

Walworth Community Council Planning

Wednesday 17 November 2010
7.00 pm
InSpire at St Peter's, Liverpool Grove, SE17 2HH

Membership

Councillor Martin Seaton (Chair)
Councillor Neil Coyle (Vice-Chair)
Councillor Catherine Bowman
Councillor Patrick Diamond
Councillor Dan Garfield
Councillor Lorraine Lauder MBE
Councillor Darren Merrill
Councillor Abdul Mohamed
Councillor Helen Morrissey

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: Tuesday 9 November 2010



Order of Business

Item Title
No.

- 1. INTRODUCTION AND WELCOME**
- 2. APOLOGIES**
- 3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

Members are asked to declare any interest or dispensation and the nature of that interest or dispensation which they may have in any of the items under consideration at this meeting.

Item No.

Title

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.

5. MINUTES (Pages 4 - 7)

To confirm as a correct record the minutes of the meeting held on 8 September 2010.

6. DEVELOPMENT CONTROL ITEMS (Pages 8 - 12)

6.1. NEW SCHOOL HOUSE, SILVERTHORNE LOFTS, 400 ALBANY ROAD, LONDON, SE5 0DJ (Pages 13 - 28)

6.2. 292 WALWORTH ROAD, LONDON, SE17 2TE (Pages 29 - 53)

Date: Tuesday 9 November 2010

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Alexa Coates, Principal Constitutional Officer, Tel: 020 7525 7385 or email: alexa.coates@southwark.gov.uk
Website: www.southwark.gov.uk

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Walworth Community Council

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Haddii aad u baahan tahay macluumaadka ku saabsan Guddiyada Beelaha oo lagu tarjumay luqaddaada fadlan soo wac khadka taleefoonka 020 7525 7385 ama booqasho ugu tag hawladeennada ku sugan 160 Tooley Street, London SE1 2TZ

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Bi o ba nfe àlàyé kíkún l'ori awon Ìgbimò ti Àwùjò ti a yi pada si ede abíní re, jọwọ tẹ wa l'aago si ori nombá yi i : 020 7525 7385 tabi ki o yo ju si awon òṣiṣẹ ni ojúlé 160 Tooley Street , London SE1 2TZ .

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Walworth Community Council

MINUTES of the Walworth Community Council held on Wednesday 8 September 2010 at 7.00 pm at InSpire at St Peter's, Liverpool Grove, SE17 2HH

PRESENT: Councillor Martin Seaton (Chair)
Councillor Patrick Diamond
Councillor Darren Merrill
Councillor Abdul Mohamed

OFFICER SUPPORT: Becky Baker, Team Leader, for West Area, Development Management
Sadia Hussain, Lawyer
Alexa Coates, Principal Constitutional Officer

1. INTRODUCTION AND WELCOME

The Chair welcomed Councillors, members of the public and officers to the meeting.

2. APOLOGIES

Apologies were received from Councillors: Bowman, Coyle, Garfield, Lauder and Morrissey.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

Councillor Merrill indicated that he would speak in his capacity as ward member to items: 6.1 (10-AP-1673), 6.2 (10-AP-1674) and 6.3 (10-AP-1507).

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were no urgent items.

5. MINUTES

The minutes of the meeting held on 2 June 2010 were agreed by a correct record and signed by the chair.

6. DEVELOPMENT CONTROL ITEMS

Item 6.1 (10-AP-1673) – Unit 32 Garland Court, 26 A Wansey Street (also known as 14 Wansey Street)

The planning officer presented the application.

Members asked questions of the planning officer.

Objectors spoke against the application.

Members asked questions of the objectors.

The applicant was not present

Councillor Merrill spoke in objection to the application in his capacity as ward member and left the meeting room for the debate and decision.

Members discussed the applications.

Resolved:

That application 10-AP-1673 is approved subject to an additional condition relating to timing of illumination of the sign as set out below:

The advertisement(s) or sign(s) hereby granted consent shall not be illuminated between the hours of 19:00 (7.pm) and 08:30 (8.30am).

Reason

In the interests of the amenities of surrounding occupiers and the visual amenity of the streetscene, in accordance with policy 3.23 Outdoor advertisements and signage of the Southwark Plan 2007

Item 6.2 (10-AP-1674) – Unit 32 Garland Court, 26 A Wansey Street (also known as 14 Wansey Street)

The planning officer presented the application, referring members' attention to the addendum report which had been circulated.

Members asked questions of the planning officer.

Objectors spoke against the application.

Members asked questions of the objectors.

The applicant was not present

Councillor Merrill spoke in objection to the application in his capacity as ward member and

left the meeting room for the debate and decision.

Members discussed the applications.

Resolved:

That application 10-AP-1674 is refused

Reason

In the absence of details of the operation of the roller shutter or adequate information regarding mitigation of noise impact, the scheme may be harmful to the amenity of surrounding occupiers by reason of noise and disturbance, and would be harmful to the appearance of the streetscene and the setting of the adjoining listed building. In these regards the scheme would be contrary to policies 3.2 Protection of amenity, 3.12 Quality in design, 3.13 Urban design, 3.15 Protection of the historic environment and 3.18 Setting of listed building, conservation areas and world heritage sites, of the Southwark Plan 2007.

Item 6.3 (10-AP-1507) – 115 Brandon Street, London, SE17 1AL

The planning officer presented the application.

Members asked questions of the planning officer.

Objectors spoke against the application.

Members asked questions of the objectors.

The applicant's agent spoke in support of the application.

Members asked questions of the applicant's agent.

Councillor Merrill spoke in objection to the application in his capacity as ward member and left the meeting room for the debate and decision.

Members discussed the applications.

Resolved:

That application 10-AP-1507 is refused due to the reasons set out in the officer's report.

CHAIR:

DATED:

The meeting ended at 9.00pm

Item No. 6.	Classification: Open	Date: 17 November 2010	Meeting Name: Walworth Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All within the Walworth community council area	
From:		Strategic Director of Regeneration and Neighbourhoods	

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 business are detailed in Article 8 which describes the role and functions of the planning committee and Article 10 which describes the role and functions of community councils. These were agreed by the constitutional meeting of the council on May 23 2007 and amended on January 30 2008. The matters reserved to the planning committee and community councils Exercising Planning Functions are described in part 3F of the Southwark council constitution. These functions were delegated to the planning committee.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate -
6. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the First Secretary of State and any directions made by the Mayor of London.
7. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

8. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
9. 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.
10. 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.
11. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
12. 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.
13. All legal/Counsel fees and costs as well as awards of costs against the council are borne by the regeneration and neighbourhood's budget.

Community Impact Statement

14. Community Impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

15. 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 planning committee.
16. 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 strategic director of legal and democratic services, 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 strategic director of legal & democratic services. The planning permission will not be issued unless such an agreement is completed.

17. 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 38(6) of the Planning and Compulsory Purchase Act 2004 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.
18. The development plan is currently the Southwark Plan (UDP) 2007 adopted by the council in July 2007 and the London Plan (consolidated with alterations since 2004) published in February 2008. 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).
19. Section 106 of the Town and Country Planning Act 1990 as amended 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:
 - I. restrict the development or use of the land;
 - II. require operations or activities to be carried out in, on, under or over the land;
 - III. require the land to be used in any specified way; or
 - IV. 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.

20. 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 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 June 27 2007 and Council Assembly Agenda January 30 2008	Constitutional Team Communities, Law & Governance 2 nd Floor 160 Tooley Street PO Box 64529 London SE1 5LX	Alexa Coates 020 7525 7385
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE27 3ES	The named case Officer as listed or Gary Rice 020 7525 5437

AUDIT TRAIL

Lead Officer	Deborah Collins, Strategic Director of Communities, Law & Governance	
Report Author	Nagla Stevens, Principal Planning Lawyer Kenny Uzodike, Constitutional Officer	
Version	Final	
Dated	21 March 2008	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	Yes	Yes
Strategic Director of Regeneration and Neighbourhoods	No	No
Head of Development Management	No	No

**ITEMS ON AGENDA OF THE WALWORTH CC
on Wednesday 17 November 2010**

Appl. Type	Renewal of unimplemented permission	Reg. No.	09-AP-2722
Site	NEW SCHOOL HOUSE, SILVERTHORNE LOFTS, 400 ALBANY ROAD, LONDON, SE5 0DJ	TP No.	TP/2302-400
		Ward	Faraday
		Officer	David Williams

Recommendation GRANT PERMISSION

Item 6 /1

Proposal

Renewal of planning permission, LBS Reg. 06AP0478, allowed on appeal, reference APP/A5840/A/06/2023548 dated 29/3/2007, for erection of a new two bedroom end of terrace dwelling.

Appl. Type	Full Planning Permission	Reg. No.	10-AP-2796
Site	292 WALWORTH ROAD, LONDON, SE17 2TE	TP No.	TP/1065-292
		Ward	Newington
		Officer	Fennel Mason

Recommendation GRANT PERMISSION

Item 6 /2

Proposal

Construction of four storied building, plus basement, comprising 330m2 of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping.

NEW SCHOOL HSE, 400 ALBANY ROAD, SE5

Ordnance Survey

Date 5/11/2010



Agenda Item 6.1

Item No. 6.1	Classification: OPEN	Date: 17 November 2010	Meeting Name: Walworth Community Council
Report title:	Development Management planning application: Application 09-AP-2722 for: Renewal of unimplemented permission Address: NEW SCHOOL HOUSE, SILVERTHORNE LOFTS, 400 ALBANY ROAD, LONDON, SE5 0DJ Proposal: Renewal of planning permission, LBS Reg. 06AP0478, allowed on appeal, reference APP/A5840/A/06/2023548 dated 29/3/2007, for erection of a new two bedroom end of terrace dwelling.		
Ward(s) or groups affected:	Faraday		
From:	Head of Development Management		

PURPOSE

To consider the above application which is being reported to the Walworth Community Council due to the number of objections that have been received.

RECOMMENDATION

- 1 Grant planning permission subject to conditions

BACKGROUND INFORMATION**Site location and description**

- 2 The application site (area approximately 162 sq.m) relates to a vacant plot of land which is bounded on three sides by buildings and their adjoining garden walls. To the south is a two and a half storey house which forms part the end of a staggered terrace of three houses. The gable wall of that terrace, facing the application site, has no openings in it. To the north is the rear of a row of terraced houses fronting Boundary Lane. The south facing gable ends of two of these properties form part of the application site's boundary, and have windows to the first and second floors overlooking the site. The western boundary is formed by a blank gable wall at the end of a terrace of houses fronting Albany Mews. The open (east) boundary fronts onto hard landscaping and a car park beyond.
- 3 The south western corner of a converted school building sits just off the north east corner of the site and landscaping fills the space between the site and this building, with allocated car park spaces for existing residents. Access to the site is from Albany Road. The site is 'gated' with access to the site controlled via an access gate that fronts Albany Road. The immediate area is predominantly residential in character.
- 4 The immediate surrounding buildings are not listed and the premises is not located within a designated conservation area. However, the site is designated as being within the Aylesbury Action Core Area, for which the Aylesbury Area Action Plan sets out the planning strategy for the long term regeneration of the area. The site has a

high public transport accessibility level of 5. It is located in a controlled parking zone.

