrict the development or use of the land;

291 require operations or activities to be carried out in, on, under or over the land;

291 require the land to be used in any specified way; or

291 require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

291 Government policy on planning obligations is contained in the Department of the Environment's circular 1/97. Provisions of legal agreements must fairly and reasonably relate to the provisions of the Development Plan and to planning considerations affecting the land. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda 29 th May 2002	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Beverley Olamijulo 020 7525 7222
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or Jim Sherry 020 7525 5437

APPENDIX 1

Audit Trail

Lead Officer	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Lyn Meadows, Assistant Borough Solicitor Chris Thompson, Community Councils Officer	
Version	Final	
Dated	11/02/03	
Key Decision	No	
Officer Title	Comments Sought	Comments included
Lyn Meadows Asst Borough Solicitor & Secretary	No	Yes
Paul Evans Strategic Director of Regeneration	No	No
Jim Sherry Interim Development & Building Control Manager	No	Yes

ITEMS ON AGENDA OF THE CAMBERWELL CC

on Tuesday 13 September 2005

Appl. Type Full Planning Permission
Site 24 Grove Hill Road SE5

Reg. No. 05-AP-1058
TP No. TP/2160-24
Ward South Camberwell
Officer Joost Van Well

Recommendation GRANT

Item 1/1

Proposal

Formation of an additional residential flat involving extensions to first and second floors and erection of ground floor rear extension.

Appl. Type Full Planning Permission
Site 190 Southampton Way SE5 7EU

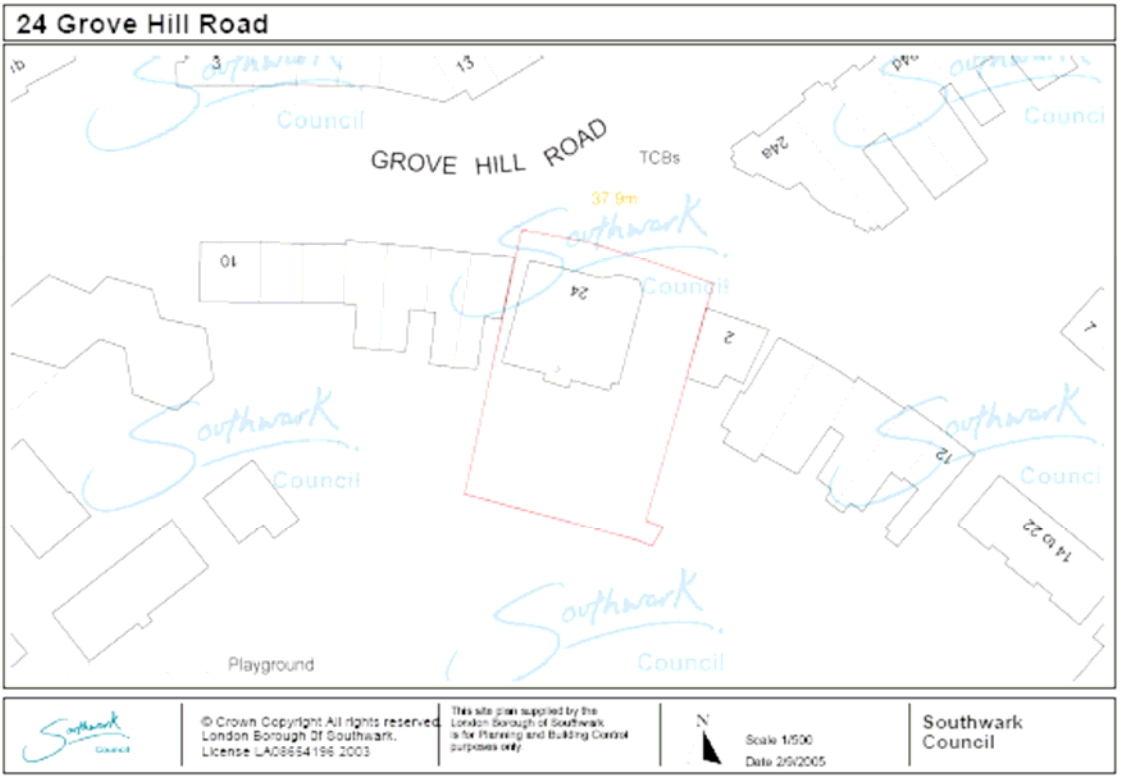
Reg. No. 05-AP-0725
TP No. TP/2229-186
Ward Brunswick Park
Officer Elaine Quigley

Recommendation GRANT

Item 1/2

Proposal

Continued use of ground floor as a day nursery for children age 3 months to 4 years and increase in number of children from 12 to 20 (variation of conditions nos. 1 and 4 on permission ref 04/0320 granted 29/7/04).



