



COMMUNITY COUNCILS
A voice for your community



Rotherhithe Community Council

Planning Agenda

DATE: THURSDAY 16 MARCH 2005	TIME: 7.00 PM
PLACE: SURREY DOCKS WATERSPORTS CENTRE, ROPE STREET, SE16 1LL	

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
 - 1/1 Full Planning Permission – Cable Court and The Surrey Canal Office, Rope Street, London SE16 7SY
6. Closing comments by Chair

ADDITIONAL INFORMATION

ROTHERHITHE COMMUNITY COUNCIL MEMBERSHIP

Councillor Lisa Rajan *Chair*
Councillor Jeff Hook *Vice Chair*
Councillor Columba Blango
Councillor David Hubber
Councillor Jonathan Hunt
Councillor Graham Neale
Councillor Gavin O'Brien
Councillor Richard Porter
Councillor Anne Yates

MEMBERS ARE REQUESTED TO ATTEND THIS MEETING

DATE OF DISPATCH: Tuesday 7 March 2006

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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Spanish

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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: Rotherhithe Community Council
Report title:		Development Control	
Ward(s) or groups affected:		All in Rotherhithe Community Council	
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 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 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

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	Glen Egan, Acting Head of Legal Services Chris Thompson, Constitutional Support Officer	
Version	Final	
Dated	11/02/03	
Key Decision	No	
<u>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</u>		
Officer Title	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

Surrey Canal Office Site



Item No. 1	Classification OPEN	Decision Level ROTHERHITHE COMMUNITY COUNCIL	Date 16.03.06
From Development and Building Control Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (05-AP-2551) Construction of a 5 storey building comprising 8 flats [4 x two-bedroom 4 x one-bedroom] forming an extension to the existing Cable Court[Please note: This application is a submission of a revised proposal following the refusal dated 21/03/2005 of application no. 04-AP-1939]		Address CABLE COURT and THE SURREY CANAL OFFICE, ROPE STREET, LONDON, SE16 7SY Ward Surrey Docks	

PURPOSE

- 1 To consider the above application

RECOMMENDATION

- 2 Grant Planning Permission. This application is being reported to Community Council for a decision due to the number of objections received.

BACKGROUND

- 3 The application site includes the existing 5-storey residential building constructed under permission reference 9800621 (western side of the site), and the single storey office block referred to as the Surrey Canal Office Building. The site fronts Rope Street to the north and Plough Way to the south (Plough Way represents the borough boundary with the London Borough of Lewisham). To the east of the site is an open car park and to the west is Corinthia Court.
- 4 The wider area around the site is currently mixed with large residential schemes on the opposite side of Plough Way and to the east of the car park beyond the Tavern Quay Office site. Immediately to the east is the Tavern Quay car park which, as described below, is the subject of a number of previous planning applications. To the west is predominantly residential. To the north is the Surrey Quays water sports centre.
- 5 The sake of clarity in describing the planning history of this immediate area, there are effectively three applications sites immediately adjacent to each other. The site subject to this application is at the western end of these sites. The middle site is the western side of the existing car park and the third site is the eastern side of the car park immediately adjacent to the Tavern Quay Office Building. The planning history for

each of these site is described below.

6 The subject site (western site):

- 9800621

Planning permission granted 31/07/1998 for the construction of a 5-storey building with 5 flats and garages. This building has been constructed and forms part of the application site.

- 9901664

Outline planning permission granted 13/04/2000 for the construction of a new apartment building with car parking (siting and means of access determined only). This permission was not implemented.

- 02-AP-1024

Planning permission refused for demolition of existing building and construction of a nine-storey building with basement comprising of office in the basement and 6 self contained maisonettes on the upper floors.

- 04-AP-1939

Planning permission refused for the construction of an apartment building on four floors with 5 x 2-bed flat and 3 x 1-bed flats. Two reasons for refusal were provided being as follows:

1. The proposal would be overdevelopment of the site, being excessive in bulk and site coverage as well as failing to provide any amenity open space to the detriment of amenity of future occupiers.

2. There is insufficient information to make a complete and thorough assessment of the proposal and its impacts in the context of the area in failing to provide a site plan nominating the building footprint and associate development.

7 This decision was subsequently appealed to the Planning Inspectorate. The Inspectorate dismissed the appeal on design grounds alone. The Inspector stated that on a site such as this (small and surrounded by flat developments) policies relating to density and family housing should not be applied rigidly. The Inspector found the development to be unacceptable on the grounds that the proposed building would present a vertical wall to Rope Street that would jar with the existing building on the site that provides pleasant balconies which sat well with the street trees and variety of buildings nearby.

