

**COMMUNITY COUNCILS**  
A voice for your community



## **Nunhead and Peckham Rye Community Council**

### **Planning Agenda**

<b>DATE: Thursday 3<sup>rd</sup> February 2005</b>	<b>TIME: 6.00pm</b>
--	---------------------

<b>PLACE: Room D, Southwark Town Hall, Peckham Road, SE5 8UB</b>
--

- 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 Applications for Decision:**
  - 1/1** 160 Queens Road, SE15 – Full planning Permission
  - 1/2** Land to rear of 159,161 and 163 Peckham Rye, SE15– Full planning Permission
  - 1/3** Land at Water Mews, SE15 – Full planning Permission
- 6. Closing comments by Chair**

**ADDITIONAL INFORMATION**

## **Nunhead and Peckham Rye Community Council Membership**

Councillor Robert Smeath *Chair*

Councillor Fiona Colley *Vice Chair*

Councillor Alfred Banyan

Councillor Mick Barnard

Councillor Mark Glover

Councillor Aubyn Graham

Councillor Dominic Thorncroft

Councillor Andy Simmons

Councillor Alun Hayes

## **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**

Wheelchair access to the venue is via the main entrance of the Town Hall.

For further information, please contact the Nunhead and Peckham Rye Community Council clerk:

Louise Shah

Phone: 0207 525 0640

E-mail: [louise.shah@southwark.gov.uk](mailto:louise.shah@southwark.gov.uk)

Council Website: [www.southwark.gov.uk](http://www.southwark.gov.uk)

## **Language Needs**

If you want information on the Community Councils translated into your language please telephone 020 7525 57514. To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 752 57514

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 hakkõnda bilgi almak için 020 7525 7514'nolu telefonu arayõnõz.

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 língua por favor ligue para 020 7525 7514

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

**Portuguese**

Si vous désirez 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 itumõ irohin nipa Council agbegbe re (Community Council) ni ede abini re, jõwõ pe telifoonu 020 7525 7514.

Lati jẽ ki a mõ nipa iranlõwõ tabi idi pato, gẽgẽbi õkõ (mõto) tabi olutumõ, jõwõ pe telifoonu 020 7525 7514.

**Yoruba**

<b>Item No.</b>	<b>Classification</b> Open	<b>Date:</b> 3 <sup>rd</sup> Feb 2005	<b>Meeting Name:</b> Nunhead and Peckham Rye Community Council
<b>Report title:</b>			
<b>Ward(s) or groups affected:</b>		All within Nunhead and Peckham Rye Community Council area	
<b>From:</b>		Strategic Director of Regeneration	

## RECOMMENDATIONS

1. 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.
2. 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.
3. 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

4. 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 24<sup>th</sup> February 2003. This function was delegated to the Planning Committee.

## KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the Community Council boundaries.
6. 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.
7. 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.

8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.
9. 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.
10. 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**

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

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Borough Solicitor & Secretary**

12. 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.
13. 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.
14. 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.
15. 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:

1. restrict the development or use of the land;
2. require operations or activities to be carried out in, on, under or over the land;
3. require the land to be used in any specified way; or
4. 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.

- 16.** 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**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Council Assembly Agenda 29 <sup>th</sup> 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

<b><u>Lead Officer</u></b>	Deborah Holmes, Borough Solicitor & Secretary	
<b>Report Author</b>	Lyn Meadows, Assistant Borough Solicitor Chris Thompson, Community Councils Officer	
<b>Version</b>	Final	
<b>Dated</b>	11/02/03	
<b>Key Decision</b>	No	
<b><i>Officer Title</i></b>	<b>Comments Sought</b>	<b>Comments included</b>
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 NUNHEAD AND PECKHAM RYE CC

on Thursday 03 February 2005

---

**Appl. Type** Full Planning Permission  
**Site** 160 Queens Road, SE15

**Reg. No.** 04-AP-1235  
**TP No.** TP/2330-160  
**Ward** Nunhead  
**Officer** Jacqui Carter

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

*Item 1/1*

**Proposal**

Redevelopment of site to provide a four storey building to provide 20 flats and 8 car parking spaces with access from St Mary's Road.

---

**Appl. Type** Full Planning Permission  
**Site** Land to the rear of 159, 161 & 163 Peckham Rye SE15

**Reg. No.** 04-AP-1475  
**TP No.** TP/2614-159  
**Ward** Peckham Rye  
**Officer** Matthew Mason

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

*Item 1/2*

**Proposal**

Conversion of rear part of existing factory building along Soloman's Passage and existing warehouse/ workshop buildings located to the rear of numbers 45-55 Waveney Avenue to provide 12 dwellings.

---

**Appl. Type** Full Planning Permission  
**Site** Land at Water Mews SE15

**Reg. No.** 04-AP-1776  
**TP No.** TP/739-A  
**Ward** Nunhead  
**Officer** Nancy Merriman

**Recommendation** REFUSE

*Item 1/3*

**Proposal**

Erection of 2 two-storey semi-detached two bedroom houses and a terrace of 4 two-storey , two bedroom houses together with the provision six parking spaces - RE-SUBMISSION

---





© Crown Copyright All rights reserved. London Borough of Southwark. License LA08854196 2003

This site plan supplied by the London Borough of Southwark is for Planning and Building Control purposes only.

Claire Cook  
Date 2/12/2004  
Scale 1/1250

Southwark  
Council

Item No.	Classification	Decision Level	Date
1	OPEN	COMMUNITY COUNCIL	3.2.2005
<b>From</b> INTERIM DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-AP-1235 )  Redevelopment of site to provide a four storey building to provide 20 flats and 8 car parking spaces with access from St Mary's Road.		<b>Address</b>  160 Queens Road, SE15  <b>Ward</b> Nunhead	

## 1. PURPOSE

- 1.1 To consider the above application

## 2. RECOMMENDATION

- 2.1 Grant planning permission, subject to a Legal Agreement in respect of securing Affordable Housing units and also a monetary contribution of £30,000 for maintenance and improvement of St Marys Frobisher park on St Marys Road.

## 3. BACKGROUND

- 3.1 The application site is located on the south-east corner of St Marys Road and Queens Road, and is currently being used as an open garden centre, utilising the canopy from the previous petrol station. The only existing structures on site are two open canopies and a board fence around the perimeter.

The neighbourhood is characterised by a mix of multi-storey residential buildings, two storey attached dwellings, and commercial premises. Queens Road train station is located approximately 1200 metres to the west, and there are regular bus services along Queens Road. The site is not within a Conservation Area, however the dwellings at 164 Queens Road and 2, 4, and 6 St Marys Road are Listed Buildings.

- 3.2 A planning application was withdrawn in November, 2003 for 18 flats and four 3 storey houses, as the proposal was considered to be an overdevelopment of the site. Planning permission was granted in 1998 for 14 flats in a two, three and four storey building and 13 parking spaces, however the permission has not been implemented. In 1999, permission was also granted for the continued use of site for car sales.

