

COMMUNITY COUNCILS
A voice for your community



Rotherhithe Community Council

Planning Agenda

DATE: THURSDAY 21 SEPTEMBER 2006	TIME: 7.00 PM
PLACE: SURREY DOCKS WATER SPORTS CENTRE, ROPE STREET, SE16	

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 – 156 Brunswick Quay, London, SE16 7PT
 - 1/2 Full Planning Permission - 19-25 Rotherhithe New road, London, SE16 2AE
6. Closing comments by Chair

ADDITIONAL INFORMATION

ROTHERHITHE COMMUNITY COUNCIL MEMBERSHIP

Councillor Paul Noblet *Chair*
Councillor Anne Yates *Vice Chair*
Councillor Columba Blango
Councillor Mary Foulkes
Councillor Jeff Hook
Councillor David Hubber
Councillor Richard Livingstone
Councillor Andrew Pakes
Councillor Lisa Rajan

MEMBERS ARE REQUESTED TO ATTEND THIS MEETING

DATE OF DISPATCH: Tuesday 12 September 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.”

INFORMATION TO MEMBERS OF THE PUBLIC

Access to information

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

Carers' Allowances

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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

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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

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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

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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

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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

Item No.	Classification: Open	Date: September 2006	Meeting Name: Rotherhithe Community Council
Report title:		Development Control	
Ward(s) or groups affected:		Surrey Docks Ward	
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 Community Council Planning business detailed in Article 10 under Role and Functions of Community Councils were agreed by the Constitutional Meeting of the Council on 25 May 2005. The Matters Reserved to the Planning Committee and Community Councils Exercising Planning Functions are described in Part 3F of the Southwark Council Constitution 2005/06. These functions were delegated to the Planning Committee and Community Councils.

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. The draft decision notice will detail the reasons for any approval or refusal.
7. Applicants have the right to appeal to the First Secretary of State 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.
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. Any additional conditions required by the Committee will be recorded in the Minutes and the final planning permission issued will reflect the requirements of the Community Council.
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 as amended 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 and the London Plan adopted by the Mayor of London in February 2004. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
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 Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligations 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 25 th March 2005	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	Tim Murtagh 020 7525 7187
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or Joe Battye 020 7525 5447

APPENDIX 1

Audit Trail

<u>Lead Officer</u>	Glen Egan, Acting Borough Solicitor	
Report Author	Ellen FitzGerald, Acting Senior Planning Legal Officer [Tim Murtagh], Constitutional Support Officer (Executive)	
Version	Final	
<u>Dated</u>		
<u>Key Decision</u>	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
<i>Officer Title</i>	Comments Sought	Comments included
Borough Solicitor & Secretary	Yes	Yes
Paul Evans Strategic Director of Regeneration	No	No
Joe Battye, Acting Development & Building Control Manager	No	No ?

ITEMS ON AGENDA OF THE ROTHERHITHE CC
on Thursday 21 September 2006

Appl. Type Full Planning Permission
Site 156 BRUNSWICK QUAY, LONDON, SE16 7PT

Reg. No. 06-AP-1226
TP No. TP/471-156
Ward Surrey Docks
Officer Jason Traves

Recommendation GRANT

Item 1/1

Proposal

Erection of a single storey side extension to dwellinghouse to provide additional residential accommodation.

Appl. Type Full Planning Permission
Site 19-25 ROTHERHITHE NEW ROAD, LONDON, SE16 2AE

Reg. No. 06-AP-0486
TP No. TP/320-19
Ward Rotherhithe
Officer Daniel Byrne

Recommendation GRANT



Item 1/2

Proposal

Change of use of part of property to barbers & hairdressers (Class A1).

156 Brunswick Quay



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Item No. 1	Classification OPEN	Decision Level ROTHERHITHE COMMUNITY COUNCIL	Date 21.09.06
From PLANNING AND BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (06-AP-1226) Erection of a single storey side extension to dwelling house to provide additional residential accommodation.		Address 156 BRUNSWICK QUAY, LONDON, SE16 7PT Ward Surrey Docks	

PURPOSE

- 1 To consider the above application for which more than 2 objections have been received.

