

COMMUNITY COUNCILS
A voice for your community



Peckham Community Council

Planning Agenda

DATE: Thursday 1st SEPTEMBER 2005	TIME: 7.00 PM
PLACE: Peckham Park Baptist Church, 121 Peckham Park Road, SE15 6SX	

1. Welcome and introductions
2. Apologies
3. Notification of any items which the Chair deems urgent
4. Disclosure of Members' interests and dispensations
5. Development Control Items
 - Item 1/1 Planning Permission –
4, 5 & 6 Acorn Parade, Meeting House Lane SE15

ADDITIONAL INFORMATION

PECKHAM COMMUNITY COUNCIL MEMBERSHIP

Councillor Graham Neale *Chair*
Councillor Barry Hargrove
Councillor Jonathan Hunt
Councillor Billy Kayada
Councillor Richard Porter
Councillor Tayo Situ

MEMBERS ARE REQUESTED TO ATTEND THIS MEETING

DATE OF DISPATCH: Wednesday 24th August 2005

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.”

INFORMATION TO MEMBERS OF THE PUBLIC

Access to information

You may request copies of minutes and reports on this agenda.

Carers' Allowances

If you are a resident of the borough and have paid someone to look after your children, and 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.

Wheelchair access

Wheelchair access is available.

No smoking

Please note that under the Council Procedure Rule 1.1(i), smoking is not allowed at any meetings of Committees of Sub-Committees of the Council.

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 57187

To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 752 57187

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

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

Bengali

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

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

Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku

turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

Si aad noogu sheegto haddii aad leedahay baahi gaar ama wax gooni kuu ah sida

gaadiid, af celiyaha dadka indha la' fadlan tilifooni 020 7525 7514

Somali

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

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

Chinese

Se voce quiser informações nos conselhos comunitários traduzidas em sua 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 sobre los departamentos sociales (Community Councils) traducida a su idioma, por favor llame al número de teléfono 020 7525 7514
Si tiene necesidades o requisitos específicos, como es transporte especial o un intérprete, por favor llame al número de teléfono 020 7525 7514

Spanish

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

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

Yoruba

Transport Assistance for Disabled Members of the Public

Members of the public with a disability who wish to attend Community Council meetings and who would like transport assistance, are requested to call the meeting clerk at the number below to give his/her contact and address details. The clerk will then arrange for a driver to collect the person from his/her home 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 of the meeting as possible.

For further information please contact:

Tim Murtagh 020 7525 7187

E-mail: tim.murtagh@southwark.gov.uk

Council Website: www.southwark.gov.uk

Item No.	Classification: Open	Date: 31 July 2003	Meeting Name: Peckham Community Council
Report title:		Development Control	
Ward(s) or groups affected:		Livesey and Peckham	
From:		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 which 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

5. Members are asked to determine the attached applications in respect of site(s) within the borough.
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

