

COMMUNITY COUNCILS
A voice for your community



Walworth Community Council Agenda

Date: Monday 18th October 2004

Time: 7.00 PM

Place: Aylesbury Day Centre, 2 Bradenham Close, (off Albany Road) London SE 17

1. Introduction and welcome [*Chair*]
2. Apologies
3. Disclosure of Members' interests and dispensations
4. Items of business that the Chair deems urgent

Matters from the previous meeting

5. Minutes to be agreed from the Walworth Planning meeting held on 2nd August 2004

Main Business

6. Public Question Time (7.10pm)
 - Opportunity for members of the public to raise questions of issues not to be covered in the Agenda.
7. Pullens Estate Conservation Area (7.20pm)
 - Paul Calvocoressi will present the item.
 - Opportunity to ask questions and discuss the proposal.
 - Councillors to debate the item and make any recommendations.

8. Development Control Item: (8.00pm)
Item 1/1 : Full Planning Permission : Rear of 302 Walworth Road SE17

Closing Comments by the Chair

Upcoming meetings

Date	Venue
Wednesday November 17th 2004 from 7pm	Pasley TA Hall, Stopford Road

ADDITIONAL INFORMATION

Walworth Community Council Membership

Councillor Caroline Pidgeon Chair
Councillor Jelil Ladipo Vice-Chair
Councillor Paul Bates
Councillor Catherine Bowman
Councillor James Gurling

Councillor Lorraine Lauder
Councillor Abdul Mohamed
Councillor Neil Watson
Councillor Jane Salmon

Carers' Allowances

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Deputations

For information on deputations please ask the clerk for the relevant hand-out.

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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Wheelchair access

Wheelchair access to the venue is via the main entrance.

For further information, please contact the Walworth Community Council clerk:

Julian Bassham
Phone: 0207 525 7420
E-mail: julian.bassham@southwark.gov.uk
Council Website: www.southwark.gov.uk

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 57514

To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 752 57514

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

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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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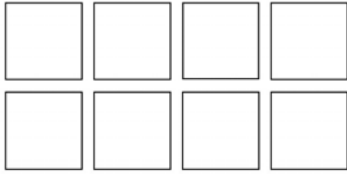
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Spanish



COMMUNITY COUNCILS
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Walworth Community Council

Planning Meeting

Draft Minutes of the Walworth Community Council Planning Meeting held on MONDAY 2nd AUGUST 2004 at 7.00PM at the Aylesbury Day Centre, Bradenham Close SE17.

Present

Councillor Caroline Pidgeon (Chair), Councillor Jelil Ladipo (Vice-Chair), Councillors Lorraine Lauder, Jane Salmon, Abdul Mohamed and James Gurling

1. Introduction and welcome by the Chair

Councillor Pidgeon began the meeting by welcoming people, introducing Members and officers and informing people of the procedures that would be followed at the meeting.

2. Apologies

Apologies for absence were submitted on behalf of Councillors Paul Bates, Catherine Bowman and Neil Watson. Apologies for lateness were received for Cllr James Gurling

3. Notification of any items which the Chair deems urgent

There were none

4. Disclosure of Members' interests and dispensations

Cllr Pidgeon declared a personal interest in item 1/2 as she had been working with local residents on the issue. As such Cllr Pidgeon stated that she would hand the Chair over to Cllr Ladipo and address the meeting as Ward Councillor on this item.

Cllr Abdul Mohamed declared a personal Interest in item 1/3 and stated that he wished to address the committee as a Ward Councillor on this item.

5. Confirmation of the Minutes of the meeting on 7th July 2004

That the Minutes of the Walworth Licensing meeting held on 7 July 2004 be approved as a correct record and be signed by the Chair

6. DEVELOPMENT CONTROL

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports on the agenda 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 the decision or condition are not included in the report relating to an individual item, that they be clearly specified.

ITEM 1 /1 Full Planning Permission – 33 Searles Road SE1

PROPOSAL: Construction of an additional floor in the form of a mansard roof extension to provide residential accommodation.

PROCEDURE: The Council Planning officer presented his report and answered questions raised by the Committee.

No objectors to the application were present

The Applicant spoke for under three minutes and then responded to members' questions

No supporters for the application were present

No ward Councillor contributed in this capacity.

Members then debated the item and voted.

RESOLVED: Granted

A motion was carried to grant the application subject to any conditions as stated in the report and for the reasons as outlined in the draft of decision notice.