This current application seeks to overcome these design considerations.

8 Middle site

- 01-AP-0444

Planning permission granted 10/08/2001 for the construction of 12 x 2-bed flats with 10 car parking spaces together with the provision of 110 square metres of additional commercial space within the existing building.

- 04-AP-0226

Planning permission refused 15/03/2005 for Part 6, Part 9 storey building providing 41 flats. This development (amended from part 6, part 11 storey building) was recommended for approval by officers and subsequently refused at Planning Committee. The reasons for refusal were:

1. The proposed development would be too high and over dominant of adjoining buildings.

2. There would be inadequate amenity space;
3. The density of 630 habitable rooms per hectare is excessive.

This decision was subsequently appealed to the Planning Inspectorate where the appeal was upheld and planning permission granted.

- 06-AP-0241

Current application for a part 6, part 12 storey residential building. This application has only recently been received and has just gone to consultation at the time of writing this report.

9 Eastern site:

- 04-AP-0588

Outline planning permission refused for part 7, part 10 storey building comprising flats and retention of existing office floor space.

- 04-AP-1703

Outline planning permission for 7-storey residential building containing 26 flats was appealed by the applicant due to non-determination. The appeal was dismissed. The Inspector stated that 7-storey's in principle was likely to be acceptable but that it was the relationship of the building with the existing Tavern Quay Office building and Rope Street that was unclear and gave rise to sufficient concerns to warrant the refusal of the application. The Inspector stated he was not convinced by a general argument of overdevelopment.

- 05-AP-0694

Outline planning permission for 6-storey residential building was appealed by the applicant due to non-determination. Determination in this matter was delayed whilst awaiting the outcome of the previous appeal. This appeal is yet to be determined by the Inspector.

- 05-AP-2412

Outline planning permission for 6-storey office building. This application is yet to be determined.

10

The current application is for the construction of a 5-storey building comprising 8 flats (4 x 2-bed and 4 x 1-bed) forming an extension to the existing Cable Court. The significant difference between this development and that previously refused is the design and appearance of the building which attempts to overcome the design comments of the Inspector.

FACTORS FOR CONSIDERATION

Main Issues

- 11 The main issues in this case are the design and appearance of the proposed building, the impacts on existing residents and car parking and traffic generation.

12 **Planning Policy**

The following policies are those deemed most applicable to the proposal and do not necessarily constitute and exhaustive list of all potentially applicable policy.

- 13 Southwark Unitary Development Plan 1995 [UDP]:
The site is within a designated Regeneration Area and the Strategic Views Back Drop Consultation Zone.

Policy R.2.1 - Regeneration Areas
Policy B.1.2 - Protection Outside Employment Areas and Sites
Policy E.2.1 - Layout & Building Line
Policy E.2.2 - Height of New Buildings
Policy E.2.3 - Aesthetic Control
Policy E.3.1 - Protection of Amenity
Policy H.1.5 - Dwelling Mix of New Housing
Policy H.1.7 - Density of New Residential Development
Policy H.1.8 - Standards for New Housing

- 14 The Southwark Plan [Revised Draft] February 2005

Policy 1.2 - Local Policy Areas
Policy 1.5 - Mixed Use Developments
Policy 3.1 - Environmental Effects
Policy 3.2 - Protection of Amenity
Policy 3.10 - Efficient Use of Land
Policy 3.11 - Quality in Design
Policy 3.13 - Designing Out Crime
Policy 3.14 - Urban Design
Policy 3.29 - Development within the Thames Special Policy Area
Policy 4.1 - Density of Residential Development
Policy 4.2 - Quality of Residential Accommodation
Policy 4.3 - Mix of Dwellings
Policy 5.6 - Car Parking

Consultations

- 15 Site Notice: 21st December 2005 Press Notice: None

- 16 Consultees:
Surrey Docks Watersports Centre
1 & 3 Curnard Walk
73 & 74 Greenland Quays
Units 1-25 (inclusive) Tavern Quay Commercial Centre
1-11 (inclusive) Carintha Court
1-5 (inclusive) Cable Court
701 Baltic Quay
202 Baltic Quay
Yew Tree Cottage (Derbyshire)
1 Sweden Gate
1-69 (inclusive) Iceland Wharf (LB Lewisham)
1-38, 1 Yeoman Street (LB Lewisham)