With regards to development in the immediate neighbourhood, planning

permission has recently been granted for the redevelopment of 134-148 Queens Road, including a five storey office building and 158 residential flats, with associated parking and landscaping.

- 3.3 Planning permission is sought now for a new four storey residential building, with 20 one and two bedroom units and ground floor amenity space. The development will be 100% affordable housing. The development will also comprise 8 parking spaces, an internal lift, and on site cycle and refuse storage. The proposed building will be set back from Queens Road with the only vehicle access point being from St Mary Road.

## **4. FACTORS FOR CONSIDERATION**

### **4.1 Main Issues**

The main issues in this case are the principle of the residential use, the appearance of the new building in the streetscape and the impact on the amenity of the neighbouring dwellings.

### **4.2 Planning Policy**

#### Southwark Unitary Development Plan 1995 [UDP]:

E.2.1 Layout and Building Line - *complies*

E.2.3 Aesthetic Control - *complies*

E.2.4 Access and Facilities for People with Disabilities - *complies*

E.3.1 Protection of Amenity - *complies*

H.1.3 New Housing - *complies*

H.1.4 Affordable Housing - *complies*

H.1.5 Dwelling Mix of New Housing - *complies*

H.1.8 Standards for New Housing - *complies*

T.1.3 Design of Development and Conformity with Council Standards - *partially complies*

T.4.1 Measures for Cyclists - *complies*

Standards, Controls and Guidelines for Residential Development SPG - *complies*

#### The Southwark Plan [Revised Deposit Unitary Development Plan] March 2004

3.11 Quality in Design - *complies*

3.13 Urban Design - *complies*

3.1 Environmental Effects - *complies*

3.2 Protection of Amenity - *complies*

4.1 Density of Residential Development - *complies*

4.2 Quality of Residential Development - *complies*

4.3 Mix of Dwellings - *complies*

4.4 Affordable Housing - *complies*

5.2 Transport Impacts - *complies*

5.3 Walking and Cycling - *complies*

5.6 Car Parking - *complies*

5.7 Parking Standards for the Mobility Impaired - *complies*

Residential Design Standards SPG - *complies*

### 4.3 Consultations

Site Notice: 23/7/04

Press Notice: 29/7/04

Consultees:

Traffic Group

Conservation and Design Officer

Transport for London

1, 2, 3, 4, 5, 6 Arnold Dobson House, St Marys Road, SE15

158, 164a, 164b, 164c, 164d, 164e, 168a, 168b, 168c, 168d, 168e, 203a, 203b, 203c, 203d, 203e, 205a, 205b, 205c, 205d, 205e, 209a, 209b, 209c, 209d, 209e, 209f, 209g, 209h, 213a, 213b, 213c, 213d Queens Road, SE15

215, 217, 219, 221, 223a, 223b, 225a, 225b Queens Road, SE15

2a, 2b, 2c, 2d, 4a, 4b, 4c, 4d, 6, 8, 10, 12, 14 St Mary Road, SE15

1-34 Pioneer Building, Frobisher Place, St Marys Road, SE15

[Re-consult for 14 days on design - 29/11]

#### **Replies from:**

Transport for London (4/8/04)

- No comments
- The property boundary fronting Queens Road agrees with our highway boundary plan and the proposed landscaping within the curtilage of the site does not interfere with the visibility splay for vehicles emerging from St Marys Road.

Traffic Officer (1/10/04)

- The access to the car park must be a minimum of 4.8 metres wide to allow two vehicles to meet.
- I do not object to the level of car parking required, there would be at least a 1:1 provision for cycles and the applicants should explore the provision of motorcycle parking on site. The cycle storage needs to be secure, not just in the car park.
- One of the parking spaces should be to disabled standards 3.6m x 4.8m
- Boundary treatment and landscaping must not exceed 0.9 m in height adjacent to the vehicular access so that sightlines are safeguarded.
- The existing vehicular accesses that will become redundant if this proposal is implemented will have to be removed at cost to the developer.
- Include informative as provided.
- A condition survey of the surrounding public highway is required before works commence on site. The applicant is advised to contact the highway inspector for the area for such a survey.
- The bin stores should be turned around so that they are not within sightlines of parked cars, otherwise I have no objection to the numbers provided.

Conservation and Design Officer (4/10/04)

- The application site is not located within a conservation area, but sits opposite 2, 4 and 6 St Marys Road, which are Grade II Listed.

- The principle of a four storey building is accepted. The footprint of the new build is considered acceptable, and the stepping down of the principle elevations and the articulation proposed ensures that the overall mass does not dominate this part of Queens Rd/St Marys Rd.
- The design solution attempts to pick up on the established character of this part of Queens Road.

#### Conservation and Design Officer (2/12/04)

- The new building line to Queens Road sits beyond the established line adjacent, however on the basis that this is a corner site which is confined by the boundary at the rear, and there has been an attempt to respect established building lines, this is acceptable.
- The articulation also manages to break up what would otherwise be a long elevation to Queens Road.
- The design solution has been revised, and the contemporary solution proposed is sympathetic to the established character of this part of Queens Road and St Marys Road. The shallow pitch roof in particular is subtle and makes reference to the existing villas adjacent in terms of its profile.
- The corner element to Queens Road and St Marys Road is distinctive and adds interest to this prominent corner.
- The boundary treatment to Queens Road has now been reserved in accordance with concerns relating to design and transparency. A lighter solution is now proposed in the form of metal railings of a simple design mounted on a low rise wall separated by a series of brick piers.
- Although the lift shaft projects above the roofline, I felt that its setback is adequate to ensure that it will not be visible in views from street level and therefore will not impact on the strong unbroken line of the main roof.
- Support re-designed scheme with Conditions.

#### Shirley Watson, Margaret Lewis, Ted Daly, Pamela Baker and Dexter King - 164A, B, C, D, E Queens Road (12/8/04)

- Object to the proposal
- Loss of light from the new building projecting 40 feet in front of our front window and being four storeys high.
- The proposed development does not follow the natural line of properties along Queens Road.
- By building up to the pavement of both Queens and St Marys Road visibility from both roads would be minimised.
- Only 8 parking spaces are included in the plans, and parking is already a severe problem in this area.
- This is a small plot of land which previously housed only one building; a family home which was in line with adjacent properties.
- The mature trees in front of 164 Queens Road would lose natural light.
- Noise is a concern as some form of access is proposed on the border with 164A Queens Road.
- Concerns over the safety of the children at St Thomas the Apostle School as result of additional traffic.
- The proposal will affect the environment in terms of noise, vibration, grit,

- dust, fumes, smells, vehicular obstruction, and traffic generation.
- 164 Queens Road is a listed Georgian house and the dwellings along this section of Queens Road are either Georgian or Victorian, the proposed development is not in keeping with its surroundings.
  - The proposed development does not display a high standard of landscape and townscape design.
  - The proposed development does not appear to include facilities for the disabled.
  - The proposed development does not follow the established horizontal and vertical rhythms, or provide facades reflecting features of nearby buildings.
  - The height of the building will overshadow 164 Queens Road, and will not fit in with its surroundings.
  - The main concerns with the standard of the development are density, layout, parking, access, egress, design, overlooking, sun lighting, day lighting, gardens, amenity space, play areas, minimum room sizes, internal arrangements and circulation space, provision for people with disabilities, energy conservation, noise levels, and refuse storage.

