



Item 6	Classification OPEN	Decision Level DULWICH COMMUNITY COUNCIL	Date 25/02/08
From Head of Development Control		Title of Report DEVELOPMENT CONTROL	
Proposal (07-AP-2762) Change of use of ground floors to a community facility (Class D1) with installation of shop front and external alterations to the rear including single storey rear extension.		Address 37 & 38 SEELEY DRIVE, LONDON, SE21 8QR Ward College	
Application Start Date 08/01/2008		Application Expiry Date 04/03/2008	

PURPOSE

- 1 To consider the above application

RECOMMENDATION

- 2 Grant planning permission

BACKGROUND

Site location and description

- 3 The application site is located on the eastern side of Seeley Drive on the north side of the pedestrianised square within the Kingswood Estate. The two shop units are located at ground floor level of a three storey building which has residential uses on the top two floors.
- 4 There are 12 shop units in the square however all but two of these are currently vacant and in a state of disrepair.
- 5 The site is designated as a Protected Shopping Frontage under The Southwark Plan (2007).

Details of proposal

- 6 The application seeks full planning permission to use 37 and 38 Seeley Drive as a community facility for residents of the Kingswood Estate. Works to the existing retail units would include a new shopfront, external alterations to the rear and a single storey rear extension.
- 7 It is proposed that the facility would operate between the hours of 8am and 6pm Monday to Friday and that it would be closed on Saturdays and Sundays.
- 8 The facility would provide a number of services to Kingswood Estate residents including health checks, counselling service, housing and financial advisory service, befriending services, time bank, career outreach provision, IT training, interpreting service, transport and recruitment/training of volunteer drivers, home delivery service and production of a community newsletter.

9 **Planning history**
None relevant

10 **Planning history of adjoining sites**
None relevant

FACTORS FOR CONSIDERATION

Main Issues

11 The main issues in this case are:

- a] the principle of the development in terms of land use and conformity with strategic policies.
- b] the design and appearance of external changes to the building
- c] impact on amenity of neighbouring properties.

Planning Policy

12 Southwark Plan 2007 [July]
1.9 Change of use within protected shopping frontages
2.2 Provision of new community facilities
3.2 Protection of Amenity
3.8 Waste Management
3.12 Quality in Design
3.13 Urban Design
5.2 Transport Impacts
5.3 Walking and Cycling
5.6 Car Parking
5.7 Parking Standards for Disabled People and the Mobility Impaired

Consultations

13 Site Notice: 17 January 2008

14 Internal Consultees
Transport Group
Waste Management
Access Officer

15 Neighbour consultees
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Consultation replies

16 Internal Consultees

Transport Group

Access Officer - no objections

17 Neighbour consultees

Three objections have been received from 22, 23 and 48 Seeley Drive on the following basis.

- Proposal would encourage gatherings of youths in the area
- There is inadequate security, no security cameras
- No need for another community facility
- Increased stress on parking
- Shops should be used for small businesses
- Extension would allow trespassers to climb onto balconies above compromising security
- Street furniture outside the premises would result in people sitting in the square increasing noise and causing a loss of amenity
- No control on opening hours will lead to an increase of noise and disturbance at night

PLANNING CONSIDERATIONS

Principle of development

- 18 Policy 1.9 of The Southwark Plan allows the change of use from A1 in protected shopping frontages only when the number of units with the frontage would not fall below 50%, the premises have been vacant for over 12 months, the proposal would not result in a loss of amenity for surrounding occupiers, the proposed use would provide a service involving visits to the premises by member of the public and the proposal would not harm the vitality or appearance of the protected shopping frontage.
- 19 Due to the majority of the retail units being vacant, the proposal would not result in less than 50% of units being in A1 use. 37 and 38 Seeley Drive have been vacant since 2003 and 2004 respectively and as such it is considered that the proposed community facility would be beneficial to the shopping parade as it would encourage activity within the square and provide a new active frontage within this vacant row of shops.
- 20 It is considered given the above, that the principle of a community facility within this location can be considered acceptable.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 21 There have been a number of concerns raised in relation to loss of amenity particularly as a result of increased noise and disturbance.
- 22 It is not considered that the proposal would cause an unreasonable amount of noise and disturbance above what would be expected from an average shopping frontage. The hours of operation are to be restricted to between 8am and 6pm Monday to Friday which is considered reasonable and would not give rise to loitering in the square at night.
- 23 The proposed extension to the rear of 38 Seeley Drive is also unlikely to have any impact on adjoining properties. The extension would be a maximum of 3.073m high and given that the adjoining property to the west of the site is also a commercial use at ground floor level, there would be no loss of amenity to the immediate neighbours. There would be no impact to the residential uses above as a result of the proposal.