Item No. 1	Classification OPEN	Decision Level CAMBERWELL COMMUNITY COUNCIL	Date 13/09/05
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-1058) Formation of an additional residential flat involving extensions to first and second floors and erection of ground floor rear extension.		Address 24 Grove Hill Road SE5 Ward South Camberwell	

PURPOSE

- 1 To consider the above application. The application is to be decided by the Camberwell Community Council because of the number of objections received.

RECOMMENDATION

Grant planning permission

BACKGROUND

The site is a substantial residential building that is converted into 5 self-contained units. The main building is late Victorian and architecturally attractive, but the side extension in which two flats are housed is of no architectural merit. The building is not listed nor in a conservation area.

No recent relevant planning relates to the site.

Planning permission is sought to refurbish and extend the existing side extension, and create an extra storey and rear extensions. This extra storey would accommodate an additional flat.

FACTORS FOR CONSIDERATION

Main Issues

The main issues in this case are design of the extensions, the impact on the residential amenities of neighbouring occupiers and traffic and parking implications.

Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

Policy E.2.3 'Aesthetic Control': *Complies; the proposed extensions would be more in keeping with the building than the current side extension*

Policy E.3.1 'Protection of Amenity': *Complies; the extensions and rear balcony would not create overlooking to neighbouring properties.*

Policy H.1.8 'Standards for New Housing': *Complies: the new flat would be a generous two bed flat. .*

Policy T.6.3 'Parking Space in New Developments': *Complies, only one additional unit proposed so limited impact.*

The Southwark Plan [Revised Draft] February 2005

Policy 3.2 'Protection of Amenity': *Complies; see above*

Policy 3.11 – 'Quality in Design': *Complies; see above.*

Policy 4.2 'Quality of residential development': *Partly complies*

Policy 5.6 'Parking and traffic': *Complies; see above*

Consultations

Site Notice:
20/07/05

Press Notice:
N/A

Consultees:

20, 22a, 22b, 24, 24a, 24b, 24c Grove Hill Road, SE5 8DG

Flats 1-5, Bromar Court, 24 Grove Hill Road SE5 8DG

9, 11a, 11b, 11c, 13, 15, 17, 19, 19a, 19b, Grove Hill Road, SE5 8DF

Flats A and B, 2 Bromar Road
4 Bromar Road

Replies from:

13, 17, 18 and 20 Grove Hill Road, 17 Bromar Road: Objections raised to the increase in parking stress that the development will cause, and the detailed design of the development that is not in keeping with the building.

PLANNING CONSIDERATIONS

Design

The new roof extension would be in keeping with the host building, and would be more acceptable in design than the current side extension. The height (3-stories) is the dominant building height in the area and therefore acceptable.

Impact on the residential amenities

The main impact will be on the neighbouring 22 Grove Hill Road. The proposed extensions would not block out a significant amount of day or sunlight, nor would they have a material impact on the outlook of these flats.

After negotiations, the roof terrace has been reduced and is now a balcony, which would not cause overlooking into the neighbouring property.

Standards of provided residential accommodation

The newly provided unit would be a generous 2-bed room unit that complies with the

Councils standards for room sizes and overall flat sizes. The ground and first floor flats would be extended and made into 2-bed units whereas they are now 1-bed units. This is considered to be acceptable.

Traffic and parking implications

As only one additional unit is proposed, it is not considered that the development would have a significant material impact on traffic flow or parking stress in the vicinity. Furthermore, the site has a high Public Transport Accessibility rating of 5. As such, it is not considered that the additional unit that is proposed without off-street parking would result in a material reason for refusal.

Conclusion

The proposal would create new high standard residential accommodation within a an aesthetically pleasing extension, without harming amenities of neighbouring residents

EQUAL OPPORTUNITY IMPLICATIONS

No

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

No

LEAD OFFICER	Anne Lippitt	Interim Head of Development & Building Control
REPORT AUTHOR	Joost Van Well	[tel. 020 7525 5410]
CASE FILE	TP/2160-24	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	The Light Space Company	Reg. Number	05-AP-1058
Application Type	Full Planning Permission	Case Number	TP/2160-24
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Formation of an additional residential flat involving extensions to first and second floors and erection of ground floor rear extension.