## **5 PLANNING CONSIDERATIONS**

### **5.1 Principle of Residential Use**

In accordance with PPG3 on Housing, the proposed development would ensure the efficient use of a brownfield site by re-using previously developed land within an urban area. The proposal also provides additional housing stock to meet local housing needs by converting the use of a vacant and under-utilised property.

A new residential development in this neighbourhood would consolidate the predominant residential character of the area, and be well serviced by regular train and bus services, local schools and churches, and a range of retail and commercial outlets along Queens Road and Peckham High Street. In addition, the development site is not within a designated Employment Area, Preferred Office Location, or Preferred Industrial Location and will not be compromising an existing employment use.

The site is currently under utilised as a temporary garden centre, and is an eyesore in the streetscape. The proposed development will provide much needed affordable housing in this part of the Borough, as well as providing a architecturally designed building in a prominent location.

The density of the proposed development is 622 hrh, being 56 habitable rooms on a site with an area of 0.09 hectares. This density level complies with the Council's Deposit UDP standards for new residential developments in an urban zone.

The proposed development complies with Council's standards for new housing by providing a mix of dwellings sizes (8 x 1 bedroom and 12 x 2 bedroom), as well as quality standards relating to daylight, access and ventilation. The minimum room standards are also met for each of the proposed flats

Each of the ground floor units have access to private amenity areas, and a 90 sq.m communal amenity space is provided at the rear of the property for the 15 units on the upper floors. Whilst this amenity space provision for the upper floor units does not satisfy Council standards, there is a local park within 200 metres along St Marys Road and balconies are proposed on the upper floors to provide additional private outdoor space. In addition, a contribution will be sought via a Section 106 agreement for £30,000 (£1,500 per unit) for the maintenance and enhancement of St Mary's Frobisher Park to ensure that future residents have access to quality open space areas.

### Scale and Form

The four storey height of the proposed building is not out of proportion with the existing built environment of this part of Queens Road. There is a four storey building on the opposite side of Queens Road, and a three storey building adjacent to the site on St Marys Road.

The foot print of the new building is similar to the existing structures on site, and the 14 metre and articulated set back from Queens Road complements the existing building line, which varies between 10 and 17 metres on the south side of Queens Road.

The form of the proposed building is modern in comparison to the neighbouring Edwardian and Victorian style dwelling, which results in an architecturally design building without compromising the original character of the existing buildings by attempting to mimic their style. The proposed building also addresses the site's location, by incorporating a flat- roofed element on the prominent corner of St Marys Road and Queens Road. Both render and brickwork are proposed for the exterior of the building, which will complement the adjacent buildings.

### Streetscape

As previously mentioned the proposed set back of the new building from Queens Road complements the existing building line, and will therefore not be overbearing in the streetscape. The development will also provide a building of high quality on a site that is currently vacant and poorly maintained, in turn improving the overall appearance of the streetscape.

Balconies on the upper levels, stepped elevations, and a variety of window styles and sizes will add visual interest to the proposed building, as well as reducing the appearance of bulk. The entrance to the proposed residential building is on the more trafficked Queens Road, set back behind the landscaped parking and servicing area at the front of the building. With its varied roof form and glazed facade it is well defined from the rest of the building, and provides additional interest to this elevation. The proposed boundary wall and railings is similar to the boundary treatment of adjoining properties and will further improve the appearance of the streetscape.

### Impact on Amenity

The proposed development has been designed to accommodate the amenity of the neighbouring residential properties whilst maximising the development potential of the site. The new building will be set back from Queens Road by approximately 14 metres, with a 1-3 metre setback from the common boundary with 164 Queens Rd. The immediate building on the boundary at 164 Queens Road is a single storey garage with no windows. There is a further 4 metre setback to the main dwelling house at 164 Queens, and it is considered that given the majority of sunlight is afforded from the south and there is a 7 metre area of separation between the side elevations of the proposed building and the existing dwelling at 164 Queens Road, there will not be a significant loss of daylight to this adjacent residential property.

The area of separation between the proposed building and the residential building to the south is only 3 metres, however this flank wall of Arnold Dobson House has no openings and therefore there will be no loss of light or outlook to these adjacent residential properties.

The landscaping and fence proposed for the east and south property boundaries will ensure that there is no overlooking between the ground floor indoor and outdoor living spaces of the neighbouring properties. There are also no openings on the flank elevation of both Arnold Dobson House on St Marys Road and 164 Queens Road, resulting in no direct views into either of these residential properties. The balconies proposed to the new building will be primarily orientated to the north and therefore will not overlook the neighbouring residential properties.

Concerns have been raised with regards to the potential noise generated by a residential use in this location. It is considered that a residential use in this location is more suitable and would generate less noise than that of the site's previous use as a petrol station. In addition, the main vehicle access and refuse storage area are located the furthest distance possible from the neighbouring residential properties.

### Transport Implications

Access to the site for vehicles and pedestrians is solely from St Mary Road, which is less trafficked and therefore safer than managing a access point from Queens Road. The proposed boundary treatment will not obscure sightlines of vehicles emerging from St Marys Road. A gate is also proposed to the vehicle entrance, which will open inwards to ensure ease of access and not obstruct the public pathway on St Marys Road.

Eight parking spaces are proposed onsite, which satisfies the Deposit UDP parking standards, and is considered acceptable for a site that is very well serviced by regular bus and train services that are also within easy walking distance. An area for cycle storage and refuse storage is also proposed within the landscaped and paved open space area in front of the building, which are easily accessible and convenient for both residents and service providers. It is noted that the cycle storage must be secure, and details on how this will be facilitated will be conditioned as part of the planning permission.

With regards to access for disabled persons, a wheelchair parking space is



proposed and a lift has been incorporated for access to the upper floor levels.

**6. EQUAL OPPORTUNITY IMPLICATIONS**

6.1 Disabled parking bay is provided, as well as lift for access to the upper levels.

**7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

7.1 Utilises a vacant, yet well serviced site for a development that will provide much needed and quality housing accommodation in the Borough.

LEAD OFFICER	Seamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Jacqui Carter	[tel. 020 7525 1137]
CASE FILE	TP/2330-160	
Papers held at:	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

---

<b>Applicant</b>	Family Housing Association	<b>Reg. Number</b>	04-AP-1235
<b>Application Type</b>	Full Planning Permission		
<b>Recommendation</b>	Grant subject to Legal Agreement	<b>Case Number</b>	TP/2330-160

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Redevelopment of site to provide a four storey building to provide 20 flats and 8 car parking spaces with access from St Mary's Road.