RECOMMENDATION

- 2 To grant planning permission, subject to conditions

BACKGROUND

Site location and description

- 3 The site is located at the top of Brunswick Quay residential complex adjacent to Redriff Road. A pedestrian footway runs along the side of the subject site and provides a direct access from Redriff road into the parking forecourt of the complex.
- 4 The subject site comprises an end terrace of three storeys with undercover parking and a rear yard.

Details of proposal

- 5 The proposal is for a single storey side extension which will be accessible through the kitchen. The extension does not project beyond the front and rear building setbacks. the height of the roof ridge is approximately 5.1m

Planning history

- 6 On 11 May 2006 the Council refused application 06-AP-0545 for a proposed two storey side extension for the following reasons;
- 7 *"1. The proposed side extension, by virtue of its size, scale, mass and bulk would have an overbearing impact on the adjacent footpath and would be out of character with the existing building and the design and appearance of the immediate surrounding area. The proposal is therefore detrimental to visual amenity and contrary to Policies E.2.3: Aesthetic Control, and E.3.1: Protection of Amenity, of the adopted Unitary Development Plan 1995 along with Policies 3.2: Protection of Amenity, 3.11: Quality in Design, 3.13: Urban Design, and 3.14: Designing Out Crime of the The*

Southwark Plan [Revised Draft] February 2005, along with Supplementary Planning Guidance 'Standards Controls and Guidelines for Residential Development'.

- 8 2. *The proposed development would create a relatively dark, hidden and uncomfortable alleyway, where there currently exists a relatively open and visible footpath, to the detriment of the safety and security of pedestrians and people utilising the footpath. The proposal is therefore contrary to Policies E.1.1: Safety and Security in the Environment, T.2.1 Measures for Pedestrians and E.3.1: Protection of Amenity, of the adopted Unitary Development Plan 1995 along with Policies 3.13: Urban Design, and 3.14: Designing Out Crime of the The Southwark Plan [Revised Draft] February 2005."*

Planning history of adjoining sites

- 9 There is no history identified of relevance to the application.

FACTORS FOR CONSIDERATION

Main Issues

- 10 The main issues in this case are the principle of the development and in particular, whether or not the application addresses the previous reasons for refusal. In considering such, issues such as design, amenity and impact on neighbouring properties will also be taken into account

Planning Policy

- 11 At its meeting on 29th June 2006 the Council resolved to adopt the Southwark Plan subject to modifications. Therefore apart from a small number of exceptions, the policies in the Southwark Plan now have significant weight in the determining of planning applications. Whilst the 1995 Unitary Development Plan remains the statutory Development Plan until such time as the Southwark Plan is formally adopted it is likely that, in determining pending applications, the Council will give predominant weight to Southwark Plan policies. Upon formal adoption the policies in the Southwark Plan will be applied unless material considerations indicate otherwise.

Southwark Plan 2006 [Modifications Version]

- 12 3.2 Protection of amenity
3.11 Quality in Design
3.13 Urban Design
3.14 Designing Out Crime
5.3 Walking and Cycling

Southwark Unitary Development Plan 1995 [UDP]

- 13 E.1.1 Safety and Security in the Environment
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
T.1.3 Design of Development and Conformity with Council Standards and controls
T.2.1 Measures for Pedestrians

Consultations

14 Site Notice
12.07.06

Press Notice
N/A

Internal Consultees
N/A

Statutory and non-statutory consultees
N/A

Neighbour consultees
Brunswick House Redriff Road
144 - 154 [evens], 158 - 194[evens]

Re-consultation
N/A

Consultation replies

15 Internal Consultees
N/A

Statutory and non-statutory consultees
N/A

Neighbour consultees
146 Brunswick Quay - Objects on grounds of impact to safety and security in the alleyway, impact to light in a hallway, design not in keeping with design or size of buildings, parking impact during construction, impact to access during the building period.