Cllr Pidgeon handed over the Chair to Cllr Ladipo and withdrew from the Committee to sit in the public gallery.

ITEM 1 /2 Full Planning Permission – 11-15 Macleod Street SE17

PROPOSAL: Construction of part two/part three storey block comprising of 9 self contained flats with associated car parking.

PROCEDURE: The Council Planning officer presented his report and answered questions raised by the Committee.

Two objectors shared the 3 minutes between them and then answered questions raised by the Committee.

No Applicant was present

No supporters for the application were present

Cllr Pidgeon spoke as Ward Councillor expressing residents concerns and a desire for action to be taken.

Members then debated the item and voted.

RESOLVED: Refused

A motion was carried to refuse the application for the reasons outlined in the draft decision notice and to authorise enforcement action to remedy the unauthorised works.

Cllr Ladipo handed back the Chair to Cllr Pidgeon. Cllr Mohamed withdrew from the Committee to sit in the public gallery for item 1/3.

ITEM 1 /3 Full Planning Permission – 85 Camberwell Road SE5

PROPOSAL: Change of use from retail (class A1) to restaurant and take-away (class A3) together with external alterations to the rear and instillation of a flue extractor on the rear elevation.

PROCEDURE: The Council Planning officer presented his report and circulated an addendum report and answered questions raised by the Committee.

The legal officer raised an issue regarding the wording of condition 2 on the draft decision notice and advised members that should they be minded to approve the application then they should seek to amend the wording in order to more clearly state the intend restrictions on hours of trade and admittance.

Two objectors shared the time between them and then answered questions raised by the Committee. They further circulated photos of the site.

The Applicant and Applicants agent were present and shared the time allocated between them. They further submitted letters of support for the application.

No supporters for the application were present

Cllr Mohamed spoke as Ward Councillor expressing residents concerns.

Members then debated the item and voted.

RESOLVED: Deferred

A motion was carried to defer the application for greater information on the position and technical specification of the flue.

The meeting ended at 8.30pm.

Chair:

Date:

Item No 7	Classification Open	Committee WALWORTH COMMUNITY COUNCIL	Date 18/10/2004
From HEAD OF PLANNING AND TRANSPORT		Title of Report PULLENS ESTATE CONSERVATION AREA	
Proposal Proposed conservation area designation and appraisal for the Pullens Estate.		Ward Newington	

1. **PURPOSE**

- 1.1 To consider the designation of a Pullens Estate Conservation Area together with the draft Conservation Area Appraisal for the area. It is intended to report this matter to the full Planning Committee at its meeting on 9 November 2004.

2. **RECOMMENDATION**

- 2.1 That the proposed boundary and the draft Conservation Area Appraisal for the Pullens Estate Conservation Area be approved.

3. **BACKGROUND**

- 3.1 The Pullens Estate was first suggested as a possible conservation area in the mid 1990s by a number of local residents and councillors and also by English Heritage.
- 3.2 On 11 May 1995 the Council's Planning & Traffic Management Sub-Committee accepted the estate as one of six high-priority candidates for designation and officers were instructed to undertake detailed assessments of each of the six areas, to prepare policy statements and to undertake consultation.
- 3.3 As well as Pullens Estate, the other priority areas were:
- An extension to the Borough High Street conservation area to include buildings at Guy's Hospital.
 - St. George's Circus and an extension to the West Square conservation area to include Hayles St.
 - An extension to the Trinity Church Square conservation area to include Trinity St., Cole St. and Brockham St.
 - Brunswick Park, and
 - Stradella Road.

Of these, St. George's Circus and Stradella Road have now been designated.

- 3.4 For Pullens Estate a boundary is proposed that includes all of the surviving estate. This comprises the tenement blocks facing Amelia Street, Crampton Street, Iliffe Street, Peacock Street and Penton Place, together with the workshop blocks in Iliffe Yard and Peacock Yard, and Pullens Gardens on the south side of Amelia Street. This area is shown on the attached plan, which is Appendix 1, and a brief history and description of the area is set out in section 4 below.
- 3.5 The draft Appraisal follows the guidance published by English Heritage in 1997. This sets out the importance of defining and assessing a conservation area's character and the need to record it in some detail. The purpose is to provide a sound basis for rational and consistent judgements when considering planning applications within conservation areas. When formally adopted by the Council, conservation area appraisals have the status of supplementary planning guidance and therefore can help to defend decisions on individual planning applications on appeal. They may also guide the formulation of proposals for the preservation and enhancement of the area.
- 3.6 The present draft appraisal for Pullens Estate forms part of an on-going exercise, which, in line with government advice, will in due course see the adoption of appraisals for every conservation area.
- 3.7 Designation of a conservation area imposes certain duties on planning authorities. These duties are twofold. First, to formulate and publish from time to time proposals for the preservation and enhancement of conservation areas in their district and submit them for public consultation. Secondly, in exercising their planning powers to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas. The formal adoption of these appraisals will satisfy these obligations.