**At:** 160 Queens Road, SE15

**In accordance with application received on 09/07/2004  
and revisions/amendments received on 26/11/2004**

**and Applicant's Drawing Nos. A308/P/2010, 2000A, 2001A, 2002A, and 2003A**

**Subject to the following conditions:**

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

**Reason**

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

- 2 Details of the external materials (2 copies) to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

In order that the Local Planning Authority may be satisfied as to the details of materials in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 3 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

**Reason**

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Policy E.3.1: Protection of Amenity and Policy T.1.3: Design of Development and Conformity with Council's Standards and Controls of Southwark's Unitary Development Plan.

- 4 No structures (including freestanding signs, displays or advertisements) or planting, exceeding 0.9 metres in height overall shall be placed or erected within the area of visibility of the splay(s) hereby approved.

**Reason**

To ensure the safety of motorists, cyclists and pedestrians that use the intersection of St Marys Road and Queens Road, in light of the new access point to the residential development at 160 Queens Road.

- 5 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing

materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

To ensure that they proposed landscaping addresses the siting of access points and service areas, and creates an aesthetically pleasing environment for residents and passersby.

- 6 Details of the facilities to be provided for the secure storage of cycles shall be submitted to (2 copies) and approved by the local planning authority before the development hereby approved is commenced and the premises shall not be occupied until any such facilities as may have been approved have been provided. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose without the prior written consent of the local planning authority, to whom an application must be made.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with policy T.4.1 Measures for Cyclists of the Southwark Unitary Development Plan.

- 7 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

- 8 Detailed drawings at a scale of 1:20, including sections (2 copies), showing a typical window, entrance door, boundary railings and balustrading to balconies shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given.

Reason

In order that the Local Planning Authority may be satisfied as to the detailed design in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design', of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

- 9 A detailed drawing showing sightlines in relation to the lift overrun at roof level shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the works shall not be carried out otherwise than in accordance with any such approval given. The sightlines shall be taken from street level and confirm that the lift overrun will not be visible in these views.

Reason

In order that the Local Planning Authority may be satisfied as to visual impact of the lift overrun in the interest of the appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (July 1995) and Policy 3.11 'Quality in Design' of the Southwark Plan (Revised Deposit Unitary Development Plan) March 2004.

**Reasons for granting planning permission.**

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

- a] Policies E.2.1 - Layout and Building Line, E.2.3 - Aesthetic Control, E.2.4 - Access and Facilities for People with Disabilities, E.3.1 - Protection of Amenity, H.1.3 - New Housing, H.1.4 - Affordable Housing, H.1.5 - Dwelling Mix of New Housing, H.1.7 - Density of New Residential Development, H.1.8 - Standards for New Housing, T.1.3 - Design of Development and Conformity with Council Standards, T.4.1 - Measures for Cyclists, and Standards, Controls and Guidelines for Residential Development

SPG of the Southwark Unitary Development Plan 1995

- b] Policies 3.1 - Environmental Effects, 3.11 - Quality in Design, 3.13 - Urban Design, 3.2 - Protection of Amenity, 4.1 - Density of Residential Development, 4.2 - Quality of Residential Development, 4.3 - Mix of Dwellings, 4.4 - Affordable Housing, 5.2 - Transport Impacts, 5.3 - Walking and Cycling, 5.6 - Car Parking, 5.7 - Parking Standards for the Mobility Impaired, and Residential Design Standards SPG of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.
- c] Planning Policy Guidance Notes 3 - Housing.

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.

**Informatives**

- 1 The planning permission granted includes alterations and amendments to areas of public highway, which will need to be funded by the developer. Although these works are approved in principle by the Highway Authority, no permission is hereby granted to carry out these works until all necessary and appropriate design details have been submitted and agreed. You are advised to contact the Principal (Client) Engineer, Infrastructure Group (0207 525 2153), at least 4 months prior to any works commencing on the public highway.
- 2 A survey of the surrounding public highway is required prior to any works commencing on site. The applicant is advised to contact the highway inspector for the area for such a survey.



Item No.	Classification	Decision Level	Date
2	OPEN	NUNHEAD & PECKHAM RYE COMMUNITY COUNCIL	03/02/05
<b>From</b> INTERIM DEVELOPMENT & BUILDING CONTROL MANAGER		<b>Title of Report</b> DEVELOPMENT CONTROL	
<b>Proposal</b> (04-AP-1475 )  Conversion of rear part of existing factory building along Soloman's Passage and existing warehouse/ workshop buildings located to the rear of numbers 45-55 Waveney Avenue to provide 12 dwellings.		<b>Address</b>  Land to the rear of 159, 161 & 163 Peckham Rye SE15  <b>Ward</b> Peckham Rye	

## PURPOSE

1. To consider the above application. The application requires community council consideration due to the number of objections received.

## RECOMMENDATION

2. To refuse permission on the grounds of overdevelopment and lack of off-street car parking.

## BACKGROUND

3. The application site comprises land and buildings located to the rear of former factory premises located at 159 -161 and 163 Peckham Rye. The part of the site at the rear of 159-161 Peckham Rye is still occupied in connection with the existing factory at the front of the site.
4. Planning permission has been granted for a number of residential developments in the vicinity of the site; namely
  - *163 Peckham Rye*: planning permission was granted at appeal in August 2004 for the redevelopment of the site to provide 68 flats. [ref 03-AP-1082]. The permission is currently being implemented.
  - *159-161 Peckham Rye*: planning permission has been granted by the Council for the redevelopment of the site to provide 71 flats [ref 04-AP-0694] and at appeal to provide 79 flats [03-AP-1028].
5. Planning permission is now being sought for the conversion of part of the existing factory and workshop buildings to the rear of both development sites at 159 and 163 Peckham Rye to provide 12 dwellings. As originally submitted planning permission was sought for 14 flats however the application was revised on 28 October 2004 with the following revisions:
  - The number of residential units reduced from 14 to 12; and

- The access from Waveney Avenue removed with access to be from Soloman's Passage.

## **FACTORS FOR CONSIDERATION**

### **Main Issues**

6. The main issues in this case are the loss of employment floorspace, the standard of residential accommodation proposed, car parking and the impact on neighbouring properties.

### **Planning Policy**

7. Southwark Unitary Development Plan 1995 [UDP]:
  - E.1.1 [Safety and Security in the Environment] - complies.
  - E.2.3 [Aesthetic Control] - considered to comply.
  - E.2.4 [Access and Facilities for People with Disabilities] - part complies; disabled access to the site is provided however the units are not to a lifetime homes standard.
  - E.3.1 [Protection of Amenity] - considered to comply.
  - H.1.4 [Affordable Housing] - does not comply; no affordable housing provision has been offered.
  - H.1.5 [Dwelling Mix for New Housing] - complies; a range of unit sizes is proposed.
  - H.1.7 [Density of New Residential Development] - does not comply.
  - H.1.8 [Standards for New Housing] - does not comply; proposal represents a cramped form of development.
  - B.1.2 [Protection Outside Employment Areas and Sites] - complies, the site has caused unavoidable noise and disturbance.
  - T.1.3 [Design of Development & Conformity with Council Standards & Controls] - does not comply, no off-street parking is provided.
8. The Southwark Plan [Revised Deposit Unitary Development Plan] March 2004
  - 3.2 [Protection of Amenity] - complies.
  - 3.10 [Efficient Use of Land] - complies.
  - 3.11 [Quality in Design] - considered to comply.
  - 3.13 [Urban Design] - considered to comply.
  - 4.1 [Density of Residential Development] - complies; proposed density of 459 complies with draft range of 300-700 habitable rooms per hectare.
  - 4.2 [Quality of Residential Development] - does not comply; proposal represents a cramped form of development.
  - 4.3 [Mix of Dwellings] - complies; a range of unit sizes is proposed.
  - 5.3 [Walking and Cycling] - complies; cycle storage will be provided on site.
  - 5.6 [Car Parking] - considered not to comply as no car parking is provided rather than minimum.