148 Brunswick Quay - Objects on grounds of appearance, visual impact, impact to the alleyway, appearance of area around alleyway, parking problems, tree loss, and loss of views to Redriff Rd

150 Brunswick Quay - Object on grounds of no notification to neighbouring properties, out of keeping with appearance and aesthetics of the area, loss of views, overlooking, encroachment on neighbouring properties, impact to the public right of way, impact to parking during building works, "intruder" (unauthorised) parking in the future

154 Brunswick Quay - Loss of views, loss of light, impact to privacy

216 Brunswick Quay - Objects on grounds of not in keeping with appearance and aesthetics of area, not in keeping with the building, loss of light and air to surrounding public spaces and buildings opposite, create threatening, dark, unsafe pedestrian walkway, crime and vandalism, impact to car parking during construction, "intruder" (unauthorised) parking in the future,

Re-consultation
N/A

PLANNING CONSIDERATIONS

Previous reasons for refusal

- 16 The application site is located in an existing residential area, and given the nature of the proposed extension will be ancillary to the dwelling, it is considered acceptable in principle. The following paragraphs specifically address the remaining amenity issues.

Reason 1 : Bulk, size, and impact on the footpath and character of the area

- 17 A two storey extension previously was considered previously to be contrary to the open, permeable nature of development in this area, was considered oppressive on the adjacent footpath, and out of character with the area.
- 18 The subject application is for a considerably reduced extension in terms of height and bulk. In respect of design objections received, the extension is subordinate to the character and appearance of the end terrace and is considered acceptable in the context of the area. Furthermore, it should be noted that the principle of a residential extension is not objected to as the site is not within a conservation area nor within the vicinity of any listed buildings.
- 19 In respect of objections concerning the relationship with the alleyway, the extension will have an acceptable relationship to it as it should not now appear overbearing and does not impact on the permeability of the area or a sense of its permeability. The previous scheme was refused on the basis that it had an overbearing impact on the adjacent footpath and was out of character with the area due to its size, scale, mass and bulk. In contrast the current scheme is of a size, scale, mass and bulk that will not visually dominate the footpath, is subordinate to the dwelling and is not unsympathetic to it and the surrounding area. Therefore, the reason for refusal is considered to be addressed by the amended scheme.

Reason 2: Safety and security

- 20 The previous application was also refused on grounds that the two storey extension was considered to create a relatively dark, hidden and uncomfortable alleyway, which had otherwise been a relatively open and visible footpath. Having regard to the previous reason for refusal and the objections to the current application on such grounds as safety, security and crime, it is considered that a single storey extension will not detract from the openness or visibility of the alleyway and the scheme is considered suitable this location. Furthermore, the siting of a development in close proximity to the alleyway promotes a sense of passive surveillance which may discourage crime such as vandalism or mugging rather than exacerbate it, having regard to the objections received which raise concern about the alleyway. The extension is for a habitable room (dining room) with a sliding door facing the Redriff Road approach and a window facing the internal road approach to the alleyway which amounts to improved surveillance of the alleyway. The amended scheme is therefore considered to overcome the previous reason for refusal and is acceptable.

Further matters raised in objections

Notification

- 21 An objection was received in respect of notification. However notification included the hanging of a site sign and consultation with neighbours via letter as reported in paragraphs 15 and 16 of this report.

Loss of views

- 22 An objection was received regarding the loss of views. However, loss of views, other than those protected in the Development Plan, are not generally a planning matter.

Loss of light and air

- 23 Objections were received in respect of loss of light and air. The scheme is low scale and it is considered, will not result in any material overshadowing of neighbouring properties or loss of air.

Encroachment onto neighbouring properties.

- 24 An objection was received concerning encroachment towards neighbouring properties. However the proposal is contained within the site boundary, is not threatening or overbearing and will not impose unreasonably in terms of outlook or privacy.

Tree loss

- 25 In respect of the objection to the loss of the tree, it should be recognised that this is not protected by a TPO (Tree Preservation Order) and its loss is not considered to be sufficiently harmful to the character and appearance of the area, or to biodiversity, as to warrant refusal.