Details of proposal

- 5 This application is for renewal of planning permission, LBS Reg. 06AP0478, allowed on appeal, reference APP/A5840/A/06/2023548 dated 29/3/2007, for erection of a new two bedroom end of terrace dwelling.
- 6 The proposed footprint of the building is 79 sq.m. The proposed dwellinghouse would have a gross internal floor area of 109m². It would feature a study (11.4m²) and a combined kitchen/living/dining area of 40m² at the ground floor level. At the first floor level two bedrooms (14m² and 12m²) and a bathroom (4m²) would be provided.
- 7 Two car parking spaces are proposed, compared with one which was proposed as part of the previous permission. The parking would be located in the parking area to the east of the site with access from Albany Rd.
- 8 There are bin stores and cycle storage as well as general storage allocated on the submitted ground floor plan, to the north of the proposed house.

Planning history

- 9 Planning permission (Lbs.Reg.No: 06-AP-0478) was allowed on appeal (Ref: APP/A5840/A/06/2023548), on 29/3/2007, following the Council's refusal on 08/06/2006 of a scheme for the erection of a new two bedroom end of terrace dwelling.
- 10 In allowing the appeal, the Inspector noted that,

'the footprint of the proposed development would follow the stepped layout of the existing houses, and the height would also be stepped to minimise any visual impact when seen from the rear of the terrace of houses facing Boundary Lane to the north. There is an existing brick wall at the end of these gardens, which we estimated during the accompanied site visit to be 3m high, rather than the 2m given in the Council's Appeal Statement in paragraph 6.3. This wall prevents any ground level inter-visibility, and 2m chain fence which surmounts the wall tends to filter any oblique views at a higher level'.
- 11 The Inspector also stated that,

'there would be no windows in the end wall of the proposed dwelling, though the west-facing at first floor level would have very oblique view of the rear garden of 16 Boundary Lane and a more direct view but at increasing distance of the rear gardens of 14 Boundary Lane and other houses along. The gardens of Boundary Lane houses would be shielded to a large extent by the 3m garden walls, and as far as I could tell on my site visit the degree of overlooking from the proposed dwelling towards the gardens of nos. 2 - 14 Boundary Lane would be much less than that existing from the first floor rear windows of the houses of nos. 6 - 11 Albany Mews'.
- 12 In summary, the Inspector had concluded that the small dwelling sitting alongside the newly built terrace of traditional-style two storey houses was acceptable. Furthermore, there would be no material increase in visual impact for the Boundary Lane houses as a result of the proposal, and that the changes in overlooking and level of privacy would be minimal.

Planning history of adjoining sites

- 13 Not relevant to this particular application.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 14 The main issues to be considered in respect of this application are:
- a) the principle of the development in terms of land use and conformity with strategic policies.
 - b) design and appearance of proposed dwelling and appearance within streetscene
 - c) impacts on amenity of adjoining and nearby occupiers, and amenity of future occupiers
 - d) transport impacts
 - e) flood risk

Planning policy

Southwark Plan 2007 (July)

- 15
- 3.2: Protection of amenity
 - 3.7: Waste Reduction
 - 3.9 Water
 - 3.11: Efficient use of land
 - 3.12: Quality in Design.
 - 3.13: Urban Design.
 - 4.2: Quality of residential accommodation
 - 4.3 Mix of dwellings
 - 5.2 Transport impacts
 - 5.3 Walking and Cycling
 - 5.6 Car parking

Residential design standards SPD 2008

London Plan 2008 consolidated with alterations since 2004

- 16 None relevant

Core Strategy

- 17 The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Core Strategy policies should be considered as currently having no weight when determining planning applications as they are awaiting the Inspector's report and his finding of soundness. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance with the saved policies in the Southwark Plan 2007 and the London Plan 2008.
- 18 The Inspector's report on the Core Strategy is expected around December 2010. With a recommendation of soundness from the inspector there will be a very high degree of certainty that the Core Strategy will be adopted and that a number of existing Southwark Plan policies will be replaced. In view of this, on publication of the inspector's report, all core strategy policies should be given significant weight in determining planning applications. Less weight should be given to existing policies which are soon to be replaced. Formal adoption of the core strategy is expected in January 2011.

Planning Policy Guidance (PPG) and Planning Policy Statements (PPS)

- 19 PPS1 Delivering Sustainable Development
PPS3 Housing

Principle of development

- 20 The proposal under consideration is for renewal of planning permission, LBS Reg. 06AP0478, allowed on appeal, reference APP/A5840/A/06/2023548 dated 29/3/2007, for erection of a new two bedroom end of terrace dwelling. One of the main issues is whether since the grant of that planning permission, there has been any material change in planning policy, circumstances, or other material considerations that would lead officers to conclude that consent should not be granted now.
- 21 In these regards, the character of the site and surroundings is not considered to have materially altered since the permission was first granted. The Southwark Plan 2007 was a material consideration in the grant of the previous permission, and remains unaltered. Whilst the Core Strategy has been to an Examination in Public, the Council has not received the Inspector's binding report and the Core Strategy carries very little weight for this reason. The Council's Residential Design Standards SPD was adopted in 2008 since the appeal was allowed and this is the main change in planning policy and guidance since consent was first granted.
- 22 Officers consider that in the absence of any new policy which would seek to preclude such use, the principle of a new house on the site remains acceptable. With regards to policy 4.2 Quality of residential accommodation of the Southwark Plan and the Residential Design Standards SPD 2008, all the individual room sizes would be acceptable, including the combined kitchen/living/dining area of nearly (40sq.m) which would be well over the minimum required 27 sq.m stipulated in the SPD.. Moreover, when considered in relation to the overall proposed floor area for the house, (90sq.m), this is clearly more than the required minimum floor area for a two bedroom dwelling which is 60sqm. The proposed overall floor area also exceeds the minimum floor area sought by the Core Strategy for a two bed unit which is 70sqm, so although the Core Strategy carries little weight the standard is nonetheless met.
- 23 The acceptability of a proposed two bedroom dwelling house will also depend on detailed assessment of impacts on amenity, transport and residential design standards. These matters are assessed below where it has been concluded that the scheme would be acceptable subject to conditions.

Environmental impact assessment

- 24 None required due to the nature and size of the scheme which does not fall within Schedule 1 and is below the relevant thresholds for Schedule 2 development, being less than 0.5ha in area and as it is not within a sensitive area and as it is not considered that the scheme would result in significant environmental impacts in this urbanised location.

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

- 25 This scheme involves the same description/proposal as allowed on appeal by the Inspector previously. The conclusion on the previous scheme had been that there would be no harm arising to the amenity of surrounding occupiers by reason of its siting, height, size, layout and design resulting in visual intrusion, dominance, overlooking and a loss of privacy. There has been no material change in circumstances or planning policy to lead officers to a different conclusion in this instance.
- 26 The dwelling would provide a satisfactory internal living environment for future

residents. As outlined above the Council's minimum dwelling and room size standards are met. An outdoor amenity area to the rear of the dwellinghouse would be provided. It would be 6m in depth, 8.5m in width and 51m² in area. It would be consistent with the overall recommended minimum total area for an outdoor amenity area as detailed in Residential Design Standards SPD 2008, although with a depth of 6m it falls below the minimum required depth of 10m (although it would be 8.5 wide). However, on balance the inadequate depth of the garden area in terms of the guidelines provided by SPD is not considered to represent reasonable grounds for refusal in this instance as the garden would still be of useable dimensions and meets the minimum 50sqm private space at the rear of the dwelling. The adjacent dwellings also have rear gardens area that are less than 10m in depth.

- 27 On balance, the scheme is therefore considered to be acceptable having had regard to policy 3.2 Protection of amenity of the Southwark Plan 2007.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 28 None as the surrounding area is mainly residential in character with no land uses nearby which are considered to be harmful to this proposed residential conversion.

Traffic issues

- 29 The site has good access to public transport, being in close proximity (walking distance) to Albany Road/ Camberwell Road/ Walworth Road which is well served by a number of buses and in close proximity to Elephant & Castle train and tube stations. In this regard the provision of housing in areas well served by public transport is considered to provide for an efficient use of land. Like the previous consented scheme, the development would have dedicated on site car parking although there are now two spaces proposed rather than one as per the previous scheme. The proposed spaces are numbered 37 & 38 on the applicant's parking plan.
- 30 Objections have been received in relation to parking pressures, with writers concerned that the existing parking area is already oversubscribed and that adding another house to the parking demand would not be acceptable. Officers note that the previous scheme offered one parking space, whereas this scheme proposes two. In order to avoid additional burden in the controlled parking zone, it is considered that parking should be provided for the house. However, given the good public transport accessibility and as the scheme is for a two bed house rather than a larger family home, it is likely that one parking space would be sufficient to meet the needs of the occupiers. Transport officers have not objected to the proposed level of parking, but officers have asked the applicant to consider whether one space will be acceptable to them and will report to members on any amendment to the scheme in this regard via an addendum report.

- 31 There is considered to be adequate space for storage of refuse and recyclables and cycle storage. Provision of the proposed cycle, refuse storage and storage spaces should be secured by condition if consent is granted.

Design issues

- 32 The application site would form part of a gated residential development. The existing development that makes up the gated residential development including the two-storey terraced dwellinghouses to the south of the application site would largely screen the proposed dwellinghouse from views from public places, including Albany Road.
- 33 The proposed dwellinghouse would have a relatively modern design featuring a box or rectangular elements with considerable glazing to the rear elevation and the upper section of the front elevation. Its appearance would not match the more traditional

design of nearby buildings, but it would not have a detrimental impact on the character or appearance of the area. Details of materials should be secured by way of condition if consent is granted.

- 34 The landscaping which is proposed is a mixture of hard and soft elements and seeks to unify all aspects of the site into a single cohesive design. Bin and cycle storage are provided and clad in identical timber to that of the fences and doors and relate to the built form. It is considered that the landscaping would form a distinctive 'garden' to the rear of the property. Due to its enclosed situation it would have a courtyard garden feel with planting to reflect the environment and geographical feel.
- 35 Overall the scheme is considered to be acceptable with regard to policies 3.11 Efficient use of land, 3.12 Quality in design and 3.13 Urban design of the Southwark Plan 2007.

Impact on character and setting of a listed building and/or conservation area

- 36 The site is not within a conservation area nor are the adjoining buildings listed.

Impact on trees

- 37 No trees affected by this proposal

Planning obligations (S.106 undertaking or agreement)

- 38 Not required.

Sustainable development implications

- 39 The proposal will provide housing for future residents in a sustainable location well served by public transport. Furthermore the property will include discrete solar panels to provide for hot water heating and rain water will be harvested to assist with cold water supply.

Other matters

- 40 Three letters of objections have been received and these were considered when making this recommendation. Concerns raised are addressed below.

Construction impacts and effects on adjoining building as a result of building works

- 41 Whilst larger development schemes are often subject to a construction management plan secured by condition, this is not considered to be reasonable for a small scale scheme. On a relatively small scale scheme such as this, it is considered that disruption in terms of site preparation and building works would be appropriately controlled under separate environmental protection regulations such as the Control of Pollution Act 1974.

