

Walworth Community Council Planning

Wednesday 27 July 2011

7.00 pm

InSpire at St Peter's, Liverpool Grove, London, SE17 2HH

Membership

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

Members of the committee are summoned to attend this meeting

Annie Shepperd

Chief Executive

Date: Tuesday 19 July 2011



Order of Business

Item No.	Title	Time
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	Time
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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 1 - 4)

To confirm as a correct record the minutes of the meeting held on 17 May 2011.

6. DEVELOPMENT CONTROL ITEMS (Pages 5 - 9)

**6.1. PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE,
LONDON, SE17 1PY (Pages 10 - 38)**

Date: Tuesday 19 July 2011

INFORMATION FOR MEMBERS OF THE PUBLIC

CONTACT: Gerald Gohler, Constitutional Officer, Tel: 020 7525 7420
or email: gerald.gohler@southwark.gov.uk
Website: www.southwark.gov.uk

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Walworth Community Council

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U-Baahnaanshaha Luqadda

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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আপনি যদি নিজের ভাষায় কমিউনিটি কাউন্সিল সম্পর্কে তথ্য পেতে চান তাহলে 020 7525 7385 নম্বরে ফোন করুন অথবা 160 Tooley Street, London SE1 2TZ ঠিকানায় গিয়ে অফিসারদের সাথে দেখা করুন।

Yoruba:

Awon Kosemani Fun Ede

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

Igbo:

Asusu

I choo imata gbasara Council na asusu gi ikpoo ha n'okara igwe 020 7525 7385 ma obu igaa hu ndi oru ha na 160 Tooley Street, London SE1 2TZ

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Twi:

Kasaa ohohia,

se wopese wo hu nsem fa Community Councils ho a, sesa saakasa yie ko wo kuro kasa mu. wo be tumi afre saa ahoma torofo yie 020 7525 7385 anase ko sra inpanyinfo wo 160 Tooley Street, London SE1 2Tz.

Planning at Community Council Meetings

This sheet will tell you about what happens at the meeting when the community council considers a planning application, a planning enforcement case or other planning proposals.

The community council must follow the same rules and procedures as the council's main planning committee.

The items are heard in the order printed on the agenda, but the chair may change the running order of the items.

At the start of each item, the council's planning officer will present the report about the planning application and answer points raised by Members of the committee. After this, the following people may speak on the application if they wish, but **not more than 3 minutes each**:

1. A representative (spokesperson) for the objectors, if there is more than one objector wishing to speak the time is then divided within the 3 minute time slot.
2. The applicant or their agent
3. A representative for any supporters who live within 100 metres of the development site
4. A ward councillor from where the proposal is located

The chair will ask the speakers to come forward to speak. Once the speaker's three minutes has elapsed, members of the committee may ask questions of them, relevant to the roles and functions of the community council

Members of the committee will then debate the application and consider the recommendation.

Note

If there are several objectors or supporters, they have to identify a representative who will speak on their behalf. If more than one person wishes to speak, the 3 minute time allowance must be shared amongst those who wish to speak. Objectors may wish to meet with other objectors in the foyer of the hall prior to the start of the meeting to appoint a representative.

Speakers should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already on the report.

The arrangements at the meeting may be varied at the discretion of the Chair.



WALWORTH COMMUNITY COUNCIL - Planning -

MINUTES of the Walworth Community Council held on Tuesday 17 May 2011 at 7.00 pm at InSpire at St Peter's, Liverpool Grove, London, SE17 2HH

PRESENT:	Councillor Martin Seaton (Chair) Councillor Neil Coyle (Vice-Chair) Councillor Catherine Bowman Councillor Patrick Diamond Councillor Dan Garfield Councillor Darren Merrill
OFFICER SUPPORT:	Rob Bristow, Group Manager West Team Suzan Yildiz, Senior Planning Lawyer Victoria Lewis, Team Leader 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: Lauder, Mohamed and Morrissey.

3. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

There were none.

4. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

There were none.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 15 March 2011 be agreed as a correct record and signed by the chair.