Parking/access impacts

- 26 Objections were received in respect of impacts to car parking during construction and unauthorised parking in the future. Objections were also raised in respect of vehicular access during construction. The scheme itself does not alter car parking availability and its location. The subject site is located towards the end of a no through road which otherwise derives its access to the local road network via Brunswick Way. Therefore, the scheme does not pose a significant issue in terms of access during construction. Impact to parking during construction is not a reason for refusal. A possible ambiguity of rights to parking in the forecourt is not a justifiable reason for refusal.

Conclusion

- 27 Having regard to the above, it is considered that the scheme overcomes the previous reasons for refusal, is an appropriate and satisfactory development for the site and poses no significantly detrimental impacts to neighbours to warrant refusal. Taking into account this and the other material considerations, it is recommended that planning permission be granted.

COMMUNITY IMPACT STATEMENT

- 28 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] There is no impact on local people.

b] There are no issues relevant to particular communities/groups likely to be affected

c] There are no likely adverse or less good implications for any particular communities/groups.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

29 No issues identified.

LEAD OFFICER	Ms Joe Battye	Head of Development & Building Control
REPORT AUTHOR	Jason Traves	Planning Officer Development Control [tel. 020 7525 5460]
CASE FILE	TP/471-156	
Papers held at:	Regeneration Department, Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5403]	

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	Mr Brian Jim	Reg. Number	06-AP-1226
Application Type	Full Planning Permission	Case Number	TP/471-156
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Erection of a single storey side extension to dwellinghouse to provide additional residential accommodation.

At: 156 BRUNSWICK QUAY, LONDON, SE16 7PT

In accordance with application received on 26/06/2006

and Applicant's Drawing Nos. 4 sets: P-894-1, 2.

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 **Reasons for granting planning permission.**

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

- a] Policies 3.2 Protection of amenity, 3.11 Quality in Design, 3.13 Urban Design, 3.14 Designing Out Crime, 5.3 Walking and Cycling of the Southwark Plan 2006 Modifications Version].
- b] Policies E.1.1 Safety and Security in the Environment, 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, T.1.3 Design of Development and Conformity with Council Standards and controls, T.2.1 Measures for Pedestrians of The Southwark Unitary Development Plan 1995

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.

19-25 Rotherhithe New Road



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Item No. 2	Classification OPEN	Decision Level ROTHERHITHE COMMUNITY COUNCIL	Date 21/09/2006
From PLANNING AND BUILDING CONTROL MANAGER		Title of Report DEVELOPMENT CONTROL	
Proposal (06-AP-0486) Change of use of part of property to barbers & hairdressers (Class A1).		Address 19-25 ROTHERHITHE NEW ROAD, LONDON, SE16 2AE Ward Rotherhithe	

PURPOSE

- 1 To consider the above application. This application for a part change of use requires Planning Committee consideration as 3 objections have been received.

RECOMMENDATION

- 2 To grant planning permission, subject to conditions

BACKGROUND

Site location and description

- 3 The application site is located on the junction of Rotherhithe New Road and St Helena Road and is opposite Rotherhithe Old Road. The site comprises a single storey building that is currently operating as a car wash business and barbers. The former was granted planning permission in 2003 (03-AP-0926). The surrounding area is mainly residential in character.

Details of the Proposal

- 4 Retrospective planning permission is now sought to regularise the barbers and for the change of use to part of the opposite end of the building to a hairdressers. The site has been operating as described above for approximately a year now. Currently the hours of opening for the barbers appear to be 7 days a week with opening and closing times varying depending on demand. The extent of external alterations to the building appears to be limited to the erection of small signs on the front and side elevations of the barbers shop.
- 5 Planning History
Prior to 2003 the site was used as a workshop, warehouse and office for a motor vehicle windscreen replacement depot.
- 6 Planning permission was refused for the extension to the existing building to provide a MOT vehicle examination centre on 17/08/1992 (LBS Reg 92/00234).
- 7 Retrospective planning permission was sought and granted for the change of use of the repair workshop to a hand car wash (03-AP-0926). An application (06-AP-0481) is currently being considered for the extension of the hours of operation for the above

permission by way of variation of condition. The subject condition permits operation from 08:00 to 19:00 on Monday to Saturday. Its operation is not permitted on Sundays or bank holidays.