Parking pressures

- 42 Loss of car parking spaces, allocation of existing car parking spaces and access to the premises and any security issues in relation to access via the secure and "gated" entrance to the development are addressed above where it has been considered that the level of parking provision would be acceptable, although it would be preferable if the parking were reduced to one space. This has been raised with the applicant and an update will be provided to Members. Security of the site is a matter for the overall management of the existing parking area and the applicant would need to ensure that they have all other necessary consents, including permission for use of the parking space/s, before being able to give effect to the consent.

Environmental performance

- 43 The applicant's design and access statement sets out measures in relation to energy efficiency in relation to appliances, and states that the scheme would meet building regulations requirements in relation to conservation of fuel and power. Given the small scale of the scheme it is not considered that additional measures such as on site renewables would be practicable to insist upon, and the scheme is considered to be acceptable in relation to sustainability on the basis of information submitted.

Flood risk

- 44 The site is in a flood risk area. Following their initial objection, the EA advised that given the level of flood risk at the site and the fact that no bedrooms are proposed at ground floor level, also that there is a route upstairs in case of a flood, they will withdraw their earlier objection. Therefore no objection to proposal.

Conclusion on planning issues

- 45 Consideration was had to the acceptability of the proposed dwellinghouse, where it was considered that since the scheme complied with policies in relation to land use and quality of residential accommodation, and that subject to conditions in relation to cycle storage, refuse and general storage spaces the scheme would be acceptable. There was no material harm considered to arise in relation to the amenity of adjoining occupiers, and in relation to the amenity of surrounding occupiers by reason of its siting, height, size, layout and design resulting in visual intrusion, dominance, overlooking and a loss of privacy. Planning permission is therefore recommended as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

Community impact statement

- 46 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 as: none

c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above. Specific actions to ameliorate these implications are: none required

Consultations

- 47 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 48 Details of consultation responses received are set out in Appendix 2.

Summary of consultation responses

- 49 Three letters of objections have been received from adjoining residents, these objections can be summarised as follows:

The proximity of the building to surrounding building too close and would make the immediate area overcrowded, including unavoidable delay and excessive disruption to

the quality of life during the building process;

Access to the site would cause disruption and comprise the security gate entrance, encroachment on planted areas, courtyard and private garden spaces;

Pressure on existing and future parking spaces, including objection to parking bay.

Human rights implications

- 50 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 51 This application has the legitimate aim of providing a two bedroom dwellinghouse. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance

- 52 None

REASONS FOR LATENESS

- 53 N/A

REASONS FOR URGENCY

- 54 N/A

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2302-400 Application file: 09-AP-2722 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5446 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice Head of Development Management	
Report Author	David Williams	
Version	Final	
Dated		
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	No	No
Strategic Director of Regeneration and Neighbourhoods	No	No
Strategic Director of Environment and Housing	No	No
Date final report sent to Constitutional / Community Council / Scrutiny Team	8 November 2010	

APPENDIX 1

Consultation undertaken**Site notice date:** 17/02/2010**Press notice date:** Not required in this instance.**Case officer site visit date:** 17/02/2010 (unaccompanied)**Neighbour consultation letters sent:** 08/02/2010**Internal services consulted:**

Transport team

Statutory and non-statutory organisations consulted:

Environment Agency:

Neighbours and local groups consulted:

2 BRADENHAM CLOSE LONDON SE17 2QB
 20B BOUNDARY LANE LONDON SE17 2BH
 14 BOUNDARY LANE LONDON SE17 2BH
 18 BOUNDARY LANE LONDON SE17 2BH
 11 ALBANY MEWS LONDON SE5 0DQ
 3 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
 5 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
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 4 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
 20C BOUNDARY LANE LONDON SE17 2BH
 34 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
 FLAT 13 402 ALBANY ROAD LONDON SE5 0DH
 38 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
 FLAT 1 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 3 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 4 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 6 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 8 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 10 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 12 402 ALBANY ROAD LONDON SE5 0DH
 FLAT 13 BRADENHAM BOYSON ROAD LONDON SE17 2BA
 FLAT 15 BRADENHAM BOYSON ROAD LONDON SE17 2BA
 FLAT 17 BRADENHAM BOYSON ROAD LONDON SE17 2BA
 FLAT 19 BRADENHAM BOYSON ROAD LONDON SE17 2BA
 FLAT 20 BRADENHAM BOYSON ROAD LONDON SE17 2BA
 12A BOUNDARY LANE LONDON SE17 2BH
 12C BOUNDARY LANE LONDON SE17 2BH
 FLAT 11 BRADENHAM BOYSON ROAD LONDON SE17 2BA

12B BOUNDARY LANE LONDON SE17 2BH
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16B BOUNDARY LANE LONDON SE17 2BH
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39 SILVERTHORNE LOFTS 400 ALBANY ROAD LONDON SE5 0DJ
FLAT 2 402 ALBANY ROAD LONDON SE5 0DH
FLAT 5 402 ALBANY ROAD LONDON SE5 0DH
FLAT 7 402 ALBANY ROAD LONDON SE5 0DH
FLAT 12 BRADENHAM BOYSON ROAD LONDON SE17 2BA
FLAT 14 BRADENHAM BOYSON ROAD LONDON SE17 2BA
FLAT 16 BRADENHAM BOYSON ROAD LONDON SE17 2BA
FLAT 18 BRADENHAM BOYSON ROAD LONDON SE17 2BA
16C BOUNDARY LANE LONDON SE17 2BH
9th floor Eastbury House 30-34 Albert Embankment London SE1 7TL

Re-consultation:

Not required in this instance.

Consultation responses received

Internal services

Transport team: No objection to proposal

Statutory and non-statutory organisations

Environment Agency: Following their initial objection, the EA advised that the given the level of flood risk at the site and the fact that no bedrooms are proposed at ground floor level, also that there is a route upstairs in case of a flood, we will withdraw our objection. Therefore no objection to proposal.

Neighbours and local groups

26 Silverthorne Lofts, 400 Albany Road, objections received on the following grounds:

- The proximity of the building to surrounding building too close and would make the immediate area overcrowded
- construction works would cause interruption and excessive disruption to the quality of life during the building process
- access to the site would cause disruption and compromise the security gate entrance
- encroachment on planted areas, courtyard and private garden spaces.

Flat 22, Silverthorne Loft Apartments, 400 Albany Road: objects on grounds of pressure on existing and future parking spaces, including objection to parking bay.

SE5 0DJ (letter states the writer is an adjoining resident): concerns raised in relation to construction impacts (the scheme would be built onto the writer's property, concern about any impacts on exhaust system to the writer's property, where would trucks park, site worker's access during construction)

- objections in terms of parking - states that the allocated parking spot for the dwelling has already been allocated to someone else, with concern that there is already excessive demand for parking which this scheme would exacerbate pressure on
- states that the scheme was refused and then refused on appeal and sees no change in circumstance now [Officer note - the appeal was allowed which means that consent was granted].

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant	Mr. Kristen Ogden	Reg. Number	09-AP-2722
Application Type	Renewal of unimplemented permission	Case	TP/2302-400
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Renewal of planning permission, LBS Reg. 06AP0478, allowed on appeal, reference APP/A5840/A/06/2023548 dated 29/3/2007, for erection of a new two bedroom end of terrace dwelling.

At: NEW SCHOOL HOUSE, SILVERTHORNE LOFTS, 400 ALBANY ROAD, LONDON, SE5 0DJ

In accordance with application received on 04/12/2009

and Applicant's Drawing Nos. 218-SH-PLAN-EX-SL-001; 218-SH-PLAN-PR-BL-002; 218-SH-PLAN-PR-G-003; 218-SH-PLAN-PR-F-004; 218-SH-PLAN-PR-N-005; 218-SH-ELEV-PR-E-006; 218-SH-ELEV-PR-W-007, 218-SH-ELEV-PR-N-008, 218-SH-ELEV-PR-E-009., 218-SH-ELEV-PR-W-010
Environment Report dated 21/6/2007
Design Proposals dated 7 March 2006 Revision 0 and enclosed document for car park spaces

Subject to the following condition:

- 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 development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:
218-SH-PLAN-PR-BL-002; 218-SH-PLAN-PR-G-003; 218-SH-PLAN-PR-F-004; 218-SH-PLAN-PR-N-005; 218-SH-ELEV-PR-E-006; 218-SH-ELEV-PR-W-007, 218-SH-ELEV-PR-N-008, 218-SH-ELEV-PR-E-009., 218-SH-ELEV-PR-W-010

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to works commencing on site, material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design of The Southwark Plan 2007.

- 4 The dwelling hereby permitted shall not be occupied before the arrangements for the storing of domestic refuse as shown on drawing 218-SH-PLAN-PR-G-003 have been provided and are available for use by the occupiers of the dwelling. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose.

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 3.7 Waste reduction of the Southwark Plan 2007.

- 5 The dwelling hereby permitted shall not be occupied until the secure covered storage of at least one bicycle as shown on drawing 218-SH-PLAN-PR-G-003 has been provided and are available for use by the occupiers of the dwelling. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose.

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 5.3 Walking and Cycling of the Southwark Plan 2007.

- 6 Notwithstanding the provisions of Classes A, B, C and E of Part 1 of the Schedule of the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008, or any acts or regulations updating this Order, no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouse hereby permitted, without the prior written consent of the Council, to whom a planning application must be made.

Reason:

In the interests of the amenities of the occupiers of this dwelling and near neighbours and in order to accord with Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007)

- 7 The first floor flat roof of the house hereby permitted shall not be used other than as a means of escape or for maintenance purposes and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of adjacent occupiers may be protected from overlooking from use of the roof area in accordance with Policy 3,2: 'Protection of Amenity' of the Southwark Unitary Development Plan (2007).

- 8 No windows, additional to those shown on the permitted plans, shall be installed in the northern flank walls of the house hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason:

In the interests of the amenities of adjacent occupiers and in order to accord with Policy 3.2 'Protection of Amenity' of the Southwark Plan (2007).

Reasons for granting planning permission.

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

- a] Southwark Plan [July 2007].

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.7 (Waste reduction) states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities, and in relation to major developments this will include addressing how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.9 (Water) seeks to ensure that all developments should incorporate measures to reduce the demand for water, recycle grey water and rainwater, and address surface run off issues, and have regard to prevention of increase in flooding and water pollution.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments.

Policy 4.2 (Quality of residential accommodation) states that planning permission will be granted for residential accommodation provided that they achieve good quality living conditions; and include high standards of

accessibility, including seeking to ensure that all new housing is built to Lifetime Homes Standards; privacy and outlook; natural sunlight and daylight; ventilation; space including suitable outdoor/green space; safety and security; protection from pollution, including noise and light pollution.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

Consideration was had to the acceptability of the proposed two bedroom dwellinghouse, where it was considered that, since the development was acceptable in relation to land use policies and the scheme complied with policies on quality of residential accommodation and the Residential Design Standards SPD 2008, and in particular amenity space for future residents, that subject to conditions in relation to cycle, refuse and general storage spaces, the scheme would be acceptable. There was no material harm considered to arise in relation to the amenity of adjoining occupiers, and in relation the proposal's siting, height, size, layout and design resulting in visual intrusion, dominance, overlooking and a loss of privacy, subject to the conditions imposed. Planning permission was therefore granted as there are no, or insufficient, grounds to withhold consent on the basis of the policies considered and other material planning considerations.