Traffic Engineer
Conservation and Design Officer
Secure by Design Officer

London Borough of Lewisham

Replies from:

- 17 A petition with 8 signatories c/o 701 Baltic Quay. This letter to which the signatories have signed is exactly the same as a consultation response received in relation to an a current application at the eastern end of Tavern Quay car park (reference 05-AP-2412 - please see background for more information). The petition contains 3 pages and thus the objections will be summarised:

Object to the proposal on the following grounds:

- The development is high rise and high density, will impact on the views of surrounding flats and affect the existing landscape. Should this development of 6-storeys (and that proposed of 7-10 storey's by a second developer of the remainder of the site) proceed, views will be eroded, light to properties will be obstructed and the environment changed.
- Quality of architecture in comparison to other buildings in the area,
- Loss of fundamental "Right to Light". Natural daylight will disappear to some properties;
- The site in question will not permit any room for car parking. In conjunction with other developments in the area there will be 50 flats with parking only for a third of them and no parking for the Tavern quay offices. Increase in cars, on top of increase by earlier development will cause pollution, safety issues and parking and traffic congestion on nearby roads.
- Baltic Quays has at least two registered disabled residents. We suspect, that in order for the building works to be undertaken, the Council would attempt to suspend parking to Sweden Gate and part of Rope Street. We object to any such proposal.
- Noise from construction and additional traffic thereafter which would cause disturbance and create more work for the already stretched Council noise pollution team and police.
- Any additional vehicles in the area will lead to an increase in crime and vandalism as there are more opportunities afforded to local gangs who already perceive the area as 'rich pickings'. It will increase police workload who have to attend from Walworth as the Rotherhithe station is closed which is unacceptable. More development will exacerbate this situation. Victims of crime have to turn to the Baltic Quay security staff.

For the reasons above we object to this and indeed, any future planning applications for the Surrey Canal office and Cable Court and the surrounding areas.

18

London Borough of Lewisham

Objects and considers the application should be refused for the following reasons:

The propoasaed residential development is considered to represent a poor design and layout on site, as well as having a poor internal layout and a lack of amenity space; in addition no off-street parking provision is proposed.

PLANNING CONSIDERATIONS

Principle of Change of Use

- 19 The application proposes the change of use of the site from office use (B1 Use Class) to residential use (C3 Use Class). All previous applications on this site have not considered this a reason for objection with application reference 9901664 being granted for a residential scheme and applications 04-AP-1939 not citing the loss of office space as a reason for refusal (02-AP-1024 although refused included replacement office space).
- 20 The draft Southwark Plan provides a number of criteria within Policy 1.5 for assessing the acceptability of the loss of B Use Class space outside of industrial and preferred office locations. With this in mind the site does not front onto or have direct access to a classified road. The site is not located within a Public Transport Accessibility Zone, a Central Activities Zone or a Strategic Cultural Area. On this basis the loss of the existing office space can be considered acceptable.
- 21 The adopted plan also contains Policy B.1.2 which accepts the loss of existing employment space if the existing use creates a nuisance in the area or where the premises has remained vacant for at least 24 months and evidence is provided to show attempts have been made to sell or let the site as an employment use. No evidence has been provided regarding these two tests. However, in this specific instance the quality of the office space is not considered to be great and the space isn't being utilised to its full potential. The amount of office space at 88 square metres is not significant and its loss is unlikely to have an undue effect on the supply of office space in this area of the wider borough. Overall the loss of the existing office building is considered acceptable.

Height, Bulk and Design

- 22 The proposed building is intended to complete the Cable Court development, the first half of which was approved in 1998. The proposed building would be 5-storey's overall, with the top storey significantly reduced and forming the upper floor to Flat 7, a 2-bed maisonette. This is similar in height to the existing building at Cable Court although the proposed building would be higher at its peak where it would adjoin the part 6-storey element of the approved building on the adjacent site.
- 23 The Inspector in dismissing the previous appeal did not object to the height or the footprint of the building (also 5-storey's), more to the vertical facade of the proposed building and how it presented to Rope Street and the imbalance with the existing Cable Court flats. The Inspector stated that existing Cable Court building with its use of set backs was an appropriate design for this location. The proposed building has been reduced, with a reduction in the 5th floor and the introduction of setbacks at each floor and terraces at 2nd and 3rd floor levels. This presents a much softer elevation to Rope Street than the previously refused scheme and closely replicates the design of the existing Cable Court building.
- 24 It is considered that the design issues raised by the Planning Inspector have been addressed and that the design and appearance of the proposed building is acceptable. Concern is raised over the use of timber cladding as a finishing material and this will be the subject of a condition.