- 8 Planning permission was refused in December 2004 for the redevelopment of the site for residential purposes comprising the erection of a seven storey building to accommodate 30 one bedroom flats (04-AP-1253).
- 9 Planning permission was sought in 2005 for the construction of a 7 storey building comprising 20 flats (2 x three-bedroom, 12 x two-bedroom and 6 x one-bedroom flats) with associated landscaping and bike and bin store (05-AP-2400). The application was withdrawn.

FACTORS FOR CONSIDERATION

Main Issues

- 10 The main issues in this case are:
- the principle of a change of use on this site
 - the impact of the proposal on the amenity of adjoining properties, especially Balman House
 - The impact of the proposal on parking in the area

Planning Policy

- 11 At its meeting on 29th June 2006 the Council resolved to adopt the Southwark Plan subject to modifications. Therefore apart from a small number of exceptions, the policies in the Southwark Plan now have significant weight in the determining of planning applications. Whilst the 1995 Unitary Development Plan remains the statutory Development Plan until such time as the Southwark Plan is formally adopted it is likely that, in determining pending applications, the Council will give predominant weight to Southwark Plan policies. Upon formal adoption the policies in the Southwark Plan will be applied unless material considerations indicate otherwise.

- 12 Southwark Unitary Development Plan 1995 [UDP]:
E.2.3 Aesthetic Control
E.3.1 Protection of Amenity

- 13 The Southwark Plan 2006 [Modifications Version]
3.2 Protection of Amenity
3.11 Quality in Design
3.13 Urban Design

Consultations

- 14 Site Notice: 31/03/2006
- 15 Press Notice: NA
- 16 Consultees:
1 Oldfeild Grove
2 Oldfeild Grove
9 Oldfeild Grove
10 Oldfeild Grove

17 Oldfeild Grove
Flats 34-53 Balman House, Rotherhithe New Road.

Replies from:

- 17 50 Balman House- Objects on the basis of substandard parking and general noise - mainly associated with the opening celebrations in relation to the hairdressers.
51 Balman House- Objects on the basis of concerns regarding late night closing times, noise from external shutters and the occupation of car parking bays allocated Balman House.
53 Balman House- Objects on the basis of opening hours being 7 days and sometimes until 12am, with vehicle movements until late. Noise issues associated with opening celebrations are also an issue.
48 Balman House- also responded, asking what exactly was proposed for the site, however did not state whether they supported or opposed the application. Several unsuccessful attempts were made to contact the submitter in order to explain the nature of the application and ascertain their position.

PLANNING CONSIDERATIONS

Principle of use:

- 18 The site is within the existing urban area and is surrounded predominantly by residential uses. The single storey building has been operating as a hand car wash business for approximately 3 years, commencing in May 2003, with the addition of the barbers in the last year. The current partial use as a barbers and the proposed addition of a hairdressers at the site maintains an employment generating activity outside the employment areas and sites and is therefore considered acceptable in principle.

Amenity:

- 19 The majority of concerns from adjoining residents regarding the impacts of the use relate to the hours of operation and consequently the noise impacts. Objections make reference to the barbers being open until mid-night on some occasions with activity 7 days a week. It is considered that, providing a condition is imposed restricting the hours of use that this impact should be sufficiently mitigated, particularly given that the site has accommodated an industrial use of some sort for a considerable period of time. Accordingly the proposal does not conflict with policies E.3.1 Protection of Amenity under the Southwark Unitary Development Plan 1995 [UDP] and 3.2 Protection of Amenity under the The Southwark Plan 2006 [Modifications Version].

Taking into account the operating hours of the car wash on site and after discussions with the applicant, it is considered that the following opening hours would be suitable:

- 20
- 08:00 to 19:00 Monday to Friday
 - 09:00 to 19:00 Saturday
 - 10:00 to 17:00 Sunday
 - No activity permitted on bank holidays

- 21 As previously stated, the car wash currently has permission to operate from 08:00 to 19:00 on Monday to Saturday. Its operation is not permitted on Sundays or bank holidays.