292 WALWORTH ROAD, LONDON, SE17

Ordnance Survey

Date 8/11/2010



Agenda Item 6.2

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Item No. 6.2	Classification: OPEN	Date: 17 November 2010	Meeting Name: Walworth Community Council Meeting
Report title:	Development Management planning application: Application 10-AP-2796 for: Full Planning Permission Address: 292 WALWORTH ROAD, LONDON, SE17 2TE Proposal: Construction of four storied building, plus basement, comprising 330m2 of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping.		
Ward(s) or groups affected:	Newington		
From:	Fennel Mason		
Application Start Date 12/10/2010		Application Expiry Date 07/12/2010	

PURPOSE

To report the application to the Walworth Community Council meeting due to the number of objections received.

RECOMMENDATION

- 1 To grant planning permission subject to conditions and a Section 106 Agreement to exempt future occupiers, residential and commercial, from obtaining parking permits.

BACKGROUND INFORMATION

Site location and description

- 2 The application site comprises the former front garden of the former Carter Place police station located off Walworth Road. The site is located at the corner of Walworth Road and Carter Place.
- 3 The subject site is presently vacant, but does contain two trees (a Lime and a Sycamore), both of which are subject to a tree protection order (TPO). There is a advertisement hoarding located on the flank wall of 294 Walworth Road.
- 4 The surrounding area is predominately in residential use aside from the shopping frontage along Walworth Road.
- 5 The site is located within a Public Transport Accessibility Zone, an Air Quality Management Area, the Elephant and Castle Town Centre and Opportunity Area, and within a Protected Shopping Frontage. The site is not located within a Conservation Area, but is located to the north of the Sutherland Square Conservation Area.

Details of proposal

- 6 Planning permission is sought for the construction of a four storey building, plus basement, comprising a mix of A1 / A3 use and residential units. The development of the site has been designed to retain the TPO trees.
- 7 The front building line of the development has been designed to retain the Lime tree and as such this has created a landscaped area adjoining Walworth Road, and there is a larger communal amenity space to the rear of the building, adjoining the Sycamore tree.
- 8 The proposed building at basement and ground floor will provide 330m² of A1 / A3 use floorspace, and will provide a total of 9 self contained residential units located at first, second and third floor levels, comprising 1 x studio, 6 x one bed and 2 x two bed units. The development will also provide waste and cycle storage at ground floor level, and balconies associated with two of the residential units.
- 9 The building will be of modern design and be constructed in a range of materials, but will predominantly be constructed in brick, with also materials including timber cladding and render being proposed.
- 10 The proposed development overall has been scaled down from the initial refusal (04-AP-0248) and the more recent refusal (09-AP-1559). The later application was almost identical to this current scheme, although the ground floor extended a further 6.7m toward the (western) boundary with the Old Police Station on Carter Place.
- 11 See below for further details on both previous applications.

Planning history

- 12 Planning permission was granted in October 1995 for a change of use from a police station to a church and community centre with two associated residential unit. The subsequent use of the premises as a church generated problems with noise and disturbance to adjacent residential occupiers.
- 13 In January 2001, planning permission was granted subject to legal agreement for the change of use of the former police station from a church to form 24 flats, comprising 15 two-bedroom flats and 9 one-bedroom flats, some in the form of mezzanine studio flats. The proposal also included 18 car-parking spaces and about 240m² communal garden within the forecourt. Some of these spaces together with the proposed refuse storage was located within the railway arches which formed part of the application site. The legal agreement was not signed.
- 14 In October 2003 planning permission was granted in principle for the change of use of the former church and conversion into 24 self contained flats, 13 x one bedroom, 9 x two bedroom and 2 x studio flats with 10 parking spaces. The legal agreement has not been completed.
- 15 Planning permission (04-AP-0248) was refused in November 2004 for the erection of a four storey building comprising 2 retail units on the basement and ground floors, 9 flats on the upper three floors comprising 3 x one bed and 6 x two bed units, incorporating upper floor balconies, amenity area to the rear, cycle racks, disabled parking space and loading area with access off Carter Place. The application was refused for the following reasons:
- 16 *1) It is considered that the proposed development, by reason of its detailed design including materials, appearance and external design, would adversely affect the appearance of the terrace of which it would form a part and this part of the Borough. The proposal is contrary to policy E.2.3 'Aesthetic Control' of the Southwark Unitary Development Plan (1995) and Policy 3.13 'Urban Design' of*

the second deposit draft Southwark Plan (March 2004).

- 17 2) *The proposal in its current form does not incorporate the principles and objectives of 'Secured by Design', including a lack of natural surveillance and recessed door entrances to the rear which may result in the provision of an unsafe environment. Accordingly, the proposal is contrary to Policy E.1.1'Safety and Security in the Environment' of the Southwark Unitary Development Plan (1995) 3.14 'Designing Out Crime' of the second draft deposit Southwark Plan 2004.*
- 18 3) *The proposal will result in the loss of two mature trees, both of whom are protected by a Tree Preservation Order, which make a significant contribution to the visual amenity of the area, the proposed replacement planting would fail to make such a significant contribution to the area. As a result the proposal is detrimental to the character and appearance of the area generally, contrary to Policy E.6.2 'Trees subject to Tree Preservation Orders and Trees in Conservation Areas' of the Southwark Unitary Development Plan (1995).*
- 19 4) *The habitable windows of the proposed development are within 21 metres of proposed habitable room windows within the former police station and will result in the loss of privacy for future residents of both proposals. The proposal is contrary to Policy E.3.1 'Protection of Amenity' and Supplementary Design Guidance No. 5 ' Standards, Controls, and Guidelines for Residential Development' of the adopted Unitary Development Plan 1995 and Policy 3.2 'Protection of Amenity' of the second draft Southwark Plan (March 2004).*
- 20 The above refused application was then subject to an appeal which was dismissed in September 2005. Within the decision, the Inspector considered that the TPO trees have great importance and should be retained, as their loss would result in a significant harm to the character and appearance of the locality. It was also considered that the development would result in unacceptably poor surveillance, and that the design of the building would contrast abruptly, constituting a discordant feature in the streetscene. However, the Inspector did not agree that the development would create opportunity for overlooking of the adjoining building.
- 21 In response to this Appeal Decision a further planning application (09-AP-1559) was submitted and subsequently refused in December 2009 for the construction of a four storied building, plus basement, comprising 374m² of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1 x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping. The application was refused on the following grounds:
- 22 1) *The bulk and massing of the rear component of the proposed building would result in a loss of outlook and be overbearing, affecting the amenity of neighbouring occupiers. The development is therefore contrary to policy 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan [UDP] 2007.*
- 23 2) *The proposed development has failed to respond positively to its context, and by reason of detailed design would impact adversely on the appearance and character of the surrounding area, including the street scene on Walworth Road and Carter Place, and views from the Sutherland Square Conservation Area. The development is therefore contrary to policies 3.2 'Protection of amenity', 3.12 'Quality in design' 3.13 'Urban Design' and 3.18 'Setting of Listed Buildings, Conservation Areas and World Heritage Sites' of The Southwark Plan [UDP] 2007.*
- 24 3) *The proposal fails to demonstrate the impacts of the development on the environment, and that a sufficient percentage of energy requirements could be*

drawn from renewable energy sources. Due to lack of information on energy efficiency and a sustainability assessment (including water recycling, greywater reuse, sustainable drainage and renewable energy) the proposal is contrary to policies 4A.4 'Energy Assessment' and 4A.7 'Renewable Energy' of the London Plan (Consolidated with Alterations since 2004) and policies 3.3 'Sustainability Assessment', 3.4 'Energy Efficiency' and 3.5 'Renewable Energy' of The Southwark Plan [UDP] 2007.

- 25 The above refused application was also then subject to an appeal which was dismissed in August 2010. Within the decision, the Inspector considered that the outlook of the occupiers of the Old Police Station would be significantly compromised. However, with regard to the second reason for refusal the Inspector concluded that the development would not harm the character or appearance of the area, including to the streetscene and the Sutherland Square Conservation Area. As part of the Appeal process the applicant submitted a Renewable Energy Report which proposed solar thermal collectors and solar photovoltaic panels which would achieve a 20% reduction in predicted carbon dioxide emissions, however the Inspector felt that the arrangement and appearance of the panels was unclear, and therefore this matter had not been resolved yet.

Planning history of adjoining sites

- 26 Planning permission (92/0032B) was granted in August 1992 for the change of use of the first and second floor from B1 offices to 2 (two) one-bed flats.
- 27 Certificate of Lawful Development (05-AP-0068) was granted in March 2005 for the continued use of the first floor as a self contained flat at 294 Walworth Road.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 28 The main issues to be considered in respect of this application are:
- a] the principle of the development in terms of land use and conformity with strategic policies.
 - b] whether the bulk scale and massing of the building is appropriate to its context and avoids impact on neighbouring occupiers.
 - c] the design and appearance of the building and how it fits within the character of the area, including the setting of the conservation area.
 - d] the impact of the development on the amenity of neighbouring occupiers.
 - e] the quality of residential accommodation for future occupiers.
 - f] the protection of the TPO trees.

Planning policy

- 29 Southwark Plan 2007 (July)
- 1.4 'Employment sites outside the preferred office locations and preferred industrial locations'
 - 1.7 'Development within town and local centres'
 - 3.1 'Environmental effects'
 - 3.2 'Protection of amenity'
 - 3.3 'Sustainability assessment'
 - 3.4 'Energy efficiency'

- 3.5 'Renewable energy'
- 3.6 'Air quality'
- 3.7 'Waste reduction'
- 3.11 'Efficient use of Land'
- 3.12 'Quality in Design'
- 3.13 'Urban Design'
- 3.18 'Setting of listed buildings, conservation areas and world heritage sites'
- 3.19 'Archaeology'
- 4.1 'Density of residential development'
- 4.2 'Quality of residential development'
- 5.2 'Transport Impacts'
- 5.3 'Walking and Cycling'
- 5.6 'Car Parking'

Residential Design Standards [SPD] 2008

30 London Plan 2008 consolidated with alterations since 2004

- 4A.7 'Energy Assessment'
- 4A.9 'Renewable Energy'
- 4B.1 'Design principles for a compact city'

31 Core Strategy

The Council submitted the draft Core Strategy to the Secretary of State on 26 March 2010 and the Examination in Public hearings took place in July 2010. The Core Strategy policies should be considered as currently having no weight when determining planning applications as they are awaiting the Inspector's report and his finding of soundness. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance the saved policies in the Southwark Plan 2007 and the London Plan 2008.

The Inspector's report on the Core Strategy is expected in around December 2010. With a recommendation of soundness from the inspector there will be a very high degree of certainty that the Core Strategy will be adopted and that a number of existing Southwark Plan policies will be replaced. In view of this, on publication of the inspector's report, all core strategy policies should be given significant weight in determining planning applications. Less weight should be given to existing policies which are soon to be replaced. Formal adoption of the core strategy is expected in January 2011.