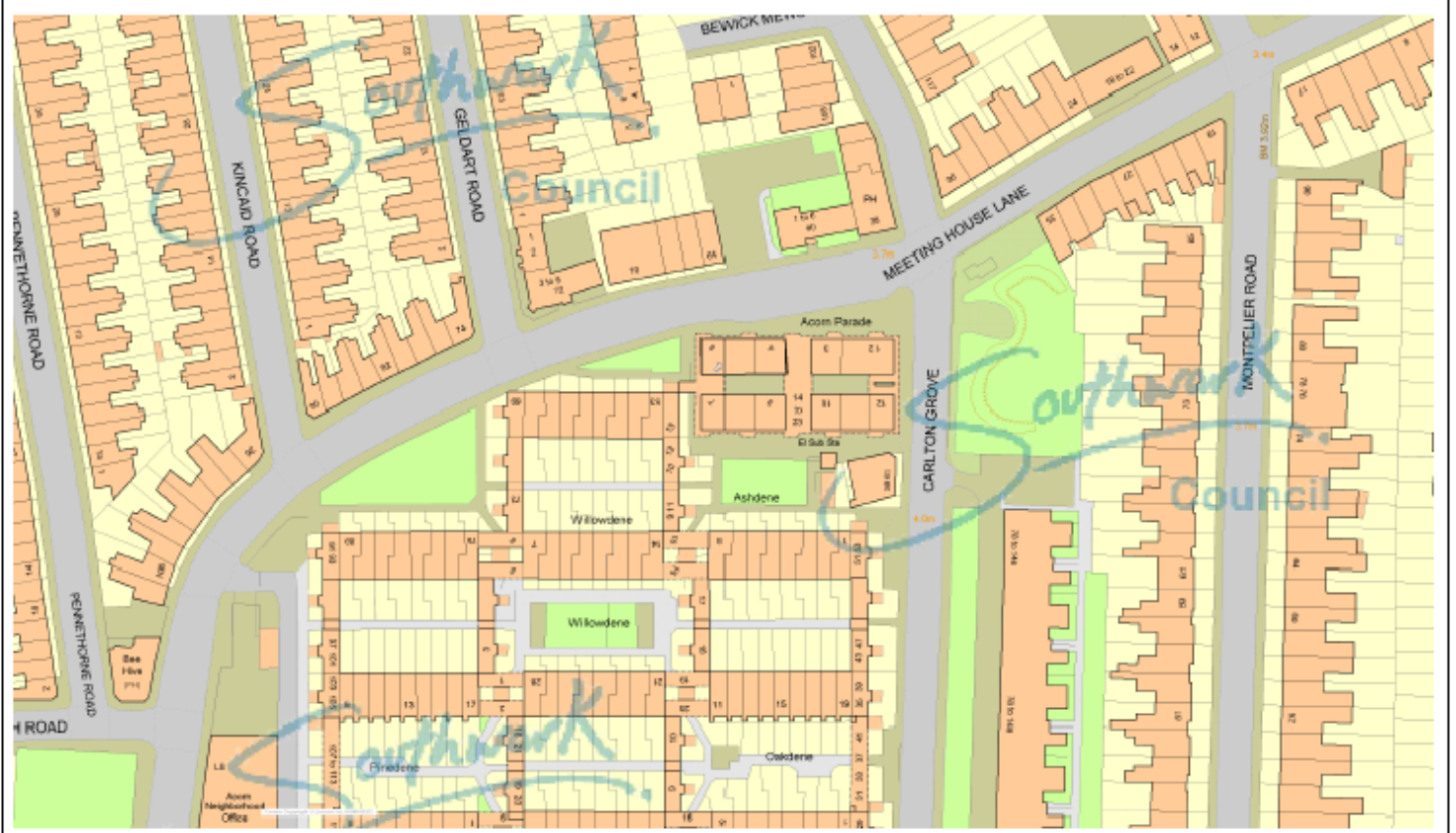
Background Papers	Held At	Contact
Council Assembly Agenda 29 th May 2002	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Beverley Olamijulo 020 7525 7222
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case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

APPENDIX 1

Audit Trail

<u>Lead Officer</u>	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Jason Polley, Assistant Borough Solicitor Beverley Olamijulo, Constitutional Support Officer (Executive)	
Version	Final	
Dated	11/02/03	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
<i>Officer Title</i>	Comments Sought	Comments included
Lyn Meadows Asst Borough Solicitor & Secretary	No	Yes
Paul Evans Strategic Director of Regeneration	No	No
James Sherry Development & Building Control Manager	No	Yes

4, 5, 6 Acorn Parade, Meeting House Lane



© Crown Copyright All rights reserved.
 London Borough of Southwark.
 License LA08654196 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 18/7/2005

**Southwark
 Council**

Item No. 1	Classification OPEN	Decision Level Peckham Community Council	Date 28.07.05
From Interim Development and Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-0396) Change of use of Unit 4 from a pharmacy (A1 Use Class) to a betting office (A2 Use Class) in conjunction with existing betting office at Units 5 & 6 Acorn Parade and installation of new shop fronts.		Address 4, 5 & 6 Acorn Parade, Meeting House Lane SE15 Ward Livesey	

1 PURPOSE

To consider the above application. This requires determination by the Community Council due to the number of objections received.

2 RECOMMENDATION

2.1 Grant planning permission.

3 BACKGROUND

3.0 The site is located on the corner of Meeting House Lane and Carlton Grove, north of Peckham High Street, and comprises a two-storey mixed-use development comprising six commercial spaces fronting Meeting House Lane, four residential units to the rear, and twelve residential units at first floor. The existing six spaces consist of a betting office (No's 5 & 6), a recently vacated pharmacy (No. 4), an off-licence, a hairdressers, and a video library. The shops are not part of a protected shopping frontage, in both the adopted UDP proposals plan and the draft UDP proposals plan.

3.1 Small local commercial areas are located further east and west of the site. Several commercial spaces in each area appear to be under utilised or unoccupied, and some have been converted into residential spaces with shop fronts having been deleted.