Design:

- 22 The part change of use from carwash to barbers has resulted in a minimal amount of change to the external appearance of the building. There is some minor signage on

the Rotherhithe New Road Elevation which does not appear to require express advert consent. It is considered that this signage does not detract from the character of the area nor the street scene.

Parking:

- 23 We have received confirmation from the applicants agent that all customer car parking is provided on site. Having visited the site and viewed the area available it is considered that there is sufficient parking space for cliental.

The Councils Traffic Group has viewed the scheme and made no comment.

Notwithstanding the above a parking plan has been requested from the applicant which clearly demarcates the parking allocation between the two businesses operating on site. Accordingly a condition will be drafted in relation, which will be included in an addendum report.

Other matters

- 24 The majority of points raised through the objections relate to the opening of the barbers and the celebrations that ensued, as well noise associated with late night opening hours. This application effectively regulates the hairdressing operation with the hours set down as part of this permission considered to be sufficient to prevent the adverse effects, specifically the on-going noise, from continuing. If there are concerns regarding breaching these hours of operation and associated noise it would be a matter for the Council's Enforcement Team.

- 25 It is noted that there is a transportable take away food bar operating from the site. The Council's Enforcement Team has been made aware of this and investigations are on-going.

Conclusion

- 26 The proposal is considered acceptable and complies with policy E.2.3 Aesthetic Control, E.3.1 Protection of Amenity and B.1.2 Protection Outside Employment Areas Sites of the adopted Plan and 3.2 Protection of Amenity, 3.11 Quality in Design, 3.13 Urban Design of the Southwark Plan 2006 (Modifications Version). There are no reasons for refusal. The application is therefore recommended for planning permission.

COMMUNITY IMPACT STATEMENT

- 27 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.

- 28 No impacts have been identified.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

- 29 None

LEAD OFFICER Ms Joe Battye

Head of Development & Building Control

REPORT AUTHOR Daniel Byrne Planning Officer [tel. 020 7525 5440]
CASE FILE TP/320-19
Papers held at: Regeneration Department, Council Offices, Chiltern, Portland Street
SE17 2ES [tel. 020 7525 5403]

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	Mr M Clinkett	Reg. Number	06-AP-0486
Application Type	Full Planning Permission	Case Number	TP/320-19
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use of part of property to barbers & hairdressers (Class A1).

At: 19-25 ROTHERHITHE NEW ROAD, LONDON, SE16 2AE

In accordance with application received on 13/03/2006

and Applicant's Drawing Nos. 4 COPIES OF - 1204/00/BH

Subject to the following conditions:

- 1 The use hereby permitted for hairdressing and barbers purposes shall not be carried on outside of the hours of 08:00 to 19:00 on Monday to Fridays or 09:00 to 19:00 on Saturdays or 10:00 to 17:00 on Sundays or at anytime on Bank Holidays.

Reason

To ensure that the proposed development does not prejudice the enjoyment of the neighbouring occupiers of their properties in accordance with Policy E.3.1 [Protection of Amenity] of the Southwark Unitary Development Plan [adopted July 1995] and Policy 3.2 [Protection of Amenity] of the Southwark Plan [modifications version].

Reasons for granting planning permission.

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

- a] Policies 3.2 Protection of Amenity, 3.11 Quality in Design and 3.13 Urban Design of the Southwark Plan 2006 [Modifications Version].
- b] Policies E.2.3 Aesthetic Control, E.3.1 Protection of Amenity and B.1.2 Protection Outside Employment Areas Sites of The Southwark Unitary Development Plan 1995

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.

Informative

The developer should consult the Environment & Leisure Department to agree how the Council's Code of Construction Practice will be applied to the proposed development. Please contact the Pollution section, Chaplin Centre, Thurlow Street, SE17 (tel: 020 7525 5000).

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		SE5 0ED	
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