4. FACTORS FOR CONSIDERATION

4.1 Main Issues.

The main issues in this case are

4.1.1 The Character and Appearance of the Area.

4.1.2 The Pullens Estate is considered to be of special architectural or historic interest as a good example of a later Victorian speculative development that combines both tenement housing and workshop units with some shops. It was built by James Pullen, a local builder, who acquired the land and developed it over a 15-year period from 1886. The full estate, which originally extended southwards as far as Manor Place, comprised 684 dwellings in 12 blocks. Attached to the rear of the dwellings, arranged round four yards, were 106 workshops. The estate's shops were located at the entrances to the workshop yards.

4.1.3 The estate survived intact until after the Second World War, but by that time it was beginning to fall into a poor state of repair. It was acquired by Southwark Council in 1977 by means of a compulsory purchase order and in the 1980s the buildings between Manor Place and the south side of Amelia Street were demolished by the council using housing improvement powers. The remainder of the estate survives, with much of its original detailing intact, to form a coherent and distinctive whole.

- 4.1.4 Although the estate took several years to complete, the design of its buildings remained remarkably consistent. The residential buildings are four storeys in height, and each unit is three bays wide with an ornate central entrance to a common stair well. The ranges vary from three to twelve units in length. They are faced with yellow stock brick, the fronts being enriched with the use of decorative terracotta arches to the door and window openings. The roofs are flat, providing amenity space for the residents.
- 4.1.5 The workshops attached to the rear of the residential blocks are simpler and more “functional” in appearance. They are two storeys high, and also built of stock brick and flat-roofed. The two-storey loading bays are edged with blue brick quoins.
- 4.1.6 The shops, flanking the entrances to the workshop yards, have traditional painted timber shopfronts, with pilasters supporting a fascia and cornice, and stallrisers. These features generally survive reasonably intact but their condition is appearing increasingly run-down.

4.2 Content of the Conservation Area Appraisal and Design Guidance

- 4.2.1 The text of the Appraisal is reproduced as Appendix 2. The criteria set out in the English Heritage guidance leaflet “*Conservation Area Appraisals*” have been used. The document also includes a section that provides design guidance for alterations and new building works in the conservation area.

4.3 Southwark Unitary Development Plan (UDP) Policy:

- 4.3.1 UDP Policy 3.6: Heritage Conservation is as follows: “new development should preserve or enhance the historic character and qualities of buildings or areas of historical or architectural significance. The character of conservation areas should be recognised and respected in any new development in these areas. Planning proposals that will adversely affect heritage resources will not normally be acceptable”.
- 4.3.2 This policy relates to conservation areas, listed buildings, scheduled ancient monuments and historic parks and gardens and is described in more detail in the Heritage Conservation Supplementary Planning Guidance.
- 4.3.3 The UDP is currently under review. A first draft of the new plan has been placed on deposit and the period for making comments on this ended in January 2003. It is expected that the new plan will be adopted late in 2004. The new draft Unitary Development Plan, also known as “The Southwark Plan”, is supported by a number of supplementary planning guidance documents relating to different themes – including design and heritage conservation – and for different areas.
- 4.3.4 Policy 4.3.1 of the draft “Heritage Conservation” Supplementary Planning Guidance (November 2002) is as follows: “in exercising its powers under the Planning Acts (and Part 1 of the Historic Buildings and Ancient Monuments Act 1953), the Council must pay special attention to the desirability of preserving or enhancing the character or appearance of its conservation areas. In Southwark this requirement is satisfied in a number of ways including the formulation of conservation policy (UDP), production of supplementary guidance and character assessments, and in assessment of applications for planning permission and Conservation Area Consent”.