Traffic issues

- 24 The application was referred to the Council's Transport Group for comment. While no objection has been raised to the proposal, the Transport Group have requested the submission of a Transport Assessment and a Travel Plan in accordance with SPD: Transport Planning for Sustainable Development. The Transport Group have also stated that a disabled bay is required to be provided for the facility.
- 25 The applicant has stated that the proposed facility is intended solely for use by residents of the Kingswood Estate. As such, there is unlikely to be a significant increase in vehicle trips to and from the centre and it is considered that a travel plan and transport assessment is not required in this instance.
- 26 There are two disabled parking bays available in Lyall Avenue however the most direct route from these bays to the facility is via stairs. However there is a lane at the rear of the site which would allow a mobility impaired person to travel from these spaces to Seeley Drive if in a wheelchair.
- 27 It is acknowledged that not having a disabled bay within close proximity to the site is

not ideal. However, due to the site fronting a pedestrianised square which limits the possibility of providing a space and due to the provision of such a bay on the street being cost prohibitive to the applicant as they are a community development trust, it is not considered that refusing the application on this basis would be reasonable. The facility would be beneficial to the community and would bring activity to an otherwise inactive square.

Design issues

- 28 The proposed external alterations to the unit would only serve to improve the appearance of the building which is quite dilapidated particularly at the rear.
- 29 The rear extension is of an acceptable size and scale and would be a positive contribution to the rear of this unit.
- 30 The proposed shopfront would consist of large windows to allow good visual access into the property and out onto the square. The shopfront is a welcome addition to the parade which currently consists only of shutters and old signage.

Other matters

Security

- 31 Concerns have been raised in relation to security. The application proposes to provide a security system including the fitting of security grilles and lighting to ensure visual access is maintained.

Waste

- 32 The application proposes to provide a refuse storage facility at the rear of the site however no details have been given about this is to be collected. A condition requiring the submission of details in relation to waste management is considered appropriate.

Conclusion

- 33 The proposed community facility is considered to be a beneficial addition to this empty shopping parade and would encourage activity within this vacant square. The proposal is unlikely to have a significant impact on the amenity of neighbouring properties and would provide a much needed facility to residents of the Kingswood Estate. As such, approval of the application is recommended.

COMMUNITY IMPACT STATEMENT

- 34 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] The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.

c] The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

SUSTAINABLE DEVELOPMENT IMPLICATIONS

- 35 The facility proposes to meet sustainable development requirements by incorporating the following:

- Insulation in extension to be of sheep's wool or cellulose fibre.
- Lighting in toilets to use presence sensor controls.

- All light fittings to take compact fluorescent low energy lamps.
- An A rated condensing boiler is to be installed.
- All appliances to be A rated for energy efficiency.
- All WC's will have dual flush water saving cisterns.

LEAD OFFICER Gary Rice Head of Development Control
REPORT AUTHOR Teresa Gizzi Planner - Development Control [tel. 020
7525 5420]
CASE FILE TP/2807-37
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	C.P.C.D.T	Reg. Number	07-AP-2762
Application Type	Full Planning Permission	Case Number	TP/2807-37
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Change of use of ground floors to a community facility (Class D1) with installation of shop front and external alterations to the rear including single storey rear extension.

At: 37 & 38 SEELEY DRIVE, LONDON, SE21 8QR

In accordance with application received on 03/12/2007

and Applicant's Drawing Nos. Site Plan, 01, 02, KCC/02, 8126_AR_100, 8126_AR_200, 8126_AR_201, Design and Access Statement, Kingswood Community Shop Feasibility Study March 2006, Email received from Barbara Cracknell Dated 13 February 2008.

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 Notwithstanding the provisions of D1 (Non- Residential Institutions) of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders) the use hereby permitted shall not include any use as a place of worship or children's day nursery.

Reason

To preserve the amenity of neighbouring occupiers in accordance with Policy 3.2 Protection of Amenity of The Southwark Plan UDP (2007).

- 3 The use hereby permitted shall not be commenced before details of the arrangements for the storing of 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 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 3.2 Protection of Amenity and Policy 3.8 Waste Management of The Southwark Plan UDP (2007).

- 4 The use hereby permitted for a community facility shall not be carried on outside of the hours 8am to 6pm Monday to Friday.

Reason

To protect the amenity of adjoining residential uses in accordance with Policy 3.2 Protection of Amenity of The Southwark Plan UDP (2007).

Reasons for granting planning permission.

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

- a) Policies 1.9 Change of use with provided shopping frontages; 2.2 Provision of new community facilities, 3.2 Protection of Amenity, 3.8 Waste Management, 3.12 Quality

in Design, 3.13 Urban Design, 5.2 Transport Impacts, 5.3 Walking and Cycling, 5.6 Car
Parking, 5.7 Parking Standards for Disabled People and the Mobility Impaired of the
Southwark Plan [July 2007].

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.