3.2 Planning History

Planning permission was granted (dated 26.02.02) for the change of use of existing retail units at 7-12 Acorn Parade (being to the rear of the subject site) into four flats (LBS Reg. 0200153).

3.3 Current application

The application is for the change of use of No. 4 from a pharmacy (A1 Use Class) to a

betting office (A2 use class) in conjunction with the existing betting office at No's 5 and 6, as well as the installation of a new shop front. The proposal includes removing the internal wall between No. 4 and No. 5-6.

An application for advertisement consent for the display of internally illuminated advertisements (ref.: 05-AP-0457) which are shown on the application drawings, was granted consent under delegated powers on 09/05/05.

4 FACTORS FOR CONSIDERATION

4.1 Main Issues

The main issue in this case is the loss of retail floor space, and the impact of the proposed use on the amenity of the area.

4.2 Planning Policy

Southwark Unitary Development Plan 1995 [UDP]:

Policy E.2.3 - Aesthetic Control - *Complies; new shopfront is of an acceptable design standard.*

Policy E.3.1 - Protection of Amenity - *Complies; the use would not generate any external adverse impacts.*

Policy S.1.4 - Shops Outside Primary and Secondary Shopping Frontages - *Complies; would not impair local retail service.*

Policy S.1.5 - Change of Non-Retail Uses - *Complies; would not involve any greater nuisance.*

Policy S.3.3 - Shop Front Design - *Complies.*

The Southwark Plan [Revised Draft] February 2005

Policies 1.9 - Change of Use and New Development Within Town and Local Centres - *Complies; retains A Class use, and would not harm the vitality of area.*

Policy 1.11 - Protecting the Range of Services Available - *Complies; would not affect vitality of vitality of nearby shops.*

Policy 3.2 - Protection of Amenity - *Complies.*

Policy 3.11- Quality in Design - *Complies.*

Policy 3.13 - Urban Design - *Complies.*

4.3 Consultations

Site Notice: 17.03.05

Press Notice: N/a.

Consultees: Units 13-27 Ashdene, Carlton Grove; Units 1-3, 7-9 Acorn Parade; Flats 1-6, 70 Meeting House Lane; 64, 66, 68 Meeting House Lane; Flats 1-6, 40 Meeting House Lane; Havelock Arms, 38 Meeting House Lane, 36, 53 Meeting House Lane.

No internal consultees.

4.4 Replies from:

68 Meeting House Lane

- Objects to the proposal and the expansion of the existing betting office.

- Existing betting office is a source of noise and anti-social behaviour.
- Existing betting office detracts from the amenity of the area.
- Existing off-licence contributes to anti-social behaviour.

1 Acorn Parade, Meeting House Lane

- Objects to the proposal.
- Existing betting office attracts anti-social behaviour.
- Proposal would not support the local shopping area.

53 Meeting House Lane

- Objects to the proposal.
- Existing betting office attracts anti-social behaviour.
- Existing use causes traffic and car-parking difficulties.
- Proposal would detract from the amenity of the area.

5 PLANNING CONSIDERATIONS

- 5.1 The previous occupation of No. 4 appears to have ceased within the last 6 months, which has been confirmed by the Agent. The use of No's 5 and 6 as a betting office appears to have been carried out since the late 1980's.
- 5.2 The existing vacancy rate of retail spaces within the immediate area suggests that new retail uses are not being established locally. To the east of the site, four shop fronts appear to have been converted into residential premises. To the west of the site, two or three shop fronts are boarded up and their uses cannot be distinguished. Therefore an alternate use may be more appropriate than the possibility of a long-term vacancy.
- 5.3 Peckham High Street may be a preferred retail location and would appear to have a stronger market position, and is located within 600 metres of Acorn Parade. A notice on the premises indicates that the pharmacy is moving to 151 Peckham High Street, where an existing pharmacy is located (being less than 500 metres away, to the south west). This availability is integral to satisfying Policy 1.11 of the emerging UDP.
- 5.4 The reduction in shopping provision is not considered to impair the retail service provided to local residents, and the proposed use is appropriate to a shopping frontage (being an A2 use). The proposed use would not cause any greater loss of amenity than that which may exist within this area. Any anti-social behaviour should be addressed by the management of the premises.