6. DEVELOPMENT CONTROL ITEMS

7. DRAPER HOUSE, ELEPHANT AND CASTLE, LONDON, SE1 6SX

Planning application 11-AP-0195

PROPOSAL

Erection of an externally illuminated sign on the northern elevation of Draper House for a temporary period during refurbishment works.

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

Members asked questions of the officer.

There were no objectors present.

The applicant was not present.

No local supporters were present and no councillor wished to speak in their capacity as ward member.

Members discussed the application.

RESOLVED:

That application 11-AP-0195 be refused on the grounds that the scale, nature and proximity of the proposal to the Tabernacle building has a detrimental visual impact on the setting of the listed tabernacle building, which is a significant heritage asset, contrary to policies 3.18 and 3.23 of the Southwark Plan, SP12 of the Core Strategy and 4B11 and 4B12 of the London Plan.

8. 31 COBOURG ROAD, LONDON, SE5 0HT

Planning application 10-AP-3365

PROPOSAL

Proposed refurbishment of Grade II listed dwelling, involving part demolition and rebuild of rear wall of building, re-roofing to main roof and re-building of roof to bay window, works to basement tanking, plaster renewal, and structural repairs

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

Members asked questions of the officer.

There were no objectors present.

The applicant was not present.

No local supporters were present and no councillor wished to speak in their capacity as ward member.

Members discussed the application.

RESOLVED:

That application 10-AP-3365, for listed building consent, be approved subject to the conditions set out in the report and subject to referral to the Secretary of State for final determination.

9. 31 COBOURG ROAD, LONDON, SE5 0HT

Planning application 10-AP-3363

PROPOSAL

Proposed refurbishment of Grade II listed dwelling, involving part demolition and rebuild of rear wall of building, re-roofing to main roof and re-building of roof to bay window.

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

Members asked questions of the officer.

There were no objectors present.

The applicant was not present.

No local supporters were present and no councillor wished to speak in their capacity as ward member.

Members discussed the application.

RESOLVED:

That application 10-AP-3363 be approved subject to the conditions set out in the report.

The meeting ended at 8.57 pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 27 July 2011	Meeting Name: Walworth Community Council
Report title:		Development Management	
Ward(s) or groups affected:		All within Walworth Community council area	
From:		Deputy Chief Executive	

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 Part 3F which describes the role and functions of the planning committee and Part 3H which describes the role and functions of community councils. These were agreed by the annual meeting of the council on 19 May 2010 and amended on 20 October 2010. The matters reserved to the planning committee and community councils exercising planning functions are described in parts 3F and 3H 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 Secretary of State for Communities and Local Government 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 Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the Council's case at appeal which may be substantial if the matter is dealt with at a public inquiry.
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 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 communities, law and governance, 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

communities, law & governance. 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 2TZ	Kenny Uzodike 020 7525 7236
Each planning committee item has a separate planning case file	Council Offices, 5th Floor 160 Tooley Street, London SE1P 5LX	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	1 October 2010	
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 27 July 2011

Appl. Type	Full Planning Permission	Reg. No.	10-AP-3760
Site	PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE, LONDON, SE17 IPY	TP No.	TP/4038-1
		Ward	East Walworth
		Officer	Fennel Mason

Recommendation GRANT PERMISSION

Item 6.1

Proposal

The erection of a three storey semi detached building comprising 2 x 3 bedroom residential units against the gable wall of 7 John Maurice Close, with associated waste and cycle storage

Item No. 6.1	Classification: Open	Date: 27 July 2011	Meeting Name: Walworth Community Council
Report title:	Development Management planning application: Application 10-AP-3760 for: Full Planning Permission Address: PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE, LONDON, SE17 1PY Proposal: The erection of a three storey semi detached building comprising 2 x 3 bedroom residential units against the gable wall of 7 John Maurice Close, with associated waste and cycle storage.		
Ward(s) or groups affected:	East Walworth		
From:	Head of Development Management		
Application Start Date 24 February 2011		Application Expiry Date 21 April 2011	

RECOMMENDATION

- 1 Grant planning permission subject to conditions.