32 Planning Policy Statements [PPS]

- PPS1: Delivering Sustainable Development
- PPS3: Housing
- PPS5: Planning for the Historic Environment
- PPS25: Development and Flood Risk

Planning Policy Guidance [PPG]

- PPG 15 'Planning and the historic environment'
- PPS 23 'Planning and Pollution Control'

Principle of development

- 33 A key land use issue with the determination of this application is that of building on gardens, referred to as "garden grabbing". Recent changes in government policy (PPS3 Housing) sets out that private gardens shall be removed from the brownfield definition. However, this is not at the same time conferring particular protection of this land, in the same way that Borough Open Land or Metropolitan Open Land are

protected for example. The development of such areas will not contribute to the 60% brownfield target set by the Government, but nevertheless would still contribute to housing overall, and given the limited number of back garden developments applied for in Southwark, would be unlikely to push up near the 40% limit for non brownfield, or greenfield, development. Therefore the fact that back gardens are no longer brownfield may not in itself be used as a reason for refusal. Rather regard still needs to be had to the site specific assessment of impacts in terms of matters such as character, design, amenity, transport.

- 34 The principle of development is acceptable, provided that the bulk, scale and massing responds positively to the context of the site, in addition to providing a high level of design, suitable standards of residential accommodation, minimising the impacts on neighbouring occupiers, and the suitable protection of the TPO trees.
- 35 The commercial use (A1/A3) is acceptable given that there is no loss of existing floorspace, and it is not considered that there would be an over-concentration of retail use within the vicinity. The residential use (C3) on the upper levels is encouraged as it will provide additional housing for the borough. The density of the development is also well within the density range expected within this area.
- 36 There is a significant level of objection raised by third parties regarding the loss of this green space. However, it is important to note that this land is not designated as Borough Open Land (BOL), and this is further discussed below.

Environmental impact assessment

- 37 A Screening Opinion was not requested prior to the submission of the application as the scheme is not Schedule 1 development. It does fall within Schedule 2, being an urban development project, and the development falls to be considered as to whether it is EIA development by reference to the Column 2 criteria because the site area exceeds 0.5ha. However it has been determined that the development is unlikely to have a significant effect upon the environment by virtue of its nature, size or location based upon a review of the Schedule 3 selection criteria for screening Schedule 2 Development. The site is a brownfield site in an inner London location, and is located outside of a sensitive area as per Regulation 2(1) and the development is unlikely to generate any significant environmental effects. Therefore an Environmental Impact Assessment is not required.

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

Amenity

Neighbouring Occupiers

- 38 New developments should be arranged to safeguard the amenity of adjoining occupiers, and should not subject neighbours to loss of daylight or sunlight access, overlooking, domination or a loss of privacy, amongst others.
- 39 Within the previous scheme it was considered that the proposed development would harm the amenities of adjoining occupiers, in particular those occupying the former Police Station on Carter Street, and neighbouring occupiers to the south and southeast of the site. This concern related essentially to the proximity of the proposed development to these neighbouring sites, in addition to the proposed massing and bulk of the building at this location, would result in a development which would be overbearing, leading to a loss of outlook.
- 40 The Planning Inspector considered that the residential occupiers within the adjoining building at 294 Walworth Road would not be unacceptably affected by the development.

- 41 With regard to the Old Police Station this has windows to residential accommodation facing the subject site on four levels. The windows at lower ground floor level face toward a retaining wall and the Inspector found that the development would not have any material impact on these occupiers.
- 42 At upper ground floor level the present outlook from these windows is towards the boundary hoardings of the application site, and should the development be constructed these windows would look directly onto the rear of the proposed building.
- 43 The Planning Inspector concluded that the single storey rear elevation of the ground floor commercial unit would be in close proximity to these upper ground floor windows. For this reason it would found that the development would be unduly overbearing and the outlook of the occupiers would be significantly compromised.
- 44 The application has since been amended to reduce the proposed footprint of the ground floor extension to the rear by 6.7m, providing a setback of at least 11.5m from the upper ground floor windows to the Old Police Station.
- 45 It is considered that this significant increase in setback from the Old Police Station would sufficiently overcome the previous concern regarding impact on amenity of these associated adjoining occupiers.
- 46 The building has been designed to avoid overlooking and a loss of privacy to neighbouring occupiers, through a combination of sufficient setbacks (more than 21m), and avoiding large windows and balcony areas directly facing neighbouring buildings.
- 47 The retention of the existing TPO trees has, in the opinion of the Council, overcome the previous concerns regarding their loss. The amenity of the site in this regard is therefore satisfactory.
- 48 Should consent be granted, a condition of consent would be imposed requiring the applicant to provide details of landscaping to be approved prior to occupation of the units, and implemented in the first planting season subsequent.
- 49 For the aforementioned reasons, it is considered that the proposed development would ensure that the development would protect the amenities of adjoining occupiers and would therefore be in accordance with policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' of The Southwark Plan [UDP] 2007 and the Residential Design Standards [SPD] 2008, and should be granted on this basis.

Future Occupiers

- 50 The Residential Design Standards [SPD] 2008 have been set to provide guidance on what constitutes a good quality of residential accommodation, which is required pursuant to Policy 4.2 'Quality of residential accommodation' of the Southwark Plan, for example unit and room size standards to ensure that an adequate amount of space is provided within each proposed unit, layout and stacking of units, and sunlight and daylight standards. Whilst these standards are minimum, and exceeding these standards is preferable, there is some flexibility, especially for conversions where it is recognised that in some cases the configuration of an existing building may preclude full compliance with the standards.
- 51 The proposed development will provide 9 self-contained flats which have been assessed against these minimum individual room and overall floor area requirements as outlined within section 2.3 of the aforementioned SPD, and the individual rooms and overall the units generally meet or exceed these standards.

- 52 It is considered that the stacking is good, there is sufficient storage space, and there is a good level of natural daylighting, that the proposed flats would provide a good standard of residential accommodation for future occupiers.
- 53 In terms of the proposed outdoor amenity space, the development would provide only two residential units private amenity space, both measuring approximately 4.5m² in area. However, the development would provide informal communal amenity space to the rear of the site facing Carter Place, and around the protected tree. This communal amenity space would total approximately 150m² in area, which will be completely landscaped as part of the development.
- 54 The Residential Design Standards [SPD] requires 50m² of communal amenity space, in addition to 10m² private amenity space for each unit (added to the communal space where appropriate). Therefore, in this instance, the SPD would seek to provide a total of 140m² of amenity space, and the development provides more than this. It is considered that the size of this space would meet the needs of the future occupiers especially given the units are one and two bedrooms and are not family sized.
- 55 Furthermore, future occupiers would have sufficient access to outdoor amenity space within close proximity to the subject site (Burgess Park is located a short distance away).
- 56 Overall it is considered that the future occupiers would have a good standard of accommodation and would therefore meet the requirements of policy 4.2 'Quality of residential accommodation' of The Southwark Plan [UDP] 2007.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 57 It is not anticipated that any adjoining occupier would generate any material harm to the amenities of the future occupiers of the site. Subject to the imposition of a condition requiring that the proposed residential units are designed to achieve a suitable internal ambient noise level.

Traffic issues

- 58 The development is located in a high Public Transport Accessibility Level, a CPZ and within the Central Activity Zone (CAZ), therefore a car free development would be expected and the occupiers of the development would be made exempt from applying for parking permits.
- 59 This site falls within a controlled parking zone. Therefore, in order to prevent possible overspill parking from the development, the applicant should be informed that a planning condition will be imposed preventing occupiers of this development being eligible for on-street parking permits. In order that the TMO can be changed, a sum of £2,750 must be secured from the applicant for the costs associated with amending the TMO by way of S106 legal agreement. As such the applicant has entered into a S.106 legal agreement on this basis, which has been agreed by both parties.
- 60 The application plans have indicated that there are two separate cycle storage spaces, the larger one being located adjoining the rear of the building which provides 10 stacked cycle spaces, and the smaller one is located along the southern boundary, which provides 2 cycle spaces.
- 61 The Southwark plan states that cycle storage must be provided at 1:1. Policy 5.3 of the Southwark Plan states that cycle storage must be convenient, secure and weatherproof. For reasons of convenience, cycle storage must be of dimensions as stated in Manual for Streets, sections 8.2.21-8.2.24. Detailed and accurate plans are required to demonstrate the provision of cycle storage.

- 62 Overall, should consent be granted a condition could be imposed requiring that further details should be provided and approved prior to the occupation of the units.
- 63 The applicant will also need to provide the Council with a Service Management Plan, which should incorporate the total number and type of vehicles expected at the site for all elements; where the deliveries / servicing is to take place from (i.e. on-street or within the development); If on-street, what is the existing restrictions and / or proposed.
- 64 The applicant should be aware of any loading waiting and restrictions that operate in the area and that any contraventions will be enforced accordingly. The parking of any motorised vehicle on the public footway / footpath is also illegal and enforceable (unless otherwise indicated).
- 65 Also mentioned above, Transport for London (TfL) supports the scheme provided there is a Delivery and Servicing Plan for both the residential and commercial elements is provided, in addition to a Construction Management Plan and Construction Logistics Plan, which are conditional should consent be given.
- 66 It is considered that the further information such as a Service Management Plan and Construction Management Plan could be provided, and secured by way of condition should consent be granted.
- 67 In terms of access, the development has been assessed by the Access Officer, who confirms that all dwellings conform to Lifetime Homes Standard, and Part M (Access to and within Buildings) of the Building Regulations.

Design issues

- 68 The application site occupies a prominent corner to Walworth Road and Carter Place, which was once the front garden to the former police station, but is currently underdeveloped. The proposed building would form the end to a terrace of six 4 storey buildings on Walworth Road. The terrace is mainly characterised by simple relationships between primary and secondary design elements. Overall the traditional windows to brick ratios on neighbouring facades and vertical emphasis combine to present a clean uncomplicated group appearance. The exception being the 1950's infill immediately adjacent to the site. This section of Walworth Road is characterised by corner pivotal buildings which bring emphasis to street junctions.
- 69 The subject site is not a designated open space, however as the front garden to the former Police Station it does afford visual amenity within this urban area. Two mature trees on the site are protected, and make a significant contribution to the visual amenity of the area. The former police station has been converted into residential accommodation, as discussed above.
- 70 In 2005 an Appeal was dismissed for the erection of a new building comprising of two A1 units and 9 self contained residential units. The Inspector cited the loss of the TPO trees and the proposed materials and design features, as being unacceptable. The plan form of this current scheme has been dictated by the requirement to retain the two mature TPO trees on the site, and the distance of the new development from the adjoining properties.
- 71 The previous application (09-AP-1559) as mentioned was refused, amongst other reasons, as it was considered that the development failed to respond positively to its context, and by reason of detailed design would impact adversely on the appearance and character of the surrounding area, including the street scene on Walworth Road and Carter Place, and views from the Sutherland Square Conservation Area.
- 72 However, within the Planning Inspectors report, it was considered that the previous development would respect the character and appearance of the area. The four storey

Walworth Road bulk was considered acceptable and the fenestration would reflect the patterns of windows in the upper floor of the terrace. The Carter Place elevation would be more varied in bulk and design, and this was considered to reflect the varied scale of buildings on Carter Place.