Density

- 25 The site is located within the Urban North Zone within the Proposed Southwark Plan

which advises a density scale of 250 to 350 habitable rooms per hectare. The adopted UDP advised a density scale of 175-210 habitable rooms per hectare. The site is approximately 526 square metres in area for the purposes of calculating density (including 6.0 metres of Rope Street). The proposed building contains 28 habitable rooms whilst the existing building contains approximately 20 habitable rooms. Overall the density for Cable Court including the existing building would be 913 habitable rooms per hectare.

- 26 The proposed Southwark Plan clearly states that where sites are smaller in size, particularly if less than 500 square metres, then density becomes a less effective tool in determining the impact of a development. The site itself, not including Rope Street for density calculations, is 370 square metres in area. The Inspector in his decision on the previous application stated - *"...The location appears to contain mainly blocks of flats. In addition, I note the reason for Policy H.1.7 indicates that proportionally less weight should be placed on density issues on small sites. This strengthens my view that greater emphasis should be placed on site specific considerations.....Bearing in mind that half this small site is already developed, I do not consider that the policies on density and family housing should be applied rigidly. It is the appearance of the proposal that should carry most weight and Policy E.2.3 is most relevant."*
- 27 The previous application provided 8 flats (5 x 2-bed and 3 x 1-bed flats). The current application contains 4 x 2-bed and 4 x 1-bed flats and thus the density is slightly less than the previous scheme. The Inspector in his decision on the previous application did not consider density to be a significant issue and was satisfied that 8 flats was not inappropriate on the site in terms of density. In consideration of the Inspectors previous decision, and the Inspectors decision on the adjoining site, allowing for 41 flats in a Part 9-storey building (a density of approximately 630), the density of this current application on this specific site is considered acceptable.

Amenity Impacts

- 28 The proposal would create a building which would appear to finish the site and look as though the two buildings are in fact one. The proposal abuts the eastern wall of the existing building on site, and would be built to the remaining three boundaries.
- 29 The proposed building respects the existing Cable Court building in terms of overlooking by designing windows that do not enable views of the existing building and terraces are appropriately located such that overlooking of the existing terraces and habitable rooms will not be a significant factor.
- 30 The application site has two street frontages and a vacant car park on three sides. It is not considered that this proposed building will have an impact on shading, day light, or sunlight to existing residents that would warrant the refusal of the application.
- 31 The building may affect some views as the site is currently absent of buildings. However, the planning system is not charged with the specific responsibility of protecting individual views from private dwellings and thus this is not consideration for this report.

Traffic

- 32 No additional car parking spaces are proposed as part of this development. The

existing Cable Court building benefits from 4 off-street car parking spaces. Council's Traffic Engineer has raised no objection to the absence of additional off-street car parking in this location.

- 33 The Inspectors decision on the previous application did not refer to the issue of car parking and it was not put forward as a reason for refusal. In the successful appeal on the adjacent site (the part 6, part 9 storey building) the Inspector was of the opinion that on-street car parking demand was low and that a %51 car parking provision (21 spaces for 41 units) was acceptable on that site. The application site is within proximity to public transport options with bus routes nearby. Surrey Canal station is some 600 metres away but still presents an alternative option. Overall, the absence of additional car parking for these 8 flats is considered acceptable.
- 34 The development includes 9 bicycle parking bays which is policy compliant. Council's Traffic Engineer has requested details of the type of bays to be utilised.

Standard of Accommodation

- 35 50% of the units are 2-bed units and thus dwelling mix policy is achieved. The units meet the minimum internal room size standards as set out in adopted Supplementary Planning Guidance.
- 36 Terraces are provided at 2nd and 3rd floor levels as is the case with the existing building. The second floor terrace serves a one-bed flat and is approximately 10 square metres in area. There are two terraces on the third floor, one to the front of the building (18.5 square metres) serving a 2-bed maisonette and the other located to the rear of the development (16 square metres) serving a one-bed flat.