At: 24 Grove Hill Road SE5

In accordance with application received on 31/05/2005

and Applicant's Drawing Nos. 5243/01 C, 5243/02, 5243/03 E, 5243/04 D, 5243/05

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended

- 2 No part of the flat roof to the ground floor extension so formed shall be used as a roof terrace other than the extent of the balcony area thereto, as shown on drawing no. 5243/03 rev.E, hereby approved.

Reason

To protect the residential amenities of neighbouring occupiers, in accordance with Policy E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan 1995 [UDP] and Policy 3.2 'Protection of Amenity' of the The Southwark Plan [Revised Draft] February 2005.

Reasons for granting planning permission.


This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies E.2.3 'Aesthetic Control', E.3.1 'Protection of Amenity', H.1.8 'Standards for New Housing' and T.6.3 'Parking Space in New Developments' of the Southwark Unitary Development Plan 1995
- b] Policies 3.2 'Protection of Amenity', 3.11 'Quality in Design', 4.2 'Quality of residential development' and 5.6 'Parking and traffic' of The Southwark Plan [Revised Draft] February 2005.

Planning permission was granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

190 Southampton Way



	<p>© Crown Copyright. All rights reserved. London Borough of Southwark. License LAC6664196 2003</p>	<p>This site plan supplied by the London Borough of Southwark is for Planning and Building Control purposes only.</p>	<p>N Scale 1/1250 Date 09/2005</p>	<p>Southwark Council</p>
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ITEM No. 2	Classification OPEN	Decision Level CAMBERWELL COMMUNITY COUNCIL	Date 13/09/05
From DEVELOPMENT & BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0725) Continued use of ground floor as a day nursery for children age 3 months to 4 years and increase in number of children from 12 to 20 (variation of conditions nos. 1 and 4 on permission ref 04/0320 granted 29/7/04).		Address 190 Southampton Way SE5 7EU Ward Brunswick Park	

PURPOSE

- 1 To consider the above application by the Camberwell Community Council due to the number of objections received to the application.

RECOMMENDATION

- 2 To grant temporary planning permission limited to one year to allow the Council to fully monitor the impact of people travelling to and from the premises to ensure that the use would be acceptable in terms of highway and pedestrian safety.

3 BACKGROUND

- 3.1 The application site is located on the south of Southampton Way and comprises a two storey semi-detached house. To the west of the property is a derelict site, to the east is a row of residential properties. To the north are a row of two storey properties that comprise a mix of commercial properties on the ground floor with residential above. To the south of the site is Melbury Drive that comprises a cul-de-sac of residential dwellings with a car park directly to the south of the site. The car park is not for private use. The property is a Grade II listed building and is part of a group including Nos. 192 and 194 Southampton Way. It is not within a conservation area.

Planning History

- 3.2 In July 2004 planning permission was granted by Community Council members for a change of use of the ground floor of the single family dwelling house to provide a children's day nursery for under 2's for a temporary period of one year. Temporary consent was granted to allow the Council to fully assess whether the nursery use was acceptable in amenity terms, with particular regard to the impact on the adjoining property at No. 192 in terms of noise and disturbance and to monitor the impact of

people travelling to and from the premises to ensure that the use would be acceptable in terms of highway and pedestrian safety. Environmental Health have advised that no complaints have been received regarding the nursery over the past year.

- 3.3 In January 2005 planning permission was granted for the installation of a 1.8m high gate in the rear boundary fence of the site to provide new pedestrian access onto Melbury Drive in connection with use of ground floor of building as a nursery. The additional pedestrian and vehicular traffic was not considered an issue as Melbury Drive is not a private road solely for the use of the people living there and dropping off children at nursery by car would result in parking of vehicles for a short period of time between the hours of 8am and 6pm that was not considered unsociable.

Planning History of Adjoining Property

- 3.4 The adjacent derelict site has an extant permission that was granted in April 2002 for the erection of 13 new flats, a communal garden and seven parking spaces with vehicular access from Southampton Way. This permission has now lapsed.