- 4.3.5 Policy 4/3/2 is that “the Council is required from time to time to formulate and publish proposals for the preservation and enhancement of its conservation areas, and to undertake local public consultation on such proposals”.
- 4.3.6 The action proposed in this report complies fully with current UDP policy and the new draft Southwark Plan and supplementary planning guidance documents.

5 CONCLUSIONS

- 5.1 It is considered that the Pullens Estate is of both architectural and historic interest to an extent that eminently meets the criteria for designation as a conservation area. Some preliminary consultation was undertaken in the 1990s, at which time it was evident that there was considerable support for the proposal, from English Heritage and the Victorian Society as well as from local groups and residents.
- 5.2 There has been a clear obligation to produce conservation area appraisals since 1997 when the English Heritage guidance leaflet “*Conservation Area Appraisals*” was published. The draft Appraisal that is appended to this report seeks to assess the area’s character and to present guidelines for its proper preservation. This will be important for providing a sound basis for consistent judgements.
- 5.3 It is therefore recommended that the proposed designation and the draft conservation area appraisal be approved for public consultation.

6 LOCAL AGENDA 21 IMPLICATIONS

- 6.1 The conservation area initiatives proposed in this report will contribute to sustainability by promoting respect and care for historic buildings and heritage areas in Southwark.
- 6.2 Whilst the draft Appraisal recommends the use of some non-renewable resources, such as lime-based mortars and renders, these materials are acknowledged as appropriate in conservation terms and are recommended by English Heritage.

7 EQUAL OPPORTUNITY IMPLICATIONS

- 7.1 No equal opportunity implications arise from this report.

LIST OF APPENDICES

Appendix 1: Plan showing the proposed boundary for the Pullens Estate Conservation Area.

Appendix 2: Draft Pullens Estate Conservation Area Appraisal.

LEAD OFFICER: Julie Greer Principal Design and Conservation Officer
REPORT AUTHOR: Paul Calvocoressi Senior Conservation Officer 7525 5392
CASE FILE: TP/
Papers held at: Council Offices, Chiltern, Portland Street, London SE17 2ES (tel no 020 7525 5402)

Item No.	Classification: Open	Date:	Meeting Name: Walworth Community Council
Report title:		Development Control	
Ward(s) or groups affected:		East Walworth Ward Farady 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 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 Andrew Cook 020 7525 5437

APPENDIX 1 Audit Trail

Lead Officer	Deborah Holmes, Borough Solicitor & Secretary	
Report Author	Lyn Meadows, Assistant Borough Solicitor Chris Thompson, Constitutional Support Officer	
Version	Final	
Dated	11/02/03	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments included
Lyn Meadows Asst Borough Solicitor & Secretary	No	Yes
Paul Evans Strategic Director of Regeneration	No	No
Andy Cook Development & Building Control Manager	No	Yes

ITEMS ON AGENDA OF THE WALWORTH CC
on Monday 18 October 2004

Appl. Type Full Planning Permission

Reg. No. 04-AP-0391

Site Rear of 302 Walworth Road, SE17

TP No. TP/1065-300

Ward Newington

Officer Scott Schimanski

Recommendation GRANT

Item 1/1

Proposal

Construction of single storey building to provide ancillary storage facilities to premises used as internet cafe.

Map1

Item No. 1	Classification OPEN	Decision Level Walworth Community Council	Date 18/10/2004
From Interim Development & Building Control Business Unit Manager		Title of Report DEVELOPMENT CONTROL	
Proposal (04-AP-0391) Construction of single storey building to provide ancillary storage facilities to premises used as internet cafe.		Address Rear of 302 Walworth Road, SE17 Ward Newington	

PURPOSE

- 1 To consider the above application which is for Community Council decision because of the number of objections received

RECOMMENDATION

- 2 Grant Planning Permission

BACKGROUND

- 3 The site is located on the western side of Walworth Road near the junction with Sutherland Walk. The proposed works are in the rear, north-west, corner of the site. The site of no. 302 includes land immediately to the rear of no.304. The premises are located within a Protected Shopping Frontage and adjoins the Sutherland Square Conservation Area which is to the west of the site. Residential properties are located to the rear of the site (facing Sutherland Walk) with similar commercial/residential properties on either side facing Walworth Road.
- 4 Permission was granted on appeal for the use of the ground floor of addition of hot food preparation to existing sandwich bar on 12 August 1998. The ground floor of the property is currently used as a sandwich bar with internet cafe as ancillary use.
- 5 The proposed building measures 4.4m. x 5.5m. with a height to parapet of 3.1 metres at the rear of the property. It is flat roofed. A 2m. wall on the western boundary and a 4m. wall on northern boundary will enclose the building. The building will be used for ancillary storage purposes [storage of computer equipment] for the internet cafe use. It has a floorarea of approximately 19sq. metres. There are two ways to access the rear of the site, one through the cafe from Walworth Road, the other by a side entrance from Sutherland Walk.