### **Consultations**

9. Site Notice: 29/09/2005                      Press Notice: 26/08/2005

10. Consultees:  
33-43 (odd), 45, 45a, 47, 47a, 49, 49a, 51, 53A, 53B, 55A & 55B Waveney Avenue, SE15 3UQ; The Cottage, Soloman's Passage, SE15; 16-38 (incl) Soloman's Passage, SE15 3UH; 1-13 (odd) Somerton Road, SE15 3UG  
58, 58a, 60, 62, 64 & 66 Waveney Avenue, SE15 3UE; 45 & 47 Carden Road, SE15 3UB.

**Replies from:**

11. **5** letters of objection received from:  
Peckham Rye East Residents Association - objects on grounds of access, parking provision, disability provision and scale. The development of this land was an opportunity to redress the dense developments approved at 159 & 163 Peckham Rye. The aspect and privacy of residents in Waveney Avenue must not in any way be contravened.  
47b Waveney Avenue - objects; the proposed roof does not remain within the envelope of the existing building and it will compound the overbearing elevation of the other two developments. I would ask the developer to reconsider the design.  
13 Somerton Road - as this is already a very high density development with inadequate parking facilities and amenity space, a further 14 dwellings would add to the massing of this small site and a sense of enclosure to nearby residents.  
35 Waveney Avenue - am concerned there is no vehicular access for the disabled into the mews and that the existing vehicular access will be closed. The existing vehicular access should be maintained. When combined with neighbouring developments it will put pressure on existing residents parking. Concerned about entrance from Waveney Avenue (*now deleted from plan*). The proposed houses look claustrophobic and could be noisy. There should be adequate refuse storage.  
60 Waveney Avenue - objects on grounds of density, noise, traffic/parking, pressure on local health facilities and access.
12. **3** letters of support received from:  
55b Waveney Avenue - supports application, have suffered for years as a result of the noise from the factory. Noise generated by residential use will be much less.  
George Wimpey, South London Ltd (developers at 163 Peckham Rye) - supports application for conversion of existing buildings.  
The Cottage, Soloman's Passage - supports proposal, it will put an end to the noisy factory and the huge lorries. The conversion will retain the charm of the old buildings as well as being in keeping with the local area.

**PLANNING CONSIDERATIONS**

Principle of Development

13. The principle of the redevelopment of this factory to residential use has been accepted by the previous planning permissions in 2004. This application is for the redevelopment of the rear part of the site which contains land and workshop buildings used in connection with the operation of the factory. The



site is located within a residential area and has generated a number of complaints to the Council's Noise Team. As such the proposal satisfies part (i) of policy B.1.2 [Protection of Employment Areas and Sites]. It is understood that the factory has sought alternative premises which are modern and more suited to their needs.

#### Standard of Accommodation

14. The proposal will involve the conversion, alteration and extension of the retained factory and workshop buildings to create 12 residential units. This will result in a cramped and congested form of development and an unsatisfactory residential environment for future occupiers. The front to front distance between habitable rooms is 6.2m which does not comply with the Council's adopted standard of 12m. Whilst it is recognised that as a conversion some allowances should be made, it is considered that the privacy of future occupiers will be unacceptable compromised.
15. The retention of the rear part of the factory building will mean that there is little opportunity to provide satisfactory amenity space for the future occupiers of units proposed. A 70 square metre hard landscaped area is provided however this is located close to habitable windows and forms the access to the bike store; as such is not really functional garden area. Only one of the units will have a private garden which is 2m deep.
16. The overall floor area and individual room sizes of the units complies with policy, however, it is considered because of the site layout the conversion will result in the provision of dark, mostly single aspect residential units. Some of the units will obtain light and ventilation from the communal garden of the adjacent site to the north (at 159 Peckham Rye). This is not considered to be acceptable as the presence of windows will compromise the function of the communal garden for sitting out purposes, growing of plants and for storage purposes.
17. As the proposal represents a conversion of existing buildings it has not been possible to provide units which conform to lifetime standards. Spiral staircases will be provided for the majority of the units which limit accessibility to the upper floors to people with mobility. This raises concerns and whilst not a reason for refusal an informative has been added requiring any revised scheme to replace the spiral staircases with traditional staircases.

#### External alterations

18. The external changes proposed largely consist of alterations to the roof of the retained factory building to accommodate an additional storey. It is proposed to remove the roof of the building and replace with a new set back top floor. It is considered that this will increase the bulk of the building when viewed from both Soloman's Passage and from Waveney Avenue, however, given the distances involved this is considered to be acceptable in terms of neighbour amenity and on design grounds.

#### Parking

19. No off-street car parking will be provided for the units due to the constraints of the site. The Traffic Group have objected to this on the basis that the site has a relatively low Public Transport Accessibility Level (PTAL) of 3-4 and the neighbouring streets are already relatively heavily parked. The approved development at 159-161 Peckham Rye has a parking provision of 64%. It is recognised that providing any off-street car parking on this site will be difficult, however, reducing the overall number of units will reduce the demand for on-street parking. The Traffic Group welcomes the fact that motor-cycle parking is provided on site.

#### Affordable Housing.

20. Although the number of residential units proposed is below the threshold of 14, a 35% affordable housing contribution will be required for this site. This is because the site was artificially split from the larger site at 159-161 Peckham Rye. The Council's draft Supplementary Planning Guidance on Affordable Housing states that 'where the Council consider that a site has been artificially subdivided in order to avoid the application of affordable housing policy, the entire site will be used to assess whether affordable housing policies apply.' In this instance the applicants have stated that the site will be bought by Wandle Housing Association, however, no further details have been provided.

#### Pedestrian Access

21. Pedestrian access to the site will be provided from Solomon's Passage, however, this cannot provide access for all members of society as there is a change of levels and steps are provided. In order to provide access for people in wheelchairs and people with push chairs, an additional level access is to be provided via the adjoining site. If permission were to be granted this will need to be secured via a legal agreement as the land is outside the application site boundary.