- 73 The Inspector considered that the building made an appropriate architectural statement that reflects the scale of the buildings on either side, and that the form, design and materials would create a lively appearance that would still be in harmony with the streetscene.
- 74 It is further concluded that the character and appearance of the area would not be harmed.
- 75 In terms of this current application the proposed building is identical to the one the Planning Inspector assessed, aside from the reduction in the ground floor footprint to the rear, and the solar panels on the roof.
- 76 Given that the Planning Inspectorate has accepted the bulk, design and massing of this building there is no objection raised to the development in these terms. It is therefore considered that the development meets the relevant policies of The Southwark Plan [UDP] 2007 and The London Plan, and should be granted on this basis.

Impact on character and setting of a listed building and/or conservation area

- 77 It was previously considered under the application 09-AP-1559 that although the application site was located just outside the boundary of the Sutherland Square Conservation Area, the mass and bulk of the proposed building to the rear would have an adverse impact on its setting and views out of the conservation area.
- 78 The Planning Inspector on the other hand concluded that the scheme was of a satisfactory design, and that public views of the development from the Conservation Area would be almost entirely absent, and as such there is no impact on the Sutherland Square Conservation Area.
- 79 Similarly, given the suitable design and bulk of the building it is considered that the development would preserve the setting of the listed shopfront located at 305 Walworth Road (opposite).

Impact on trees

- 80 There are two protected trees at the site (subject to a TPO), Tree T1 is a Sycamore approximately 15m in height, and the second, Tree T2 is a Lime approximately 5m in height.
- 81 The proposed development has been designed around the root protection area (in accordance with BS 5837) of the Sycamore, with some crown pruning with some balancing of the crown being acceptable. The proposed development has also been designed around the Lime tree, with the front building line being pulled back from Walworth Road and allowing for a small amenity space to be provided.
- 82 The Arboricultural Team have assessed the proposed development, and associated statement from the Arboricultural and Woodland Consultants, and is satisfied that the health and vitality of the two TPO trees can be protected with the imposition of conditions, should consent be granted.

Environmental Protection

- 83 The Environmental Protection Team, as mentioned, have no great concerns with either the Environmental Noise Survey or Air Quality Assessment, although they

commented that the developer has not fully considered using the layout of the units to mitigate against the challenging environmental conditions at the site. Of particular concern is that bedrooms are located along Walworth Road and could be subject to high noise levels. The Environmental Protection Team therefore recommend that the internal arrangement should be revisited to address this issue, although this is not considered a reason for refusal.

- 84 Furthermore, the habitable rooms along this facade may need to be mechanically ventilated. Details of this ventilation and ambient noise levels could be conditioned if consent is granted.

Archaeology

- 85 The site in question is located on the Walworth Road, one of the major, historic routeways through Southwark. Its location is immediately adjacent to the Archaeological Priority Zone of Walworth Village. The site in question appears to have remained as open ground as far back as the map evidence held by the Council indicated, therefore there is the potential for archaeological remains from the early post-medieval period and medieval periods to be present on site. The nature of archaeological remains from this period, due to the rural nature of the site, have the potential to be shallow and lacking in deep stratigraphy.

- 86 The proposal includes a basement and therefore the loss of all archaeological significance from the site is likely should such potential be present and no protection measures are incorporated. To comply with policy HE6 of PPS5 and policy 3.19 'Archaeology' of the Southwark Plan the applicant is required to supply adequate information to enable the archaeological significance of the site to be assessed.

- 87 In this case this would be an archaeological evaluation. The site is currently clear open land so there are no obvious constraints to such work being undertaken. The Archaeological Officer requested that this evaluation be done prior to determination, however given the limited timeframes in which determination is required this was not possible in this instance.

- 88 However, to ensure an adequate archaeological evaluation is undertaken prior to the development, conditions will be imposed requiring this is undertaken and submitted to the Council for approval prior to any works commencing at the site.

- 89 The Archaeological Officer can, on request, provide an archaeological brief detailing the methodology of the archaeological programme and can also provide information concerning archaeological organisations who work frequently within the Borough and who may be able to carry out the works.

Waste

- 90 The plans indicate two separate waste storage spaces, one being located near the residential entrance, and another smaller one located near the secondary access from Carter Place. There are no further details of the use (whether it is for residential or commercial use) size of the bins, if there is recycling available, or collection details.

- 91 However, it appears that the larger of the two spaces relates to the residential component of the mixed-use scheme, and therefore the smaller would relate to the commercial element. At the time of writing further information was being sought from the application in this regard.

- 92 Each waste store appears large enough to accommodate separate refuse and recycling for the residential and commercial elements respectively. Therefore it is considered that should consent be granted, it would be suitable for a condition to be imposed requiring further detail to be provided and approved prior to occupation of the units.

Sustainability

- 93 The previous application was not accompanied by a Sustainability Statement, although some measures were outlined within the design and access regarding some basic energy efficiency measures.
- 94 Within the Appeal, the applicant submitted a Renewable Energy Report which proposed solar thermal collectors and solar photovoltaic panels which would achieve a 20% reduction in predicted carbon dioxide emissions.
- 95 The Planning Inspector felt the technology would be at odds with the brown roof then proposed, and there were no plans provided to show their arrangement and potential visual impact.
- 96 The application plans have been amended since the previous application (09-AP-1559) to include the solar panels on the main roof space above the third floor level, and a smaller area above the second floor level to the rear.
- 97 As shown on the elevational plans the proposed solar panels would project slightly above the roofline of the building, however in reality the vast majority of views toward the building will be from ground level and it would be unlikely that any view of these panels would harm the appearance of the building or its wider setting.
- 98 The proposed panels would obviously provide wider benefits which would overcome any concern raised relating to visual appearance.
- 99 The development now meets Policies 4A.7 'Energy Efficiency and Renewable Energy' and 4A.9 'Providing for Renewable Energy' of the London Plan and Policies 3.3 'Sustainability Assessment', 3.4 'Energy Efficiency', and 3.5 'Renewable Energy' of The Southwark Plan [UDP] 2007.

Flood Risk

- 100 As mentioned above, the Environment Agency supports the application provided the measures detailed within the submitted Flood Risk Assessment (FRA) are adhered to, and secured by way of condition, should consent be granted.

Planning obligations (S.106 undertaking or agreement)

- 101 As discussed above, the applicant has entered into a S.106 legal agreement exempting future occupiers from obtaining car parking permits.

Sustainable development implications

- 102 As discussed above.

Other matters

- 103 Residents have raised the issue of covenants, in particular that the land was historically gifted to the community, however, these are not material planning matters.
- 104 The subject site is not proposed as being Borough Open Land (BOL) within the proposed Core Strategy, and for that matter the site is not currently as BOL land. However it is important to note that a late submission was received, from a then Ward Councillor, within the recent Examination in Public proposing to the Planning Inspector that the land should be designated as such. Although the Council has not formally pursued such a designation itself.
- 105 The Inspector decision on the soundness and detail of the Core Strategy is still

awaited and may be issued in December 2010. Until this time the Core Strategy policies should be considered as currently having no weight when determining planning applications. Applications should continue to be determined pending receipt of the Inspector's report primarily in accordance with the saved policies in the Southwark Plan 2007 and the London Plan 2008.

Conclusion on planning issues

- 106 Overall, the Planning Inspectors decision regarding the similar development previously refused scheme (09-AP-1559) is a significant material consideration that needs to be taken into account, and for reasons further explored above, it is considered that the current amended application has sufficiently overcome the previous outstanding concerns and is now in compliance with the relevant policies of The Southwark Plan [UDP] 2007 and The London Plan, and should be granted on this basis, subject to conditions.

Community impact statement

- 107 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.

Consultations

- 108 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 109 Details of consultation responses received are set out in Appendix 2.

- 110 Summary of consultation responses

- The development will remove one of the only green spaces along Walworth Road and this should be retained, as it provides much needed amenity space and the green space is believed to have been covenanted to the public. This public space and its historic character will be lost forever. The Council should compulsory purchase the property to retain public access to the amenity space, contributing to the public realm. The greenspace contributes to a sense of local identity.
- A detailed archaeological study is required to ensure there is no loss of remains..
- The design does not relate to the immediate context and is lacking in all aspects, there is no architectural relations with adjoining buildings, and the scale and massing show no respect to neighbouring properties. The scheme is overdevelopment.
- Loss of view of a historic building (Old Police Station).
- Further information is required regarding servicing and construction management
- The development is an overdevelopment with too many residential units within this space.
- There will be no car parking provided and there will be further pressure placed on the already strained residents car parking within the area.

- There are too many fast food takeaways within the area, in particular A3 class shops, with many struggling to pay rent.
- There will be noise and refuse pollution from the development.
- The development would remove the protected trees from the site.

Human rights implications

111 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

112 This application has the legitimate aim of providing a mixed use development at the site including housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1065-292 Application file: 10-AP-2796 Southwark Local Development Framework and Development Plan Documents	Regeneration and Neighbourhoods Department 160 Tooley Street London SE1 2TZ	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone:: 020 7525 5470 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received

AUDIT TRAIL

Lead Officer	Gary Rice Head of Development Management
Report Author	Fennel Mason
Version	Final
Dated	3/11/10
Key Decision	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER

Officer Title	Comments Sought	Comments included
Strategic Director of Communities, Law & Governance	no	n/a
Strategic Director of Regeneration and Neighbourhoods	no	n/a
Strategic Director of Environment and Housing	no	n/a
Date final report sent to Constitutional / Community Council / Scrutiny Team	8 November 2010	

APPENDIX 1

Consultation undertaken**Site notice date:**

20 October 2010

Press notice date:

21 October 2010

Case officer site visit date:

20 October 2010

Neighbour consultation letters sent:

21 October 2010

Internal services consulted:

Archaeological Officer
 Arboricultural Officer
 Access Officer
 Design and Conservation Officer
 Environmental Protection
 Metropolitan Police
 Transportation Team
 Waste Management

Statutory and non-statutory organisations consulted:

Environment Agency
 Transport for London

Neighbours and local groups consulted:**Neighbour Consultee List for Application Reg. No. 10-AP-2796**

TP No	TP/1065-292	Site	292 WALWORTH ROAD, LONDON, SE17 2TE
App. Type	Full Planning Permission		

Date Printed	Address
21/10/2010	4 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	36 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	5 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	7 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	6 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	35 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	30 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	2 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	31 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	34 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	32 SUTHERLAND WALK LONDON SE17 3EF
21/10/2010	16 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
21/10/2010	15 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
21/10/2010	17 ABBEY COURT MACLEOD STREET LONDON SE17 3HA