Current planning application

- 3.5 Planning permission is sought for the continued use of ground floor as a day nursery for children age 3 months to 4 years and increase in number of children from 12 to 20 (variation of conditions nos. 1 and 4 on permission ref 04/0320 granted 29/7/04). Twelve children would be aged between 3 months and 2 years of age and eight additional children would be between the ages of 2-4 years. The applicant has advised that there are currently 14 children attending the nursery. A statement enclosed with the application advises that the external area to the rear of the property would continue to be used as a play area. The children would have allotted playtimes in the garden between 10:30 am - 11:30 am and after 15:30 pm. The children would be split into two groups with each group having a 30 minute playtime. An additional toilet would be provided adjoining the existing toilet. This has not been detailed on the plans submitted. The owner has confirmed that 50% of the parents are members of the following organisations: Sure Start, Southwark College, Southwark Education and Manchester City Council.

A travel plan has been submitted with the application providing the following information:

General Information

Bus route 343 runs directly past the nursery along Southampton Way from London Bridge towards Peckham. It is also accessible to 12, 171, 36, that travels along Peckham High Street. Nursery is accessible by both public transport and is within walking distance from Southwark College Camberwell Centre.

Clients Travel Routes

- 3 clients attend Camberwell College and walk and/or take public transport,
- 4 Sure Start clients who walk to the nursery from Elmington Road, Picton Street, Camberwell New Road, Peabody Estate, Camberwell
- 2 Manchester City Council employees who walk or take public transport from Inverton Road and Lyndhurst Way
- other parents walk from Commercial Way, Dalwood Street, Mood Road, Lidgate Road
- 3 parents drive

Staff Travel Routes

The five members of staff take public transport and walk to the nursery

There is no information relating to the catchment area for the nursery.

4 FACTORS FOR CONSIDERATION

Main Issues

- 4.1 The main issues in this case are the impact on the amenity of the adjoining properties and the impact on the highway in terms of possible parking congestion and traffic generation.

5 Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

Policy E.1.1 'Safety and Security in the Environment' - the application would be conditioned to minimise the impact of the nursery on highway safety. The impact on traffic and pedestrian flows will be re-evaluated in 1 years time.

Policy E.3.1 'Protection of Amenity' - given that the children would have allotted play times for an hour in the morning and 3:30pm in the afternoon and the main internal playspace would be contained to the right hand side of the building away from No. 192, the increase in the number of children from 12 to 20 would not be considered so detrimental to the amenity of the adjoining property as to recommend refusal.

Policy C.1.2 'Day Nurseries and Creches in Residential Areas' - the proposal would not be considered to result in an adverse impact on the amenity of the adjoining properties and as most parents walk or take public transport the additional traffic generation would be minimal.

Policy H.1.1 'Protection of Existing Housing Accommodation' - complies, the property would retain a residential unit on the first floor that would be occupied by the owner and her family.

Policy H.3.1 'Retention of Small Houses - complies, the total internal floor area exceeds 130 sq m and would be considered acceptable.

Policy H.1.8 'Standards for New Housing' - partly complies, the first floor flat would provide three bedrooms and would have an overall floor area of 76.5 sqm which falls slightly short of the Council's minimum overall floor area standards for properties with 3 bedrooms that would require 79sqm.

Policy E.4.6 'Proposals Affecting Listed Buildings' - complies, the proposal would not include any internal or external alterations to the original fabric or layout of the building.

The Southwark Plan [Revised Draft] February 2005

Policy 2.2 'Provision of new Community Facilities' - complies, the proposal would be used by local community and would not have a such an adverse impact on the amenity of the adjoining residents to recommend refusal. Increase in number of children may impact on the highway in terms of additional traffic generation however the applicant has advised that the majority of parents walk or take public transport to the site. Conditional consent would be granted to ensure monitoring of situation.

Policy 3.2 'Protection of Amenity' - although eight additional children would be accommodated on-site the additional noise generation from this increase would not be

considered so detrimental to surrounding residents to recommend refusal.
Policy 3.15 'Conservation of the Historic Environment' - complies, see Policy E.4.6 above.
Policy 4.2 'Quality of Residential Accommodation' - partly complies, see H.1.8 above.
Policy 4.6 'Loss of Residential Accommodation' - does not comply, however it is considered that the proposed use would provide an essential community facility in the area, particularly for students studying at Southwark College that is in close proximity to the site.

