



COMMUNITY COUNCILS
A voice for your community



Nunhead and Peckham Rye Community Council

Planning Agenda

DATE: Monday 10 October 2005	TIME: 6.00pm
PLACE: Room A2, 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 50 Copleston Road, 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

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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.”

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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

Council Website: 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 0207 525 7514

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

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Yoruba

Item No.	Classification Open	Date: 10 October 2005	Meeting Name: Nunhead and Peckham Rye Community Council
Report title:			
Ward(s) or groups affected:		All within Nunhead and Peckham Rye 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

<u>Lead Officer</u>	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	
<i>Officer Title</i>	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

Insert map: Item 1/1

Item No.	Classification	Decision Level	Date
1	OPEN	Nunhead & Peckham Rye Community Council	10/10/05
From Development and Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (04-AP-0077) Erection of a rear extension to existing place of worship (Class D1) to provide additional accommodation.		Address 50 Copleston Road SE15 Ward The Lane	

PURPOSE

- To consider the above application which is for Community Council consideration because of the number of objectors. The application has twice been reported to Community Council - first in November 2004 with a recommendation for refusal. The application was deferred for amendments. These amendments, which reduced the size of the extension, were then reported to Members in May 2005 with a recommendation for approval. The scheme was deferred again as there remained considerable conflict between the applicant and objectors. A Members site visit took place on 9th June 2005.
- Since the last deferral, the scheme has been revised again and a further round of public consultation (including those who had responded to the earlier schemes) has been undertaken.

RECOMMENDATION

- Grant planning permission.

BACKGROUND

- The Bethany Church, formerly the Church Hall for St. Saviour's Church on the opposite side of Copleston Road, is located on the west side of Copleston Road near to the junction of Avondale Rise. Planning permission was granted in December 1991 for the erection of a single storey rear extension at semi-basement level to provide an office and storage facilities for the church.
- A planning application proposing an extension to the chapel with an addition to a height of 6m above rear garden level and a side external staircase was withdrawn by the applicant in December 2002. However, it is likely that the application would have been refused on grounds of excessive bulk and height and the resultant loss of natural light to the adjoining neighbouring properties.
- The scheme (received January 2004), in its original form, proposed a substantial rear extension stretching 10.3m into the rear garden, and it was this application that was recommended for refusal of permission but deferred from the November 2004 Community Council meeting for revisions.
- The revised application as reported to Members in July 2005 proposed a rear extension to the existing building to provide additional floor area for congregation seating, space for the small band, and also a baptism pool. The extension proposed had a height of 5.2m and a maximum

depth of 7.1m. This was recommended for approval, but deferred again.

8 Following this second deferral and the Members site visit, the new plans submitted in September 2005 propose a rear extension, which has been reduced in size fairly substantially. The maximum depth of projection into the rear garden is now 5.05m (to a rear bay), but the projection to the main rear wall of the extension is 4.2m. The width of the extension is 7.545m and this is located within the centre of the site. The separation distance of the extension from the neighbouring properties is approximately 4m on either side (i.e. to both nos 52 and 48 Copleston Road). The existing pitched roof over the rear entranceway to the church is to be removed and replaced with a flat roof to the height of the proposed extension (a small increase over existing eaves level).

9 The proposed maximum height remains at 5.26m but the height to the eave is 2.5m and a steep hipped and pitched tiled roof is shown. The proposed floorplan shows that the congregation seating within the existing building is to be reordered, and the new accommodation created by the extension will be used for circulation areas, ancillary bookshop and changing rooms. Overall, approximately 21 sq m of new accommodation will be created.

FACTORS FOR CONSIDERATION

Main Issues

10 The main issues in this case are the amenity implications of the proposed development in respect of the surrounding properties, the proposed design of the extension, and whether the proposal would give rise to any significant increase in activity in terms of noise and traffic connected with the place of worship.

Planning Policy

11 Southwark Unitary Development Plan 1995 [UDP]:

(with respect to the September 2005 revised plans)

12 E.2.3 - Aesthetic Control: whilst the junction of the extension against the long windows on the rear of the church is regrettable, overall the design of the extension is considered to be in keeping with the existing architecture and the extension will be clearly subsidiary to the main church building.

13 E.3.1 - Protection of Amenity: Given the separation from each neighbour and the reduction in projection into the rear garden, the extension is considered to not be harmful to the amenities of neighbours. Furthermore, it is not considered that the small increase in accommodation will lead to a significant increase in intensity of use of the facility that would lead to loss of amenity to neighbours.

14 C.3.2 - New Religious Buildings - scheme considered to comply with policy as new religious facilities are normally supported, provided that there are no amenity problems.

15 The Southwark Plan [Revised Deposit Unitary Development Plan] February 2005

16 Policy 3.11 - Quality in Design: as above.

Policy 3.2 - Protection of Amenity: as above.

Policy 2.2 - Provision of New Community Facilities: as above.

Consultations

17 Site Notice: 21/01/2004 and 22/9/05 Press Notice: N/A.

18 Consultees:

Traffic Group

Public Protection

35 - 47 (odds) Copleston Road, SE15.

St. Saviour's Church, SE15.