21/10/2010 19 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 18 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 14 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 10 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 1 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 11 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 13 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 12 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 FLAT 1 302 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 2 302 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 312A WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 FLAT 3 302 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 5 300 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 325 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 321 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 329 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FLAT 2 300 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 4 CADIZ STREET LONDON SE17 2TJ
 21/10/2010 285 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 281 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 264-276 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 301 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 1 SUTHERLAND WALK LONDON SE17 3EF
 21/10/2010 290 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 318-320 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 TEMPLE BAR 284-286 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 289-291 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 297 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 296 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 TOP FLOOR FLAT 296 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 THIRD FLOOR FLAT 294 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 210-211 CARTER PLACE LONDON SE17 2TF
 21/10/2010 BASEMENT AND GROUND FLOOR 277-279 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 REAR OF 262 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 SECOND FLOOR FLAT 294 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 2 277-279 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FLAT 1 277-279 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FLAT 3 277-279 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 SECOND FLOOR FLAT 329 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 SECOND FLOOR FLAT 324A WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 GROUND FLOOR 280 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FIRST FLOOR AND SECOND FLOOR 331-333 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 314 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 307-319 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 GROUND FLOOR 294 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FIRST FLOOR AND SECOND FLOOR 285 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 REAR OF 294 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 298 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 BASEMENT PART GROUND FLOOR FIRST FLOOR SECOND FLOOR AND THIRD FLOOR 296 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 7 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 6 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 8 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 29 SUTHERLAND WALK LONDON SE17 3EF
 21/10/2010 9 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 5 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 20 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 2 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 21 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 4 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 3 ABBEY COURT MACLEOD STREET LONDON SE17 3HA
 21/10/2010 1 BUTTERWORTH TERRACE SUTHERLAND WALK LONDON SE17 3EJ
 21/10/2010 FIRST FLOOR FLAT 280 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FIRST FLOOR FLAT 329 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FIRST FLOOR FLAT 294 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FIRST FLOOR SECOND FLOOR AND THIRD FLOOR FLAT 325 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FIRST FLOOR SECOND FLOOR AND THIRD FLOOR FLAT 323 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FIRST FLOOR AND SECOND FLOOR FLAT 306 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 3 BUTTERWORTH TERRACE SUTHERLAND WALK LONDON SE17 3EJ
 21/10/2010 2 BUTTERWORTH TERRACE SUTHERLAND WALK LONDON SE17 3EJ
 21/10/2010 3 SUTHERLAND WALK LONDON SE17 3EF
 21/10/2010 ABOVE 287 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 262A WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 1 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 2 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 4 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 3 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 5 PEARLEC HOUSE WALWORTH PLACE LONDON SE17 2DL
 21/10/2010 FLAT 2 PEARLEC HOUSE WALWORTH PLACE LONDON SE17 2DL
 21/10/2010 FLAT 1 PEARLEC HOUSE WALWORTH PLACE LONDON SE17 2DL
 21/10/2010 FLAT 3 PEARLEC HOUSE WALWORTH PLACE LONDON SE17 2DL
 21/10/2010 FLAT 314 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 FLAT 4 PEARLEC HOUSE WALWORTH PLACE LONDON SE17 2DL

21/10/2010 FLAT 5 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 13 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 12 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 14 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 16 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 15 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 11 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 7 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 6 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 8 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 10 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 9 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FIRST FLOOR FRONT FLAT 300 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FIRST FLOOR 324A WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 11 WALWORTH PLACE LONDON SE17 2TQ
 21/10/2010 FLAT 1 312A WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 FLAT 2 312A WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 MAISONETTE FIRST AND SECOND FLOOR 327 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 4 EAST STREET LONDON SE17 2DN
 21/10/2010 REAR OF 304 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 6 EAST STREET LONDON SE17 2DN
 21/10/2010 8 EAST STREET LONDON SE17 2DN
 21/10/2010 FLAT 3 304 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 5 327 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 PART GROUND FLOOR 331-333 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 FLAT 2 304 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 1 304 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 278 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 262 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 LIVING ACCOMMODATION TEMPLE BAR 284-286 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 282 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 324 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 308 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 306 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 310 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 322 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 316 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 288 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 295 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 293 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 299 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 305 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 303 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 287 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 300 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 302 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 283 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 304 WALWORTH ROAD LONDON SE17 2TE
 21/10/2010 FLAT 24 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 23 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 22 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 18 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 17 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 19 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 21 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 FLAT 20 OLD STATION HOUSE 1 CARTER PLACE LONDON SE17 2GD
 21/10/2010 343-345 WALWORTH ROAD LONDON SE17 2AL
 21/10/2010 335 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 337 WALWORTH ROAD LONDON SE17 2AL
 21/10/2010 2 EAST STREET LONDON SE17 2DN
 21/10/2010 341 WALWORTH ROAD LONDON SE17 2AL
 21/10/2010 326 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 FLAT 316 WALWORTH ROAD LONDON SE17 2NA
 21/10/2010 331-333 WALWORTH ROAD LONDON SE17 2TG
 21/10/2010 THIRD FLOOR FLAT 329 WALWORTH ROAD LONDON SE17 2TG
 20/06/1837 via email XXX
 20/06/1837 60 Sutherland Square London SE17 3EL
 20/06/1837 48 Sutherland Square London SE17 3EE
 20/06/1837 Cancer Research UK Angel Building 407 St John Street London EC1V 4AD
 20/06/1837 94 Penrose House Penrose Grove Walworth London SE17 3EA

Re-consultation:

N/A

APPENDIX 2**Consultation responses received****Internal services**Internal consultees

Archaeological Officer - requested that an archaeological evaluation is undertaken prior to determination, however this is unable to be undertaken given the restricted timeframe for meeting statutory targets and having the application heard at Community Council. For this reason conditions are recommended to be imposed requiring that such evaluation is undertaken with details submitted to the LPA for approval prior to any works commencing on site.

Arboricultural Officer - does not object to the development provided suitable conditions are imposed to facilitate protection of the TMO trees.

Access Officer - the dwelling conforms to lifetime homes standard and Part M of the Building Regulations, so there is no objection in this regard.

Design and Conservation Officer - had previous concerns with the development although the Planning Inspector's decision is a material consideration which has accepted the bulk, scale and design of the building. See above for further considerations.

Environmental Protection - have no great concerns with either the Environmental Noise Survey or Air Quality Assessment, but have requested a condition is imposed requiring a suitable internal ambient noise level within the residential units.

Metropolitan Police - no issues.

Transportation Team - in principle supports the scheme, although condition further details regarding cycle and waste storage to be provided, in addition to a service management plan. Refer to considerations above for further information.

Waste Management - no response received.

Statutory and non-statutory organisations

Environment Agency - supports the application provided the measures detailed within the submitted Flood Risk Assessment (FRA) are adhered to, and secured by way of condition.

Transport for London - supports the scheme provided there is a Delivery and Servicing Plan for both the residential and commercial elements is provided, in addition to a Construction Management Plan and Construction Logistics Plan.

Neighbours and local groups

A total of 22 letters of objection have been received from the follow:

- No address given x 4
- 29, 30, 31, 36, 48 and 60 Sutherland Square
- 34 Sutherland Walk
- 302 Walworth Road

- 83 Kingsfield Road, Watford
- 64 Reedworth Street
- 38 Fielding Street
- 94 Penrose House, Penrose Grove
- 40 Southwell Court, Camberwell
- 68 Lorrimore Road
- St Pauls Vicarage, Lorrimore Square
- The Long Run Venture, 49 Carnaby Street
- Cancer Research UK
- Cllr Anood Al-Samerai
- Cllr Catherine Bowman

The reasons for objection are summarised as follows:

- The development will remove one of the only green spaces along Walworth Road and this should be retained, as it provides much needed amenity space and the green space is believed to have been covenanted to the public. This public space and its historic character will be lost forever. The Council should compulsory purchase the property to retain public access to the amenity space, contributing to the public realm. The greenspace contributes to a sense of local identity.
- A detailed archaeological study is required to ensure there is no loss of remains..
- The design does not relate to the immediate context and is lacking in all aspects, there is no architectural relations with adjoining buildings, and the scale and massing show no respect to neighbouring properties. The scheme is overdevelopment.
- Loss of view of a historic building (Old Police Station).
- Further information is required regarding servicing and construction management
- The development is an overdevelopment with too many residential units within this space.
- There will be no car parking provided and there will be further pressure placed on the already strained residents car parking within the area.
- There are too many fast food takeaways within the area, in particular A3 class shops, with many struggling to pay rent.
- There will be noise and refuse pollution from the development.
- The development would remove the protected trees from the site.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Applicant Bower Trading Ltd
Application Type Full Planning Permission
Recommendation Grant permission

Reg. Number 10-AP-2796

Case Number TP/1065-292

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of four storied building, plus basement, comprising 330m² of A1 / A3 use at basement and ground floor, with 9 self contained residential units located at first, second and third floor levels (comprising 1x studio, 6 x one bed and 2 x two bed units); with cycle and refuse storage at ground floor and hard and soft landscaping.

At: 292 WALWORTH ROAD, LONDON, SE17 2TE

In accordance with application received on 24/09/2010

and Applicant's Drawing Nos. 0291 F 0 001 2; 0291 F 0 100 2; 0291 F 0 200 2; 0291 D 0 001 2; 0291 D 0 099 2; 0291 D 0 100 2; 0291 D 0 101 2; 0291 D 0 102 2; 0291 D 0 103 2; 0291 D 0 104 2; 0291 D 0 105 2; 0291 D 0 200 2; 0291 D 0 201 2; 0291 D 0 202 2; 0291 D 0 203 2; 0291 D 0 300 2; 0291 D 0 301 2; 0291 D 0 400 2.

Air Quality Assessment, Code for Sustainable Homes - Level 3, Design and Access Statement, Flood Risk Assessment Report, Environmental Noise Survey and PPG24 Assessment Report 3690/PPG, Planning Support Statement, Renewable Energy Report and Transport Planning Practice.

Subject to the following condition:

- 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 development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: 0291 D 0 001 2; 0291 D 0 099 2; 0291 D 0 100 2; 0291 D 0 101 2; 0291 D 0 102 2; 0291 D 0 103 2; 0291 D 0 104 2; 0291 D 0 105 2; 0291 D 0 200 2; 0291 D 0 201 2; 0291 D 0 202 2; 0291 D 0 203 2; 0291 D 0 300 2; 0291 D 0 301 2; 0291 D 0 400 2.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 3 Samples of all 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 the facing materials in the interest of the appearance of the building in accordance with Policies 3.12 'Quality in design' of The Southwark Plan [UDP] 2007.

- 4 Prior to the commencement of works details of the arrangements for the storing of domestic refuse shall be submitted to and approved by the local planning authority in writing, the residential units shall not be occupied until the facilities approved have been provided and are available for use by the occupiers of the dwellings. The facilities shall thereafter be retained for refuse storage and the space used for no other purpose without the prior written consent of the Council as local planning authority.

Reason:

In order that the Council may be satisfied that suitable facilities for the storage of refuse will be provided and retained in the interest of protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with policies 3.2 'Protection of Amenity' and 3.7 'Waste Reduction' of The Southwark Plan [UDP] 2007.