6 Consultations

Site Notice: 21.06.2005 (expires 12.07.2005)
16.06.2005 (expires 07.07.2005)

Press Notice:

Consultees:

153-181 (odds) Southampton Way, SE5
159A, 159B, Top Flat 159 Southampton Way, SE5
161A, 161B, Ground Floor, 1st Floor, 2nd Floor, 3rd Floor, 167 Southampton Way, SE5
Ground Floor, 1st Floor, 2nd Floor 173 Southampton Way, SE5
177A, 179B, 184-194 (evens), Southampton Way, SE5
2 Sedgemoor Place, SE5

The Camberwell Society
Traffic Group
Pollution Control
Early Years and After School Play (Education)

Replies from:

192 and 194 Southampton Way: *objects*

A joint letter was received that was signed by both residents raising the following objections:

Is sufficient floor space to accommodate needs of proposed number and age range of children. Proposal states 2 toilets however only one shown on the ground floor plan? Is one toilet adequate? Does proposal to extend numbers and age range concern OFSTED. Noise levels are expected in the morning and early afternoon however considerably higher between the hours of 3pm and 6pm - suggests use as an after-school facility. Increase in disturbance to immediate neighbours with increase in numbers of children.

Cllr Ian Wingfield: *objects*

Supports objections of residents of 194 Southampton Way

The Camberwell Society: *objections*

The description is misleading as the current use is for children up to 2 years old therefore cannot be continues use when increasing age to 4 years. Insufficient information on the floor areas. Lack of information on the play area. Absence of information on how same area would accommodate increase in children. Inadequate WC provision for number of children proposed. Inadequate assessment of additional impact on neighbours. Absence of Listed Building Consent application.

Pollution Control and Noise: no objections

There have been no complaints about the nursery in the last year.

Traffic Group: concerns

(Initial Comments received 14/07/2005).

Site not particularly well connected by public transport links despite location of bus stop outside the site. On-street parking bays opposite nursery are operating at capacity and further vehicles attracted to the surrounding area may impact on the operation of the surrounding highway network. Accident statistics have been checked and there have been a number of accidents that have involved pedestrians some of which were children. Object as the application would compromise highway and pedestrian safety.

(Comments received 16/08/2005)

Raise concerns regarding proposal and, if approved, would recommend further temporary period condition be attached.

Early Years and After School Play (Education): no objections

The nursery would have sufficient space to increase the numbers of child care places to 20 in line with Ofsted requirements. No objections to application.

7 PLANNING CONSIDERATIONS

Impact on the Amenity of the Adjoining Properties

Noise Generation

- 7.1 The existing nursery business has been operating since August 2004 providing day care for 12/14 children up to the age of 2 years of age. Environmental Health have confirmed that no complaints have been received from residents regarding noise from the property. The proposal would increase the number of children to 20 in order to continue to provide day care facilities for those children who are over the age of two years of age. The internal layout of the ground floor of the property would remain the same with the play facilities being located on the right hand side of the building away from No. 192. The owner has confirmed that an area located on the left hand side of the building has been used as the babies sleeping area. This would not be considered detrimental to the amenity of the adjoining residents.

External Play Area

- 7.2 The applicant has advised that the play area to the rear of the property would be accessed by the children and would be controlled by providing allocated play times between 10:30am -11:30am and after 15:30. As the external area would only be used for short periods of time during the day with 10 children using the area at a time it is considered that the additional noise generation would be minimal. Concerns have been raised by objectors relating to the use of the garden as a play area. A condition has been attached relating to the operating hours of the nursery and this would ensure that the amenity of the adjoining neighbours would not be harmed.

Traffic Generation

- 7.3 According to the applicant the majority of parents that would be using the nursery live

locally and attend Southwark College and Sure Start which are within short walking distances of the nursery. In addition most of the parents would allegedly travel to the nursery on foot or by public transport. This would minimise any impact on parking and highway safety. The Traffic Group have raised concerns regarding the increase in number of children and the impact this would have on highway safety and parking in the surrounding areas, especially Melbury Drive to the rear of the property. They have advised that, if permission is granted, it should be for a temporary period of one year. Given that the proposal is to increase the number of children attending the nursery this would be considered acceptable.

Other Issues Raised by Third Party Representatives

- 7.4 Concern was raised by adjoining neighbours relating to adequate space provision for the number of children proposed and that the proposal would satisfy requirements of Ofsted. Having discussed the application with the Early Years Unit of the Council's Education Department it has been confirmed that the ground floor of the property would provide sufficient space for the increase in the number of children proposed and would be in line with Ofsted requirements. As no internal alterations to the existing layout of the building or external alterations would be proposed listed building consent would not be required. Although details of the proposed additional WC have not been detailed in the drawings submitted a condition would be attached to any permission requesting that this information be submitted prior to the implementation of the permission.

8 EQUAL OPPORTUNITY IMPLICATIONS

- 8.1 None foreseen

9 LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 9.1 Increased intensity of an existing use within the urban area.