#### Conclusion

22. The proposed development will bring these buildings back into beneficial use, however, this will be at the expense of the future occupiers who will have unsatisfactory residential units of accommodation. The retention of a large part of the rear element of the factory building will result in a cramped form of development with unacceptable overlooking potential. Whilst the Council's emerging policies on car parking are to promote minimum standards, it is considered that as Solomon's Passage and Waveney Avenue are cul-de-sacs the additional demand for on-street spaces would be likely to cause problems for local residents and could affect highway safety. As the principle of residential development is acceptable, the applicant could overcome the reasons for refusal by reducing the numbers of units proposed.

## **6. EQUAL OPPORTUNITY IMPLICATIONS**

- 6.1 The units of accommodation have not been designed to life time homes standard and as such cannot be easily adapted for mobility purposes.

## 7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

- 7.1 The development will provide for the re-use of existing buildings and increase the supply of housing in the borough.

LEAD OFFICER	Séamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Matthew Mason	[tel. 020 7525 5470]
CASE FILE	TP/2614-159	
Papers held at:	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

---

<b>Applicant</b>	St. Aidans Developments Ltd	<b>Reg. Number</b>	04-AP-1475
<b>Application Type</b>	Full Planning Permission		
<b>Recommendation</b>	Grant subject to Legal Agreement	<b>Case Number</b>	TP/2614-159

---

### Draft of Decision Notice

---

**Planning Permission was GRANTED for the following development:**

Conversion of rear part of existing factory building along Soloman's Passage and existing warehouse/ workshop buildings located to the rear of numbers 45-55 Waveney Avenue to provide 12 dwellings.

**At:** Land to the rear of 159, 161 & 163 Peckham Rye SE15

**In accordance with application received on 11/08/2004  
and revisions/amendments received on 28/10/2004**

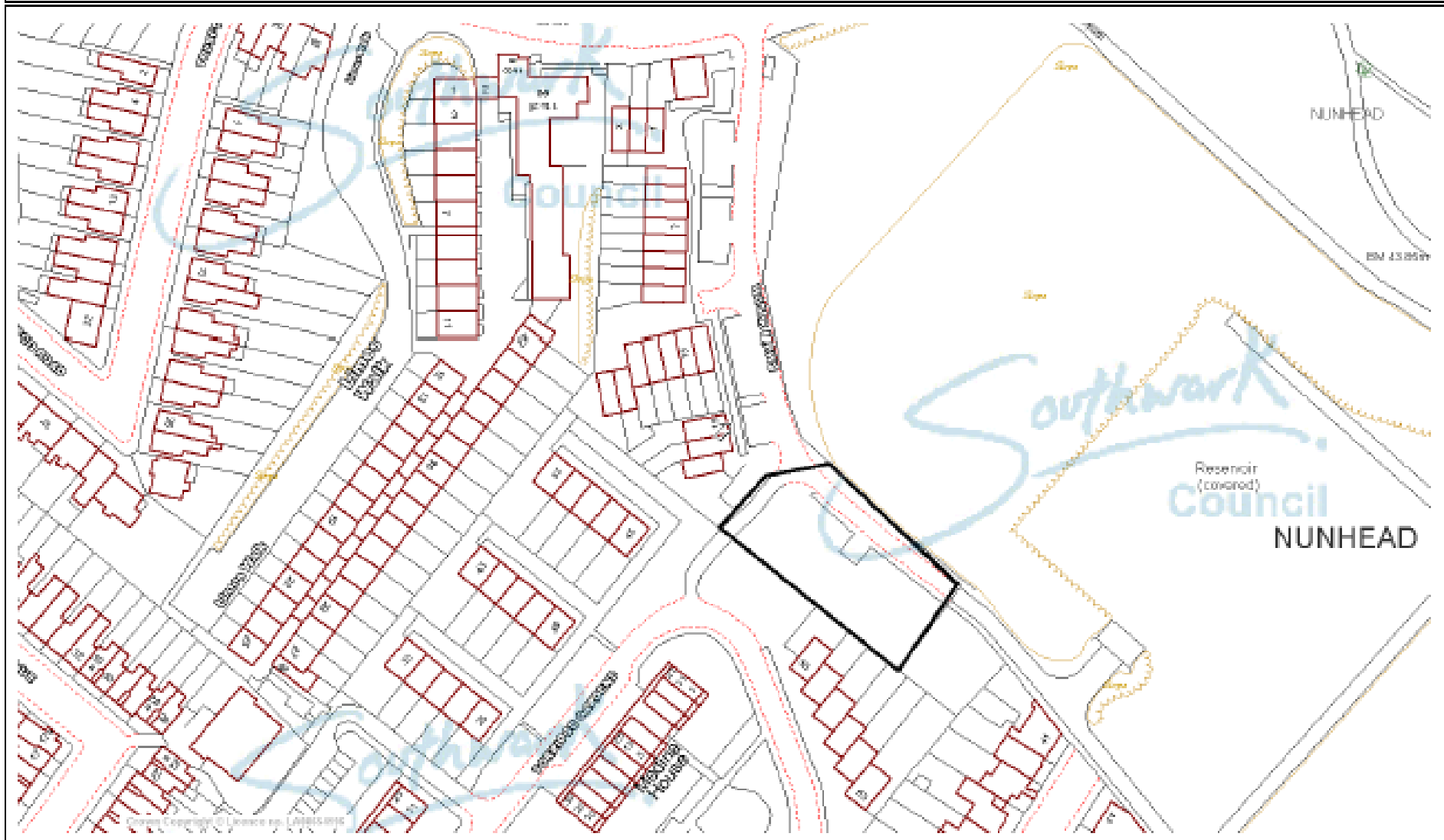
**and Applicant's Drawing Nos. 12385E/00, 02C, 03C, 04B, 05B, 21A, 22A, 23, 24, 25, 26, 27A, 101 A, 102, 103 & 104.  
Subject to the following conditions:**

- 1 The proposed conversion, by reason of the site layout proposed, will result in a cramped form of development with unacceptable mutual overlooking between habitable windows, no provision of defensible space and insufficient communal open space. The proposal therefore represents an overdevelopment of the site as it is contrary to policies E.3.1 [Protection of Amenity] and H.1.8 [Standards for New Housing] of the adopted Unitary Development Plan and to policies 3.2 [Protection of Amenity] and 4.2 [Quality of Residential Accommodation] of the Revised Deposit Unitary Development Plan [March 2004].
- 2 The occupiers of the proposed development would be likely to increase demand for on-street parking in nearby roads. As Soloman's Passage and Waveney Avenues are both cul-de-sacs, and without any parking controls, the additional demand for on-street parking would be likely to be prejudicial to highway safety and cause harm to the amenity of local residents contrary to policies E.3.1 [Protection of Amenity] and T.1.3 [Design of Development and Conformity with Council Standards and Controls] of the adopted Unitary Development Plan and policies 3.2 [Protection of Amenity] and 5.6 [Parking] of the Revised Unitary Development Plan [March 2004].
- 3 The proposed development does not make any provision for affordable housing in accordance with policy H.1.4 [Affordable Housing] of the adopted Unitary Development Plan and adopted Supplementary Planning Guidance on Affordable Housing [2002] and to policy 4.4 [Affordable Housing] of the Revised Unitary Development Plan [March 2004] and draft Supplementary Planning Guidance on Affordable Housing [November 2004].