42 - 62 (evens) Copleston Road, SE15

53 - 69 (odds) Avondale Rise, SE15.

78 & 80 Avondale Rise, SE15

71 & 73 Avondale Rise, SE15.

Nos. 36, 37 A-C, 38A&B,39, Top Floor, 39A, 40A-C, 41A-C, 42,43, 44A-C,45 A&B, 46A-F, 47A&B, 48, 52, Ground Floor Flat 54, Top Floor, 54A, 55, 56,56B, 57, 58 & 58B, 59, 60 & 60A, 61, Flats 1 & 2; 62, Back; Front; Lower & Upper Flats 63, 64&B, 65A&B Copleston Road.

Nos. 53A&B, 54, 55, 56A&B, 57 - 66 (consec), First & Ground Floor;67, 68A&B & 69,71,72, 73A&B, 74, 76 A&B, 78A&B, 80 & 80A Avondale Rise.

Replies from:

19 Traffic Group: Note that this is a resubmission of a previous application, with which had no issues. Also note that the increase in the number of seats is to deal with the existing congregation and not to provide more seats to attract additional people. Therefore, request that a condition be added that limits the size of the congregation to that currently attending which is 180.

20 Public Protection: Standard conditions requested. Includes; sound insulation & noise measurements. On reconsultation, confirmed no objections.

Responses received to original plans (January 2004):

21 Petition received and signed by 7 persons, objecting to the proposed revised extension of the building at 50 Copleston Road on the following grounds:

(1) The size of the extension doubles the capacity of the existing building (2) to permit such an extension would set a dangerous precedent (3) materials proposed out of character with old church (4) excessive bulk of the proposed building would significantly reduce natural light to adjoining properties (5) visual amenity of a number of houses would be impaired (5) increase in the capacity of the church would increase traffic in the area and add pressure on parking (5) noise and nuisance is bound to get worse with the increased capacity.

37A Copleston Road: Concerned of added traffic, parking noise and danger.

22 37B Copleston Road: Objection lodged on grounds of parking, noise and impact on local residents.

23 37C Copleston Road: Concerns regarding noise and traffic problems.
24 Basement Flat, 39 Copleston Road: Object on grounds of more people will add to existing parking problems and noise levels will increase.

45A Copleston Road: Object to increased seating capacity, noise (stage for band) and car parking.

25 46A Copleston Road: Objects on grounds as outlined in petition (Refer to comments).

26 48 Copleston Road: Refer to objections outlined in petition.

27 52 Copleston Road: Object as previously lodged. Does not care how small extension is, will block garden view and de-value property. Will create noise, eyesore and look depressing.

28 54A Copleston Road: Objection lodged on grounds of more noise, extension too high & large and

encourage more people, thus more cars to be parked in area.

29 54 Avondale Rise: Objection lodged on the following grounds; traffic, parking & noise.

30 60 Avondale Rise: Objects on the grounds of an expansion which will result in more parking problems.

Responses Received to 1st set of Revised Plans (November 2004)

31 48 Copleston Road: Proposed extension would still be overly dominant so as to have a serious negative impact on the amenities of both nos. 48 and 52 Copleston Road;

32 52 Copleston Road : The extension would block my garden view and take all the sunlight from my garden. The additional floorspace would give rise to further noise disturbance:

33 45A Copleston Road : The development would give rise to noise and disturbance:

60 Avondale Rise : Any expansion of the church facility would involve additional kerbside parking, which is already heavy;

34 Flat B, 73 Avondale Rise : Supports the application as does not think that the proposed extension would be an environmental problem issue.

35

Responses received to September 2005 plans

36 Occupier 52 Copleston Road - reiterate objections to the proposal citing size of extension, blocking of view to garden, loss of sunlight and privacy, noise.

Reverend, Copleston Centre, Copleston Road - Extra space does not imply a great increase in numbers who use the church.

37 Occupiers, 18 Copleston Road (2 letters) - the extension is still two storeys high which is too high. Additions to public buildings should be outstanding and not look worse, as is the average in this area, extension of no architectural value.

38

Letter to 62 Avondale Rise returned.

39

Any further responses will be included in the supplementary report.

40

PLANNING CONSIDERATIONS

41 This set of revised plans has followed two earlier versions of the proposal to extend the church. The first scheme for an extension that projected over 10m into the rear garden was considered unacceptable and was recommended for refusal. This application was deferred when reported to Community Council in November 2004. Following this, the first set of revised plans were submitted for reduced extension with a projection of around 7m into the rear garden. This version of the proposal was reported to Community Council in May 2005 and was again deferred. A Members site visit took place, where representatives of the church and a number of objectors attended. Subsequently a second set of revised plans has been submitted for consideration, and it is these plans that are now reported to Members.

Impact on Neighbours.

42 The depth of the rear extension has been reduced again to a maximum of 5.05m, although for most of the width of the rear extension, the projection is 4.16m.

43 The proposed extension is well separated from neighbours on either side. There is a gap of approximately 4m to both nos. 52 and 48 Copleston Road. Whilst the height of the extension is 5.26m, the proposed roof form is hipped and pitched with a steep slope, which reduces the bulk. The main eaves line, as seen from the two side neighbours, is at a height of 2.5m, which is typical of a domestic extension, albeit that the overall roof height is somewhat higher.