LEAD OFFICER	Anne Lippitt	Interim Head of Development & Building Control
REPORT AUTHOR	Elaine Quigley	[tel. 020 7525 5461]
CASE FILE	TP/2229-186	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant Ms N. Bennett
Application Type Full Planning Permission
Recommendation Grant

Reg. Number 05-AP-0725

Case Number TP/2229-186

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Continued use of ground floor as a day nursery for children age 3 months to 4 years and increase in number of children from 12 to 20 (variation of conditions nos. 1 and 4 on permission ref 04/0320 granted 29/7/04).

At: 190 Southampton Way SE5 7EU

In accordance with application received on 18/04/2005

and Applicant's Drawing Nos. 2 un-numbered drawings and site location plan.

Subject to the following conditions:

- 1 The development hereby permitted shall expire upon 21/09/2006, on or before which date the use shall be discontinued.

Reason

To allow monitoring of the site in respect of traffic problems that may arise associated with the dropping off and picking up of children, in accordance with Policy C.1.2 'Day Nurseries and Creches in Residential Areas', E.1.1 'Safety and Security in the Environment' and Policy E.3.1 'Protection of Amenity' of the adopted Southwark Unitary Development Plan (July 1995) and Policy 3.2 'Protection of Amenity' and Policy 2.2 'Provision of New Community Facilities' of the Southwark Plan (Revised Draft Unitary Development Plan) March 2005.

- 2 Notwithstanding the provisions of Part D of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) the use hereby permitted shall not include any other use within Class D1 other than a children's nursery.

Reason

In order to protect the amenity of the neighbouring properties and would be in accordance with Policy E.3.1 'Protection of Amenity' of the adopted Southwark Unitary Development Plan (July 1995) and Policy 3.2 'Protection of Amenity' of the Southwark Plan (Revised Draft Unitary Development Plan) March 2005.

- 3 The use hereby permitted for a children's day nursery shall not be carried out outside of the hours of 08:00 to 18:00 on Monday to Friday and at no other times.

Reason

In order to protect the amenity of the neighbouring properties and would be in accordance with Policy E.3.1 'Protection of Amenity' of the adopted Southwark Unitary Development Plan (July 1995) and Policy 3.2 'Protection of Amenity' of the Southwark Plan (Revised Draft Unitary Development Plan) March 2005.

- 4 The number of children being looked after at the children's day nursery shall be limited to a maximum of twenty at any one time.

Reason

In order to protect the amenity of the neighbouring properties and would be in accordance with Policy E.3.1 'Protection of Amenity' of the adopted Southwark Unitary Development Plan (July 1995) and Policy 3.2 'Protection of Amenity' of the Southwark Plan (Revised Draft Unitary Development Plan) March 2005.

- 5 The front curtilage of the property shall not be used as a forecourt for parents dropping off children by car to the nursery and the existing gates shall remain shut during the school day to preclude such a practice.

Reason

In order to prevent traffic and pedestrian congestion in the interests of highway safety in accordance with Policy E.1.1 'Safety and Security in the Environment' of the adopted Southwark Unitary Development Plan and Policy 3.2 'Protection of Amenity' of the Southwark Plan (Revised Draft Unitary Development Plan) March 2005.

Reasons for granting planning permission.

This planning application was considered with regard to various policies including, but not exclusively:

- a] Policies E.1.1 'Safety and Security in the Environment', E.3.1 'Protection of Amenity', C.1.2 'Day Nurseries and Creches in Residential Areas', H.1.1 'Protection of Existing Housing Accommodation', H.3.1 'Retention of Small Houses', H.1.8 'Standards For New Housing' and E.4.6 'Proposals Affecting Listed Buildings' of the adopted Southwark Unitary Development Plan (July 1995)
- b] Policies 3.2 'Protection of Amenity', 3.15 'Conservation of the Historic Environment', 2.2 'Provision of New Community Facilities', 4.2 'Quality of Residential Accommodation' and 4.6 'Loss of Residential Accommodation' of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.

Particular regard was had to the impact on the amenity of neighbouring properties and the traffic and pedestrian flows around the property that would result from the proposed development but it was considered that this could only be properly evaluated after the nursery had been in operation for a period of one year. It was therefore considered appropriate to grant a temporary planning permission having regard to the policies considered and other material planning considerations. Policies E.1.1 ' of the adopted Southwark Unitary Development Plan (July 1995)

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 Sharna Quirke 020 7252 7385)

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