**Informatives**

- 1 The applicant is advised that with any resubmission consideration should be given to the provision of traditional staircases instead of spiral staircases. Spiral staircases do not conform to the lifetime home standard and do not provide access to people with mobility difficulties.
- 2 The applicant is advised that for any resubmission to be looked upon favourably the footprint of the retained buildings and overall numbers of units will need to be reduced.

# Land at Water Mews



© Crown Copyright All rights reserved.  
 London Borough of Southwark.  
 License LA06654196 2003

This site plan supplied by the  
 London Borough of Southwark  
 is for Planning and Building Control  
 purposes only.



Claire Cook  
 Scale 1/1250  
 Date 24/1/2005

Southwark  
 Council

<b>Item No.</b>  <b>3</b>	<b>Classification</b>  OPEN	<b>Decision Level</b>  NUNHEAD AND PECKHAM COMMUNITY COUNCIL	<b>Date</b>  3.2.2005
<b>From</b>  Nancy Merriman		<b>Title of Report</b>  DEVELOPMENT CONTROL	
<b>Proposal</b> (04-AP-1776 )  - RE-SUBMISSION		<b>Address</b>  Land at Water Mews SE15  <b>Ward</b> Nunhead	

## 1. PURPOSE

- 1.1 To consider the above application. It is being presented to Community Council by Member request.

## 2. RECOMMENDATION

- 2.1 Refuse planning permission.

## 3. BACKGROUND

- 3.1 The application site lays to the south of Water Mews which leads off Linden Grove. Water Mews is lane which has been developed for housing in the 1990s, to the north of this lays the Thames Water Reservoir. The site is allocated as Metropolitan Open Land (MOL) within the Adopted and Emerging Unitary Development Plans.

- 3.2 Planning permission is sought for the development of this land for 6 two storey two-bedroom houses arranged in two clusters; one of a terrace of four dwellings to the west of the site and a pair of semi-detached dwellings to the east of the site. Each dwelling has a garden space and off street parking provision. The dwellings would be accessed from Water Mews.

- 3.3 There is significant planning history to this site. Numbers 19, 20 and 21 Water Mews were constructed under planning permission reference 950034 dated 11.1.1996 and with this planning permission a legal agreemof the current application) adjacent to the site was to be landscaped and maintained in accordance with the approved landscaping scheme.

- 3.4 An identical planning application to this current application was submitted in 2004 but was subsequently withdrawn as it was going to be recommended for refusal.

## 4. FACTORS FOR CONSIDERATION

#### 4.1 Main Issues

The main issues in this case are whether the principle of developing on the Metropolitan Open Land is acceptable and whether the proposal is acceptable in design and amenity terms.

#### 4.2 Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

Policy E.2.3: Aesthetic Control - *complies* - the general design and character of the proposed dwellings is considered acceptable for this location given they reflect the character of surrounding dwellings in adjacent developments.

Policy E.3.1: Protection of Amenity - *complies* - due to the location and the siting of the proposed dwellings it is considered that there will not be a loss of amenity for nearby residential units. The only residential units which might have been effected are number 55 to 59 (odd) Torridge Gardens since they lay to the rear of the site. However given the pair of semi detached dwellings is to be located in excess of 18m from the rear elevations and the proposed dwellings would sit at a higher level it is considered that these properties will not suffer a material loss of amenity.

Policy H.1.8 'Standards for New Housing' - *part complies* - six car parking spaces are being provided (one per unit), refuse is shown and the layout etc complies with the Supplementary Planning Guidance.

Policy H.1.7: Density of New Residential Development - *does not comply* - the density of the scheme is 128 HR/Ha. The site is restricted in size and surrounding land uses and roads therefore it is considered that although it falls below the recommended density level, this should not form a reason for refusal. The separation distance between the proposed and existing dwellings is 18.5m (see above) therefore it does not technically comply with this part of the SPG.

Policy C.5.6: Metropolitan Open Land - *does not comply* - the policy states that planning permission will not be granted for a development that would result in the loss of MOL; this development results in the loss of MOL.

Policy E.6.1: Tree Preservation Orders - *complies* - this proposal does not involve the loss of any trees worthy or subject of a TPO

The Southwark Plan [Revised Deposit Unitary Development Plan] March 2004

Policy 3.2: Protection of Amenity - *complies* - see above

Policy 3.11: Quality in Design - *part complies* - the general design and character of the proposed dwellings are considered acceptable for this location given they reflect the character of surrounding dwellings in adjacent developments. The proposal will result in a loss of an area of MOL which is also subject to a legal agreement to ensure it is landscaped and is retained to provide some quality usable open space for local residents. The loss of this land will harm the quality of the local environment for local residents therefore

it does not comply with this element of the policy.

Policy 3.25: Metropolitan Open Land - *does not comply* - this policy states that there is a presumption against development on MOL however there are exceptional circumstances where it may be permitted. It is considered that this proposal does not fall within one of these scenarios; the houses are not ancillary to the open space, the development is not small in scale, it will detract from the open nature of the space since it will cover all of the land, it is not required to enhance activities associated with the open space and it will not contribute positively to the setting and quality of the open space given the proposed development covers the whole area.

Policy 4.1: Density of Residential Development - *does not comply* - the area falls within Suburban North (although the proposals map shows otherwise, it has been confirmed by Planning Policy that the map is incorrect and the site does fall within this zone). The density requirement for new residential developments in this area is 200 to 350 HR/Ha. The density of the proposed development is 128 HR/Ha, however due to the restrictions of the site i.e shape and surrounding residential units it is considered that these restrict the potential nature and density of development therefore this will not form a reason for refusal.

Policy 4.2: Quality of Residential Accommodation - *complies* - it is considered that the units being provided are appropriate to the area and provide good standard of accommodation for potential occupants.

Policy 5.6: Car Parking - *complies* - each dwelling having one parking space, within the maximum standard of 1.5 spaces per residential development.

Residential Design Standards Supplementary Planning Guidance November 2002

Design and Layout of Development Supplementary Planning Guidance No.1 April 1997

#### 4.3 Consultations

Site Notice: posted 5.11.2004  
expired 26.1.2004

Press Notice: published 11.11.2004  
expired 2.12.2004

Consultees: sent 4.11.2004  
expired 25.11.2004

55 to 65 (odd) Torrridge Gardens SE15  
39 and 41 Hill Park SE15  
19, 20 and 21 Water Mews SE15  
1, 11 and 21 Medina House, Torrridge Gardens SE15

#### Replies from:

##### External consultees

Owner/occupier 55 Torrridge Gardens - objection on the grounds of overlooking.



Nunhead Residents Association - objection on the grounds that it is contrary to policy 3.25 of Adopted UDP.

Environmental Agency - no objection subject to certain conditions being attached regarding soakways.

Internal consultees

Highways - no objection subject to condition requiring details of how the turning area will be safeguarded against indiscriminate parking.