44 Adjacent to no.52 Copleston Road, an existing pitched roof over the rear entrance is to be replaced by a squared off flat roof to match the height of the proposed extension. However, this makes only a marginal difference to the bulk on this part of the building.

45 Impacts on neighbours remains a concern and a further letter of objection has been received from the occupiers of 52 Copleston Road. However, it is considered that the amendments have gone a significant way to address the concerns of neighbours with regards to impacts on sun/daylighting, overshadowing and loss of outlook. Given the reduced depth of extension and the generous set ins from the boundaries, it is not considered that the impact on neighbours' amenity will be significant. A full sun and daylighting study has not been provided but this development is now reasonably similar to a domestic extension. Council policy would normally allow a 3m deep extension immediately on a neighbouring boundary; what is proposed here is a (mainly) 4.16m deep extension with a 4m separation from side boundaries. Whilst the overall height of the extension, at 5.26m is higher than a normal domestic extension, this is ameliorated by the roof form and the side set ins. Overall, it is considered that the extension, as amended, now complies with Policy E.3.1 and 3.2 which aims to protect neighbours' amenity.

Activity Generated by the Use

46 The existing lawful use of the building is as a place of worship, and the proposed extension will provide additional accommodation for this use. The extension in its revised form provides circulation areas, changing rooms and ancillary rooms for use in connection with the place of worship, but it also allows the main congregation floor to be replanned. At the site visit, the minister expressed his desire that the seating area was reordered to allow an aisle leading off the main entrance door, and these plans appear to achieve this.

47 Council policy supports provision of facilities for places of worship, and this proposed extension would allow for upgraded facilities and make the accommodation more useable for the congregation. As such, it is considered that the proposal complies with Policy C.3.2. The extension does not provide any significant additional areas and as such, it is most unlikely that it will lead to any discernable change in external activity, either in terms of traffic generation or noise, over and above the existing situation. In the circumstances, it is not considered reasonable to impose conditions to limit the congregation to 180 (as stated in the response from the Traffic Group). The plans note that soundproofing will be introduced to the wall adjacent to no.48, which should help with any noise disturbance. However, it is not considered reasonable to require further sound insulation of the premises as the new work (the extension) in itself, is unlikely to lead to any significant increase in noise emanating from the extension.

Design

The extension in its revised form is subsidiary to the main building and would be constructed in matching brickwork with tiled roof, which is considered to be in keeping with the original architecture. The siting of the extension against the long windows at the rear is somewhat regrettable but the building is not listed nor within a conservation area, and views of the rear are limited. As such, it is not considered that this is a reason to withhold permission.

It is considered that the revised form of extension is now acceptable in design terms and complies

48 with Policy E.2.3 (Aesthetic Control) and 3.11 (Quality in Design).

Conclusion

The revised plans are considered to comply with the Council's policies on community facilities, protection of amenity and design.

49

50

EQUAL OPPORTUNITY IMPLICATIONS

51 Places of worship offer services to many in the local community.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

52 The proposal allows adaptation of an existing building to ensure its continuing use and occupation.

LEAD OFFICER	Anne Lippitt	Interim Development and Building Control Manager
REPORT AUTHOR	Alison Brittain	[tel. 020 7525 5427]
CASE FILE	TP/2118-50	
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.

Applicant		Reg. Number	04-AP-0077
Application Type	Full Planning Permission		
Recommendation	Grant	Case Number	TP/2118-50

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a single storey extension to building in use as a place of worship to provide additional church accommodation.

At: 50 Copleston Road SE15

In accordance with application received on 14/01/2004

and Applicant's Drawing Nos. Revised drawings received 5/9/05: E01, E04, E02, E03, P01D, P02E, P03E, P04E, P05E, P07D

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 The facing materials used in the carrying out of this permission shall match the original facing materials in type, colour, dimensions, and in the case of brickwork, bond and coursing and pointing.

Reason

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan.

- 3 Notwithstanding the provisions of Class D1 of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted shall only be as an extension to the existing place of worship.

Reason

In order that the Council may retain control over any other use of the existing accommodation, in the interests of protecting the amenity of neighbours in accordance with Policy E.3.1 (Protection of Amenity) of the Adopted Unitary Development Plan.

- 4 **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) and C.3.2 (New Religious Buildings) of the Southwark Adopted Unitary Development Plan 1995
- b] Policies 3.11 (Quality in Design), 3.2 (Protection of Amenity) and 2.2 (Provision of New Community Facilities) of The Southwark Plan [Revised Draft] February 2005.

Particular regard was had to the impact of the physical bulk of building that would result from the proposed development but it was considered that this would be outweighed by the social benefits that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

DISTRIBUTION LIST**MUNICIPAL YEAR 2005/06****COUNCIL: NUNHEAD AND PECKHAM RYE COMMUNITY COUNCIL****NOTE: Original held by Constitutional Support Unit; amendments to Louise Shah (Tel: 020 7525 0640)**

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