
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 Mark Eaton Presentation Housing Association Ltd	Reg. Number	03-AP-1643
Application Type	Full Planning Permission	Case Number	TP/2465-43
Recommendation	Grant		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of part 6, part 4 and part 3 storey buildings to provide 8 houses, 40 flats and 360sqm of commercial floor space with 26 car parking spaces and bicycle and motorcycle spaces. Vehicle access to the site to be provided from Brayards Road via adjoining development site to the east.

At: 41-75 Consort Road SE15

**In accordance with application received on 21/08/2003
and revisions/amendments received on 01/12/2003
09/03/2004**

and Applicant's Drawing Nos. 1376, 1376/1, PL1/75/P1, 76/P1, 77/P1, 78/P1, 79/P, 80/P, 84/P, 85/P, 86/P, PL3/01/P1, 02/P1, 03/P1, 04/P1, 05/P1, 10/P2, 11/P1, 15/P2, 16/P2, 17/P1

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 Details of the elevation materials (2 copies) 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 elevation 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 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the 8 houses without the prior written consent of the Council, to whom a planning application must be made.

Reason

In order to protect the amenity of neighbouring occupiers in accordance with Policy E.3.1 (Protection of Amenity) of the Southwark Unitary Development Plan.

- 4 The refuse storage arrangements shown on the approved drawings shall be provided and available for use by the occupiers of the dwellings before those dwellings are occupied and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose without the prior written consent of the Council as local planning authority.

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby 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.

- 5 The use hereby permitted for commercial purposes shall not be carried on outside of the hours 0700 hours to 1930 hours on Monday to Saturday or 1000 hours to 1600 hours on other days.

Reason

In order to Protect the amenity of neighbouring occupiers from potential disturbance resulting from use in accordance with Policy E.3.1 (Protection of Amenity) of the Southwark Unitary Development Plan.

- 6 The car parking or garaging hereby permitted shall not be used for any purpose other than incidental to the residential units and no trade or business shall be carried on therefrom.

Reason

In order to protect the amenity of neighbouring occupiers from potential disturbance of use in accordance with Policy E.3.1 (Protection of Amenity) of the Southwark UDP.

- 7 Any tree or shrub required to be retained or to be planted as part of a landscaping scheme approved, either as part of this decision or arising from a condition imposed as part of this decision, that is found to be dead, dying, severely damaged or seriously diseased within two years of the completion of the building works OR two years of the carrying out of the landscaping scheme (whichever is later), shall be replaced by specimens of similar or appropriate size and species in the first suitable planting season.

Reason

In order to protect the visual amenity of the neighbourhood in accordance with Policy E.2.3 (Aesthetic Control).

- 8 Detailed drawings of a landscaping scheme (2 copies), including provision for the planting of suitable trees and shrubs, showing the treatment of all parts of the site not covered by buildings (including surfacing materials of any parking, access, or pathways) shall be submitted to and approved by the Council before the development hereby permitted is begun and the landscaping scheme approved shall thereafter be carried out in the first appropriate planting season following completion of the building works.

Reason

In order to enhance the visual quality of the neighbourhood and enhance the ecological value of the area in accordance with Policy E.2.3 (Aesthetic Control) and Objective E.6 (Enhance and create site of ecological value) of the Southwark UDP.

- 9 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.

- 10 The cycle storage facilities as shown on drawing PL1/75/P1 shall be provided before the units hereby approved are occupied and thereafter such facilities shall be retained and the space used for no other purpose without prior written consent of the local planning authority.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with Policy E.3.1 'Protection of Amenity' and T.1.3 'Design in Conformity with Council Standards' of the Southwark Unitary Development Plan.

- 11 The development hereby approved shall not be implemented otherwise than:
(a) by or on behalf of Presentation or another registered housing provider for the purposes of providing affordable housing, or
(b) by or on behalf of any mortgagee of Presentation or any other registered social housing provider which has entered into possession pursuant to the terms of its mortgage or any other successor thereof.

Reason

The proposed development is acceptable because it will secure affordable housing (which will be provided by a registered Housing Association/social landlord). If the development were to be implemented by any party other than the applicant or a registered social housing provider, mechanisms to achieve affordable housing would have been required in compliance with the Council's Unitary Development Plan Policy H1.4 (Affordable

Housing) and Government Guidance in Planning Policy Guidance Note 3 (Housing) and Circular 6/98 (Planning and Affordable Housing).

12 Reasons for granting planning permission.

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

- a) Policy B.1.1 [Protection of Employment Areas and Identified Sites] - Satisfied
Policy B.2.3 [Class B1 Business Proposals] - Complies
Policy E.1.1 [Safety and Security in the Environment] - Complies
Policy E.2.1 [Layout and Building Line] - Complies
Policy E.2.3 [Aesthetic Control] - Complies
Policy E.2.4 [Access and Facilities for People with Disabilities] - Complies
Policy E.3.1 [Protection of Amenity] - Complies
Policy E.3.4 [Upgrading the Environment] - Complies
Policy E.3.5 [Vacant Sites and Buildings] - Complies
Policy H.1.5 [Dwelling Mix of New Housing] - Complies
Policy H.1.8 [Standards for New Housing] - Complies
Policy R.2.2 [Planning Agreements] - Complies
Policy S.2.1 [New Retail Outlets Under 2000sq.m] - Complies
Policy T.1.3 [Design of Development and Conformity with Council Standards and Controls] - Complies
Policy T.6.3 [Parking Space in New Developments] - Complies
SPG No.1 Design and Layout of Development - Complies
SPG No.3 Crime and Security - Complies
SPG No.5 Standards, Controls and Guidelines for Residential Development - Complies

- b) Draft Southwark Plan [agreed for Deposit November 2002]:
Policy 1.1 [Access to Employment Opportunities] - Complies
Policy 1.5 [Mixed-Use Developments] - Satisfied
Policy 2.5 [Planning Obligations] - Complies
Policy 3.2 [Protection of Amenity] - Complies
Policy 3.14 [Quality in Design] - Complies
Policy 3.16 [Safety in Design] - Complies
Policy 4.2 [Residential Design Standards] - Complies
Policy 4.6 [Mix of Dwellings] - Complies
Policy 5.6 [Parking] - Complies
Residential Standards SPG - Complies
Design SPG - Complies
Preferred Industrial and Office Locations and Mixed Use Development SPG - Satisfied
Designing out Crime SPG - Complies

- c) Central Government Guidance:
PPG 1 - General Policy and Principles
PPG 3 - Housing
PPG 13 - Transport

Particular regard was had to the introduction of a residential element into a designated General Industrial proposal site that would result from the proposed development but it was considered that this would be outweighed by the provision of housing for a housing association as well as the provision of employment generating floor space equal to that which exists that would follow from the proposed development. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.