It is not considered that the use would result in any traffic problems within the area, especially as it only seeks to improve the facilities of an existing betting office, rather than create a new outlet which might attract additional customers. The proposal is therefore considered to satisfy Policy S.1.4 of the adopted UDP.

- 5.5 The objections on the above grounds are not considered to be sustainable, having regard to the assessment in section 5.3.
- 5.6 The external works are considered to be of a suitable quality in design and materials.

6 **EQUAL OPPORTUNITY IMPLICATIONS**

The new shop fronts include level access to assist people with disabilities and mobility difficulties to enter the premises.

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

The proposal would result in the loss of a small retail space however does not compromise the viability of the provision of local retail services.

LEAD OFFICER	Séamus Lalor	Interim Development and Building Control Manager
REPORT AUTHOR	Nic Drent	Planning Officer [tel. 020 7525 0502]
CASE FILE	TP/2445-A	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

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

Applicant	William Hill Organization Ltd	Reg. Number	05-AP-0396
Application Type	Full Planning Permission	Case	TP/2445-A
Recommendation	Grant	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use of Unit 4 from a pharmacy (A1 Use Class) to a betting office (A2 Use Class) in conjunction with existing betting office at Units 5 & 6 Acorn Parade, and installation of new shop fronts.

At: 4, 5 & 6 Acorn Parade, Meeting House Lane SE15

In accordance with application received on 03/03/2005

and Applicant's Drawing Nos. LE/509056/01, FINAL/LS/EXT/509056/03B

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 The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure the use of appropriate materials in the interest of the design and appearance of the building and the visual amenity of the area in accordance with Policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan 1995 and Policies 3.11 'Quality in Design' and 3.13 'Urban Design' of the Revised Deposit UDP, The Southwark Plan, February 2005.

Reasons for granting planning permission.

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

- a) Policies E.2.3 - 'Aesthetic Control', E.3.1 - 'Protection of Amenity', S.1.4 - 'Shops Outside Primary and Secondary Shopping Frontages' of the Southwark Unitary Development Plan 1995
- b) Policies 1.9 - 'Change of Use and New Development Within Town and Local Centres', 1.11 - 'Protecting the Range of Services Available', of The Southwark Plan [Revised Draft] February 2005.

Particular regard was had to the loss of a small local retail space that would result from the proposed development but it was considered that this would be outweighed by an alternate commercial use 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.

Informative

You are reminded that Advertisement Consent under the Control of Advertisement Regulations will be required for the display of the advertisements shown on the approved drawings.

DISTRIBUTION LIST**MUNICIPAL YEAR 2003/04****COUNCIL: PECKHAM COMMUNITY COUNCIL**

NOTE: Original held by Constitutional Support Unit; amendments to Tim Murtagh (Tel: 020 7525 7187)

<u>OPEN</u>	<u>OPEN</u>	<u>COPIES</u>
To all Members of the Community Council:	Neil Gray , District Audit	1
Councillor Graham Neale <i>Chair</i>	4 th Floor	
Councillor Barrie Hargrove	Millbank Tower	
Councillor Jonathan Hunt	Millbank	
Councillor Billy Kayada	London SW1P 4QP	
Councillor Richard Porter		
Councillor Tayo Situ		
	<u>TRADE UNIONS</u>	
Councillor Fiona Colley (Labour Group)	John Mulrenan, UNISON Southwark Branch	1
	Roy Fielding, GMB/APEX	1
Libraries	Alan Milne TGWU/ACT	1
Local Studies Library	Tony O'Brien, UCATT	1
Press:		
Southwark News	<u>NEIGHBOURHOOD HOUSING OFFICES</u>	
Evening Standard1		
Dulwich Guardian, 819 London Rd, Cheam Surrey	Acorn	1
South London Press	Rosemary Gardens	1
African Times		
African Voice		
Southwark Chamber of Commerce		
Nancy Hammond	TOTAL DISTRIBUTION	61
Room 33		
West House	Dated: 24 August 2005	
Peckham Road		
<u>MEMBERS OF PARLIAMENT</u>		
Harriet Harman, M.P.		
Valerie Shawcross		
GLA Building		
City Hall		
Queen's Walk		
London SE17 2AA		
Constitutional Support Officer		30
<u>EXTERNAL</u>		
Pat Tulloch, S.A.V.O.		1
Cambridge House		
64 Camberwell Road		
London SE5 0EN		
Chief Superintendent Ian Thomas		1
Borough Commander		
Southwark Police Station		
323 Borough High Street		
London SE1 1JL		