Objections

- 37 The application has road frontage on two sides. To one side is a vacant car park and to the other is an existing building for which this additional structure was designed for. The building is 5-storey's in height. Objections to matters of loss of light are not sustainable.
- 38 Rights to views and rights to light are not planning issues but civil legal issues and it is not the place of this report to address them.
- 39 It is thought unlikely that these additional 8 flats would cause undue parking or traffic congestion in the area. This is in line with recent Planning Inspectorate decisions in the area where car parking has not be found to be a reason for refusal of other applications.
- 40 Noise during construction and the control of construction traffic (and where it may or may not park) is not a planning consideration.
- 41 Noise of future occupants is not anticipated to be anything beyond normal residential noise which would not be out of character in this residential area. The noise of additional traffic on the road is not considered to be a sustainable reason for refusal.
- 42 The ability or otherwise of police to attend to incidents of crime is not considered to be a determining factor in this application. In a similar vain, the possibility that additional

cars will attract gangs can not be sustained as a valid reason for refusing planning permission.

43 The architectural design and appearance of the proposed building is considered acceptable. It is considered that the proposed building takes account of, and is sympathetic too, the existing Cable Court building. It is further considered that the design of the building addresses the Planning Inspectors reports siting the design of the previous application as a reason for refusal. It is agreed that the materials require further investigation and an appropriate condition is recommended.

44 The objections of the London Borough of Lewisham are not considered sustainable given the history to this site. Car parking and amenity space issues were not considered detrimental by the Planning Inspector whose main concern was the design and appearance of the building. The issue of 'stacking' is not perfect within the development but is not considered that this is sufficient reason alone for refusal.

45 I have considered all other matters raised in the application process. Nothing has altered the conclusion and recommendation that the scheme would be in accordance with the development plan.

46 **COMMUNITY IMPACT STATEMENT**

In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

- a] The impact on local people is set out above.
- b] There are no issues specifically relevant to particular communities/groups likely to be affected by the proposal.
- c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

47 **SUSTAINABLE DEVELOPMENT IMPLICATIONS**

None

LEAD OFFICER	John East	Head of Planning & Transport
REPORT AUTHOR	Phillip McCutcheon	Team Leader Development Control [tel. 020 7525 5470]
CASE FILE	TP/490-A	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

RECOMMENDATION LDD MONITORING FORM REQUIRED

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	Gilby Construction	Reg. Number	05-AP-2551
Application Type	Full Planning Permission	Case Number	TP/490-A
Recommendation			

Draft of Decision Notice

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Construction of a 5 storey building comprising 8 flats [4 x two-bedroom 4 x one-bedroom] forming an extension to the existing Cable Court
[Please note: This application is a submission of a revised proposal following the refusal dated 21/03/2005 of application no. 04-AP-1939]

At: CABLE COURT and THE SURREY CANAL OFFICE, ROPE STREET, LONDON, SE16 7SY

In accordance with application received on 07/12/2005

and Applicant's Drawing Nos. PD19a, 20a, 21c, 22b, 23b, 24b, 25a, 26b.

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 Samples of the materials to be used in the construction of the external surfaces of the building hereby permitted 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 the finishing 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 dwellings hereby permitted shall not be occupied before details of the arrangements for the storing of domestic refuse have been submitted to (2 copies) and approved by the local planning authority and the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of 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 Details of a survey and investigation of the soil conditions of the site (2 copies), sufficient to identify the nature and extent of any soil contamination, together with a schedule of the methods by which it is proposed to neutralise, seal, or remove the contaminating substances, shall be submitted to and approved by the Local Planning Authority and thereafter shall be carried out before any works in connection with this permission are begun.

Reason

In order to protect construction employees and future occupiers of the site from potential health-threatening substances in the soil in accordance with Policy E.1.1: Safety and Security in the Environment of Southwark's Unitary Development Plan.

- 5 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.

- 6 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.

- 7 Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with Policies E.2.3 'Aesthetic Control' and E.3.1 'Protection of Amenity' of the Southwark Unitary Development Plan.

Reasons for granting planning permission.

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

- a) Policies R.2.1 Regeneration Areas, B.1.2 - Protection Outside Employment Areas and Sites, E.2.1 Layout & Building Line, E.2.2 Height of New Buildings, E.2.3 Aesthetic Control, E.3.1 Protection of Amenity, H.1.5 , Dwelling Mix of New Housing, H.1.7 Density of New Residential Development, H.1.8 - Standards for New Housing of the Southwark Unitary Development Plan 1995
- b) Policies 1.5 Mixed Use Developments, 3.2 Protection of Amenity, 3.10 Efficient Use of Land, 3.11 Quality in Design, 3.13 Designing Out Crime, 3.14 Urban Design, 4.1 Density of Residential Development, 4.2 Quality of Residential Accommodation, Policy 4.3 Mix of Dwellings, 5.6 - Car Parking of The Southwark Plan [Revised Draft] February 2005.

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

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

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