FACTORS FOR CONSIDERATION

Main Issues

- 6 The main issue in this case is the impact of the building on the amenity of neighbouring residents in terms of physical impact, traffic issues and use.

Planning Policy

- 7 Southwark Unitary Development Plan 1995 [UDP]:

E2.3 'Aesthetic Control' - *Complies*

E3.1 'Protection of Amenity' - *Complies*

E4.3 'Proposals Affecting Conservation Areas'- *Complies*

S1.1 'Primary Shopping Frontage' - *Complies*

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

3.11 'Quality in Design' - *Complies*

3.2 'Protection of Amenity' - *Complies*

1.10 'Change of Use within Protected Shopping Frontage' - *Complies*

Consultations

- 9 Site Notice: 29/6/2004 Press Notice: N/A

Consultees: 298, 300 (plus Flats 1 to 5), 302 (Flats 1 to 3), 304 Walworth Road. 1 & 2 Butterworth Terrace, 1, 2, 3, 4, 5, 30, 31, 32, 34 & 36 Sutherland Walk.

Pollution Control, Noise etc, Traffic Group.

Replies from:

First Consultation

- 10 12 Objections in the form of a petition were received from properties in Sutherland Walk, Butterworth Terrace and Sutherland Square. Issues raised in these objections relate to a storage and distribution centre (Class B8) being allowed in a residential and conservation area and the likely increase in traffic, filth and disturbance. A further issue was that the site notice only remained for three hours.
- 11 The above objections related to the first description of the proposed development which indicated that the new building was for a separate and independent storage use within Class B8. This was incorrect as the building is to be used to provide ancillary storage for the existing use of the ground floor of 302 Walworth Road as an internet cafe/sandwich bar. In relation to the site notice, two were erected near the site, one out the front of 302 facing Walworth

Road, the second on a sign post in Sutherland Walk opposite the site.

- 12 *A second consultation period that amended the description of the proposed works was sent out on 3 August 2004. The description was amended to clarify the proposed works as being storage ancillary to the existing internet cafe and not a separate Class B8 use.*

Second Consultation

- 13 36 Sutherland Walk - The works are an overdevelopment of the site and is not in keeping with the Sutherland Walk Conservation Area/Home Zone. The storage facility will result in increase traffic problems within Sutherland Walk.
- 34 Sutherland Walk - As the works will be separate from the existing building, access will be from Sutherland Walk which is a residential area. If the storage unit is used for food, this could result in a health hazard (increase in rodents).
- 30 Sutherland Walk - Delivery vehicles accessing the rear of the site will increase traffic, create blockage to the road (Sutherland Walk), increase noise and resulting in diminishing the residential area into a more commercial use. The storage facility is likely to attract rodents to the area and increase waste.
- 31 Sutherland Walk - Storage of food will lead to an increase in the existing rat problem and waste. Increase in traffic congestion, noise and disturbance in Sutherland Walk and the new storage facility could be used as a separate business. No objection if the works were extensions to the main building and ancillary to the main building and were entirely serviced from Walworth Road.
- 6 Sutherland Walk - Access and egress to the storage facility should be limited to Walworth Road to minimise impact on Sutherland Walk in terms of traffic, waste and noise.
- 4 Sutherland Walk - The storage unit will increase rodent problem, waste, traffic and noise, resulting in an erosion of the general amenity in the Sutherland Square Conservation Area. Question over accuracy of plans and whether the intended works are actually at No.300 Walworth Road.
- 1 Sutherland Walk - Assess to the storage facility will likely be from Sutherland Walk resulting in increase traffic and noise within a residential area. The storage facility will increase the rodent problem. The size of the storage facility will overshadow adjoining properties.

Traffic Group: No Objection to the proposed works

Pollution Control, Noise etc: No Objection is the proposed works

PLANNING CONSIDERATIONS

- 14 Physical impact of building on amenity. Given the size of the proposed ancillary storage facility it is not considered that it will create a significant adverse impact upon nearby residential properties and will remain consistent with typical use of properties within this Protected Shopping Frontage.