- 5 Prior to the commencement of works details of the arrangements for the storing of commercial refuse shall be submitted to and approved by the local planning authority in writing, the commercial units shall not be occupied until the facilities approved have been provided and are available for use by the occupiers of the unit/s. 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 policies 3.2 'Protection of Amenity' and 3.7 'Waste Reduction' of The Southwark Plan [UDP] 2007.

- 6 The cycle storage facilities as shown on the floor plans 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 policies 3.2 'Protection of Amenity' and 5.3 'Walking and Cycling' of The Southwark Plan [UDP] 2007.

- 7 All residential units shall be designed to attain the following internal noise levels:
Bedrooms- 30dB LAeq,T* and 45dB LAfmax
Living rooms- 30dB LAeq, T*
*T- Night-time 8 hours between 23:00-07:00 and daytime 16 hours between 07:00-23:00.

After completion of works but prior to occupation or use, a test shall be carried out to show the above criterion has been met and the results shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007 and PPG 24: Planning and Noise.

- 8 The development shall not commence until details of a Service Management Plan has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The use shall thereafter operate in strict accordance with the approved Service Management Plan.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of traffic disturbance or other nuisance in accordance with Policy 3.2 'Protection of Amenity' of The Southwark Plan [UDP] 2007.

- 9 The development shall not commence until details of a Construction Management Plan has been submitted to, and approved in writing by the Local Planning Authority for that part of the development. The use shall thereafter operate in strict accordance with the approved Construction Management Plan.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of construction disturbance or other nuisance, and to ensure that there is no impact on the transportation network in accordance with Policies 3.2 'Protection of Amenity' and 5.2 'Transport impacts' of The Southwark Plan [UDP] 2007.

- 10 Details of the means by which the existing trees on the site are to be protected from damage by vehicles, stored or stacked building supplies, waste or other materials, and building plant or other equipment shall be submitted (2 copies) to and approved by the Local Planning Authority before any work is begun, and such protection shall be installed and retained throughout the period of the works.

Reason

In order to ensure the health and vitality of the existing vegetation at (and neighbouring) the site is maintained, in accordance with policies 3.1 'environmental effects' and 3.2 'Protection of amenity' of the Southwark Plan (UDP) 2007.

- 11 Details (to include details of trial holes or trenches to check for the position of roots) of the foundation works to

be used in the construction of this development showing how the roots of the trees will be protected shall be submitted (2 copies) to and approved by the Local Planning Authority before any work in connection with this permission is carried out. The use shall thereafter operate in strict accordance with the approved details.

Reason

In order to ensure the health and vitality of the existing vegetation at (and neighbouring) the site is maintained, in accordance with policies 3.1 'environmental effects' and 3.2 'Protection of amenity' of the Southwark Plan (UDP) 2007.

- 12 Detailed drawings of a landscaping scheme, 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 local planning authority 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 ensure that the proposed development would provide a reasonable standard of amenity for future and neighbouring occupiers in accordance with policies 3.1 Environmental effects and 3.2 Protection of amenity of the Southwark Plan 2007.

- 13 Prior to the commencement of works, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the local planning authority and the development shall not be carried out otherwise than in accordance with any approval given. The development hereby permitted shall not be occupied until the works approved pursuant to this condition have been carried out.

Reason:

To ensure that the replacement boundary walls will respect the character and appearance of the streetscene in accordance with policies 3.12 Quality in design and 3.13 Urban design of The Southwark Plan 2007.

- 14 No development shall take place within the proposed development site until the applicant, or their agents or their successors in title, has secured the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation, which has been submitted to the local planning authority and approved in writing.

Reason:

To ensure that the archaeological operations (programme of archaeological evaluation works) are undertaken to an appropriate standard, that the archaeological interests of the site are appropriately managed, that any findings are appropriately disseminated, that any recovered artefacts are conserved and that the information is archived.

- 15 No development shall take place within the proposed development site until the applicant, or their agents or their successors in title, has secured the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which has been submitted to the local planning authority and approved in writing.

Reason:

To ensure that the archaeological operations (programme of archaeological mitigation works) are undertaken to an appropriate standard, that the archaeological interests of the site are appropriately managed, that any findings are appropriately disseminated, that any recovered artefacts are conserved and that the information is archived.

- 16 Within six months of the completion of archaeological site works the applicants will supply an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive and this document has been submitted to the local planning authority and approved in writing.

Reason:

To ensure that any findings are appropriately disseminated, that any recovered artefacts are conserved and that the information is archived and the project is published in a suitable way. This will be demonstrated by the production of a document following the guidance of Management of Archaeological Projects II (MAP II assessment report).

- 17 The development shall only proceed in strict accordance with the approved Flood Risk Assessment (FRA).

Reason

To ensure the safety of future occupiers in accordance with Planning Policy Statement (PPS) 25: 'Development and Flood Risk' 2006.

- 18 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure of any building hereby permitted without the prior written consent of the Local Planning Authority.

Reason

In order to ensure that no additional plant etc. is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with Policies 3.2 'Protection of Amenity', 3.12 'Quality in Design' and 3.13 'Urban Design' 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 of the Southwark Plan [July 2007]:

Policy 1.4 (Employment Sites outside Preferred Office and Industrial Locations) advises that for all developments located outside POLs and PILs which have an established B Class Use, subject to certain criteria, development will be permitted provided there is no net loss of floorspace in Class B, subject to a number of exceptions.

Policy 1.7 (Development within Town and Local Centres) seeks to ensure that most new development for retail and other town centre uses are accommodated within existing town and local centres. Within the centres, developments providing a range of uses will be permitted providing a defined set of criteria is met.

Policy 3.1 (Environmental effects) seeks to ensure there will be no material adverse effect on the environment and quality of life resulting from new development.

Policy 3.2 (Protection of amenity) advises that permission will not be granted where it would cause a loss of amenity.

Policy 3.3 (Sustainability Assessment) protects against the loss of amenity, including disturbance from noise, to present and future occupiers on or in the vicinity of the application site.

Policy 3.4 (Energy Efficiency) advises that development should be designed to maximise energy efficiency.

Policy 3.5 (Renewable energy) advises that development should draw on at least 10% of the energy requirements from on-site renewable energy production equipment or renewable energy sources.

Policy 3.6 (Air Quality) advises that permission will not be granted for development that would lead to a reduction in air quality.

Policy 3.7 (Waste reduction) states that all developments are required to ensure adequate provision of recycling, composting and residual waste disposal, collection and storage facilities, and in relation to major developments this will include addressing how the waste management hierarchy will be applied during construction and after the development is completed.

Policy 3.11 (Efficient Use of Land) seeks to ensure that developments make an efficient use of land as a key requirement of the sustainable use of land, whilst protecting amenity, responding positively to context, avoids compromising development potential of adjoining sites, making adequate provision for access, circulation and servicing, and matching development to availability of infrastructure.

Policy 3.12 (Quality in design) requires new development to achieve a high quality of architectural and urban design.

Policy 3.13 (Urban Design) advises that principles of good design must be taken into account in all developments.

Policy 3.18 (Setting of Listed Buildings Conservation Areas and World Heritage Sites) advises that permission will not be granted for developments that would not preserve or enhance the immediate views and/or wider settings of a listed building, conservation area or world heritage site.

Policy 3.19 (Archaeology) advises that planning applications within Archaeological Priority Zones (APZ) should be accompanied by an archaeological assessment and evaluation of the site, including the impact of the proposed development.

Policy 4.1 (Density of residential development) states that residential development will be expected to comply with a range of density criteria taking into account the quality and impact of any non residential uses, and in relation to efficient use of land, having regard to factors such as location and public transport accessibility levels, facilitating a continuous supply of housing in London, but subject to high quality housing being provided and balanced against the need for other uses which also contribute to the quality of life.

Policy 4.2 (Quality of residential accommodation) states that planning permission will be granted for residential accommodation provided that they achieve good quality living conditions; and include high standards of accessibility, including seeking to ensure that all new housing is built to Lifetime Homes Standards; privacy and outlook; natural sunlight and daylight; ventilation; space including suitable outdoor/green space; safety and security; protection from pollution, including noise and light pollution.

Policy 5.2 (Transport Impacts) states that permission will not be granted for development which has an adverse impact on transport networks through significant increases in traffic or pollution and consideration has been given to impacts on the Transport for London road network as well as adequate provision for servicing, circulation and access to and from the site.

Policy 5.3 (Walking and cycling) seeks to ensure that there is adequate provision for cyclists and pedestrians within developments, and where practicable the surrounding area

Policy 5.6 (Car Parking) states that all developments requiring car parking should minimise the number of spaces provided.

b] Residential Design Standards [SPD] 2008

c] Policies 4A.7 'Energy Assessment', 4A.9 'Renewable Energy' and 4B.1 'Design principles for a compact city' of The London Plan 2008 consolidated with alterations since 2004.

d] PPS1: Delivering Sustainable Development, PPS3: Housing, PPS5: Planning for the Historic Environment and PPS25: Development and Flood Risk.

e] PPG 15 'Planning and the historic environment' and PPS 23 'Planning and Pollution Control'

Particular regard was had to the bulk, scale and design of the proposed development and the resulting loss of a previously undeveloped site, but it was considered that the development would be appropriate for this site with the imposition of conditions. The mixed landuse proposed is considered acceptable on this vacant site, there would be no material impact on the amenities of neighbouring occupiers, the quality of accommodation for further occupiers is also considered to be acceptable and there would not be any material harm to the transportation network. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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MEMBERS & EXTERNAL DISTRIBUTION LIST MUNICIPAL YEAR 2010-2011
WALWORTH COMMUNITY COUNCIL

Note: Original held by Constitutional Team (Community Councils)
(Tel: 020 7525 7385)

	Copies		Copies
To all members of the community council			
Councillor Martin Seaton (Chair)	1	Geoffrey Banister	1
Councillor Neil Coyle (Vice-Chair)	1	Ground Floor	
Councillor Catherine Bowman	1	160 Tooley Street	
Councillor Patrick Diamond	1		
Councillor Dan Garfield	1		
Councillor Lorraine Lauder MBE	1		
Councillor Darren Merrill	1		
Councillor Abdul Mohammed	1	Borough Commander	1
Councillor Helen Morrissey	1	Southwark Police Station 323 Borough High Street London SE1 1JL	
Other Members			
Councillor Lisa Rajan	1		
		Trade Unions	
Libraries	6	UNISON Southwark Branch	1
Local Studies Library	1	Roy Fielding, GMB/APEX	1
		TGWU/ACTS	1
		Tony O'Brien, UCATT	1
Press			
Southwark News	1	Housing Offices	
South London Press	1	Walworth Area Housing Office	1
		One Stop Shop Walworth 151 Walworth Road London, SE17 1 RY	1
Members of Parliament			
Harriet Harman M.P.	1		
Simon Hughes M.P.	1		
GLA			
Valerie Shawcross	1	Total	47
GLA Building			
City Hall			
Queen's Walk			
London SE17 2AA			
Constitutional Officer (Community Councils) (at CLG, Tooley Street – Second Floor – Hub 4)	15		
Becky Baker (Tooley St - Fifth Floor, Hub 2)	1		
Suzan Yildiz (Tooley St - Second Floor, Hub 2)	1		