Crime Prevention Design Advisor - will need to apply for Secure By Design as it is Housing Ass housing, concerned about lack of surveillance over car parking area.

Parks & Sports - no comment

Aboricultural Officer - no objection subject to the replacement of two trees lost and conditions securing tree protecting during construction and a landscaping scheme.

Cllr Barnard - supports application and requests application to be presented to Community Council.

## **5 PLANNING CONSIDERATIONS**

5.1 This application needs to be assessed in terms of land use, amenity and design.

5.2 In land use terms the application is considered unacceptable in principle. The land is designated as Metropolitan Open Land within the Adopted and Replacement Unitary Development Plans (UDP) and both plans strongly resist development on such land. Under a previous consent (which granted permission for three houses attached to a housing development built in the late 1980s/early 1990s along Water Mews), the land subject of this application was tied into a legal agreement to ensure it was landscaped and maintained as such. The reason behind this was to ensure that the land would contribute to the MOL status and the environment for surrounding residents. The applicant has submitted a statement that the land is often used for fly tipping and is in a poor state of maintenance, however this would suggest that this is actually in breach of the legal agreement and it is a management issue how the land is maintained. The site should be landscaped as required, which in turn would allow it to contribute to the MOL it forms part of and it would provide valuable open space contributing to the quality of the environment for local residents.

5.3 The density of the proposal falls beneath the recommended density for this area however given the nature of the application site and the surrounding development it is considered that the density in this instance is acceptable.

5.4 There are no amenity issues that would form a reason for refusal, the properties that are the closest are those of Torridge Gardens which are in excess of 18m from the proposed dwellings. The SPG suggests that a

minimum distance of 21m between rear elevations should be achieved to ensure that no loss of privacy to residents occurs. In this instance the properties on Torridge Gardens are at a lower level than the proposed dwellings therefore the windows will not be directly opposite each other. On this basis it is considered that a separation distance of 18.5 metres is acceptable and there would be no material loss of amenity to nearby residents. One letter of representation has been received objecting to the proposal on the grounds of overlooking however for the reasons discussed above it is considered that this cannot be sustained.

5.5 The dwellings are simple in design, they are brick with pitched roofs arranged in a terrace of four and a pair of semi detached with a car park in between. Their design reflects the character and design of other residential properties in the locality and on this basis there are no objections to the detailed design of the dwellings. Adequate amenity space and refuse storage is provided.

5.6 Overall the principle of this application is unacceptable given it would result in the loss of MOL land and it is recommended that on this basis the application be refused.

## **6. EQUAL OPPORTUNITY IMPLICATIONS**

6.1 None.

## **7. LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS**

7.1 This application would have a negative impact on sustainable development given it would result in the loss of MOL land.

LEAD OFFICER	Seamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Nancy Merriman	[tel. 020 7525 5427]
CASE FILE	TP/739-A	
Papers held at:	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

---

<b>Applicant</b>	Wandle Housing Association & Sarkbrook Ltd	<b>Reg. Number</b>	04-AP-1776
<b>Application Type</b>	Full Planning Permission	<b>Case Number</b>	TP/739-A
<b>Recommendation</b>	Refuse		

---

### Draft of Decision Notice

---

**Planning Permission was REFUSED for the following development:**

Erection of 2 two-storey semi-detached two bedroom houses and a terrace of 4 two-storey , two bedroom houses together with the provision six parking spaces - RE-SUBMISSION

**At:** Land at Water Mews SE15

**In accordance with application received on 29/09/2004**

**and Applicant's Drawing Nos. LG9 P001-E, LG3 P002-F, LG3 P003-E, LG3 P004-C, LG3 P005-B, LG3 P006**  
**Reasons for refusal:**

- 1 The proposed development would result in the loss of Metropolitan Open Land contrary to policy C.5.6 'Metropolitan Open Land' of the Southwark Unitary Development Plan Adopted July 1995 and Policy 3.25 'Metropolitan Open Land' of the Southwark Revised Deposit Unitary Development Plan March 2004.
  
- 2 The proposed development would inhibit the owner/s of the adjoining properties, nos 19, 20 and 21 Water Mews, from discharging the obligation of landscaping the piece of Metropolitan Open Lane, the subject of the current application, required as an intrinsic part of the approved scheme (ref: 9500034) granted planning permission on 11 January 1996 by way of Legal Agreement. As such, the proposal would prejudice the provision of wider amenity benefits which have yet to be implemented.

**DISTRIBUTION LIST****MUNICIPAL YEAR 2004/05****COUNCIL: NUNHEAD AND PECKHAM RYE COMMUNITY COUNCIL****NOTE: Original held by Constitutional Support Unit; amendments to Louise Shah (Tel: 020 7525 0640)**

<b><u>OPEN</u></b>	<b><u>COPIES</u></b>	<b><u>OPEN</u></b>	<b><u>COPIES</u></b>
<b>To all Members of the Community Council:</b>			
Cllr Robert Smeath (Chair)	1	Pat Tulloch	1
Cllr Fiona Colley (Vice-chair)	1	S.A.V.O.	
Cllr Alfred Banyan	1	Cambridge House	
Cllr Mick Barnard	1	64 Camberwell Road	
Cllr Mark Glover	1	London SE5 OEN	
Cllr Aubyn Graham	1		
Cllr Dominic Thorncroft	1	Neil Gray	1
Cllr Andy Simmons	1	Audit Commission	
Cllr Alun Hayes	1	4th Floor	
		Millbank Tower	
		Millbank	
		London SW1P 4QP	
<b><u>LIBRARIES</u></b>			
Libraries	6		
Local Studies Library	1		
		Chief Superintendent Ian Thomas	1
		Borough Commander	
<b><u>PRESS</u></b>		Southwark Police Station	
Southwark	1	323 Borough High Street	
Evening Standard	1	London SE1 1JL	
South London Press	1		
		Valerie Shawcross	1
<b><u>MEMBERS OF PARLIAMENT</u></b>		GLA Building	
Tessa Jowell MP	1	City Hall	
Harriet Harman MP	1	Queens Walk	
		London SE17 2AA	
<b>Constitutional Support Officer</b>	30		
Cllr Abdul-Rahman Olayiwola	1		
Jason Polley (Legal)	1	<b><u>TRADE UNIONS</u></b>	
Rachel Prosser (Legal)	1	John Mulrenan, UNISON Southwark Branch	1
		Roy Fielding, GMB/APEX	1
<b><u>OFFICERS – INTERNAL</u></b>		Alan Milne TGWU/ACTS	1
Alan Blissett	1	Tony O'Brien, UCATT	1
Richard Parkins	1		
		<b><u>NEIGHBOURHOOD HOUSING OFFICES</u></b>	
<b><u>EXTERNAL</u></b>		Crown House	1
Southwark Community Care Forum	1	Parkside	1
32-36 Rye Lane		Pelican	1
London SE15 5BS		Acorn	1
		<b>TOTAL DISTRIBUTION</b>	<b>69</b>
		<b>Dated: Tuesday 25<sup>th</sup> January 2005</b>	