- 15 With a height of 3.2 metres, the new storage unit will stand 1.1 metres above the existing rear boundary wall with No.1 Butterworth Terrace. Given the current outlook from No.1 Butterworth Terrace (2 metre boundary wall and 4 metre high rear wall of No.300), the additional 1.1 metre increase in height on the boundary is not considered significant and will not have such an unacceptable impact upon the outlook from this residential property as to justify refusal on this ground.
- 16 In terms of daylight, the existence of the two-storey building at No.304 to the south along with the dwelling at No.1 Butterworth Terrace will overshadow both the rear of No.302 and the rear of No.1 Butterworth Terrace throughout the day. As a result, the height of the storage unit along the boundary will not reduce daylight to the rear garden of adjoining residential properties.
- 17 The proposed erection of a storage facility at the rear of No.302, meets with Council guidelines for commercial properties without having a harmful affect on the character or appearance of the adjoining Conservation Area or nearby residential properties.

Traffic issues.

- 18 It is not considered that this ancillary storage building will in itself result in a significant increase in traffic generation of commercial vehicles to the site. The premises currently have access from Walworth Road and via rear service from Sutherland Walk. Given this established rear service access it is not considered that a refusal on grounds of traffic generation and parking associated ewith this ancillary store room could be substantiated.

Use of the building.

- 19 The precise use of the building has been clarified as ancillary storage connected with the internet cafe. In planning law terms the proposed building would take on the primary use rights of the premises, namely an internet cafe. Within the primary use the actual disposition of uses is outside of the control of the local planning authority. Although the applicant has stated that the building will be used for the storage of computers and software for the internet cafe the building could be used for any purpose within the lawful use of the premises including the storage of anything ancillary to the internet cafe use.
- 20 A separate use of the proposed building other than as part of and ancillary to the internet cafe use of no. 302 would consitute a material change of use requiring planning permission.
- 21 Objections have been raised in respect of an increase in waste and associated rodent problems. A condition can be imposed to require details of refuse storage facilities for the premises as a whole to be submitted and approved by the Council. Rodent infestation problems are a matter for the Council's Environmental Health service.

EQUAL OPPORTUNITY IMPLICATIONS

22 None applicable.

LOCAL AGENDA 21 [Sustainable Development] IMPLICATIONS

23 It is not considered that the development will have a serious harmful effect on the quality of life of nearby residents.

LEAD OFFICER	James F Sherry	Interim Development and Building Control Manager
REPORT AUTHOR	Scott Schimanski	Planning Officer [tel. 020 7525 5365]
CASE FILE	TP/1065-300	
Papers held at:	Council Offices, Chiltern, Portland Street SE17 2ES [tel. 020 7525 5402]	

RECOMMENDATION

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

Applicant	Mr. E. Bayram	Reg. Number	04-AP-0391
Application Type	Full Planning Permission	Case Number	TP/1065-300
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of single storey building to provide ancillary storage facilities to premises used as internet cafe.

At: Rear of 302 Walworth Road, SE17

**In accordance with application received on 05/03/2004
and revisions/amendments received on 08/10/2004**

and Applicant's Drawing Nos. 01 Rev C - Plans, Elevations, Sections and site plan.

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 building hereby permitted shall not be used for any purpose other than that which is ancillary to the lawful primary use of the ground floor of 302 Walworth Road.

Reason:

In order safeguard the amenity of nearby residents from nuisance and disturbance that might be generated from a separate use of the building in accordance with Policy E.3.1: 'Protection of Amenity' of the Southwark Unitary Development Plan.

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

Reason:

In order that the Local Planning Authority may be satisfied as to the details of facing 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.

- 4 The use of the building hereby permitted shall not be commenced before details of the arrangements for the storing of refuse at the premises have been submitted to and approved by the Local Planning Authority and the facilities approved have been provided and are available for use by the occupiers and users of the premises. 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.

Reasons for granting planning permission.

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

- a] Policies E2.3 'Aesthetic Control', E3.1 'Protection of Amenity', E4.3 'Proposals Affecting Conservation Areas' & S1.1 'Primary Shopping Frontage' of the Southwark Unitary Development Plan 1995
- b] Policies 3.11 'Quality in Design' & 3.2 'Protection of Amenity' of the Southwark Plan [Revised Deposit Unitary Development Plan] March 2004.

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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