BACKGROUND INFORMATION

This application is referred to Walworth Community Council owing to the number of objections received.

Site location and description

- 2 The application relates to 11 car parking spaces located to the northern side of John Maurice Close, immediately adjacent to a 3 storied residential building at 7 John Maurice Close. The site is also located adjacent to a row of 2 storey buildings known as 1-6 John Maurice Close.
- 3 John Maurice Close is exclusively residential in character and is a relatively recent development, with the majority of buildings being 3 storeys in height. The street is also privately owned, and is therefore not managed by Southwark Council.
- 4 The site is located within the Central Activity Zone and Air Quality Management Area, and is not located within a Conservation Area. The site is located within the setting of a listed building at 172 New Kent Road known as Driscoll House.

Details of proposal

- 5 Planning permission is sought to construct a part one and part three storey building comprising two x 3 bedroom dwellings on the car parking spaces and attached to the flank wall of 7 John Maurice Close.
- 6 The proposed ground floor will occupy much of the site, with outdoor amenity space

being provided for each of the two new dwellings. The first and second floor portion of the building is stepped back to more closely match the width of 7 John Maurice Close. The development will create a small light well between the existing and proposed buildings, to retain natural light and natural ventilation to the existing bathroom windows of 7 John Maurice Close.

- 7 The materials used in the construction of the building would be brick work with aluminium windows, a combination of aluminium and timber doors and sections of glass bricks. The development would also include the provision of sedum roofs on all flat roof areas and two small solar thermal panels.
- 8 There is existing covered bin storage located at the site which is associated with the residential flats at 7 John Maurice Close. It is proposed to demolish this and replace an alternative refuse storage within the new development, also including refuse and recycle storage provision for the new houses.
- 9 The development will provide separate amenity spaces measuring approximately 23.0m² and 25.0m² in area for the dwellings. The development provides space for cycle storage for each of the proposed units within these outdoor amenity spaces.
- 10 The applicant has proposed to create 6 parking spaces on John Maurice Close, and dedicating two of these spaces to the new dwellings (although only four have been shown on the plans).

Planning history

- 11 Outline planning permission (91/662) was granted in October 1992 for the demolition of existing office / workshop / warehouse premises and redevelopment of the site for residential purposes. Application for the approval of siting, design, appearance and access were Reserved Matters within the approval.
- 12 Planning application (09-AP-2888) for the erection of a part one/part three storey development comprising two 3 bedroom houses against gable wall, with associated waste and cycle storage was withdrawn in March 2011.
- 13 It was likely that the application was to be refused with the main concerns being the loss of the car parking and the associated impact on the transportation network which had not been justified. There was also a concern over safety and designing out crime, relating to a void space to the rear of the building.

Planning history of adjoining sites

- 14 Certificate of Lawfulness (09-AP-1213) was granted in September 2009 for the conversion of single garage to interior room with the garage door being replaced with a flush window and brick work to match the existing at 6 John Maurice Close.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 15 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) the impact on the character and appearance of the street scene

- c] the impact on the transportation environment
- d] the impact on the amenity of neighbouring occupiers
- e] the quality of accommodation for future occupiers of the development
- f] safety and security.

Planning policy

16 Core Strategy 2011

- Strategic Policy 1 – Sustainable development
- Strategic Policy 2 – Sustainable transport
- Strategic Policy 5 – Providing new homes
- Strategic Policy 7 - Family Homes
- Strategic Policy 12 – Design and conservation
- Strategic Policy 13 – High environmental standards

17 Southwark Plan 2007 (July) - saved policies

- 3.1 'Environmental Effects'
- 3.2 'Protection of Amenity'
- 3.4 'Energy Efficiency'
- 3.6 'Air Quality'
- 3.7 'Waste Reduction'
- 3.9 'Water'
- 3.11 'Efficient Use of Land'
- 3.12 'Quality in Design'
- 3.13 'Urban Design'
- 3.14 'Designing out Crime'
- 3.18 'Setting of listed buildings, conservation areas and world heritage sites'
- 3.31 'Flood Defences'
- 4.2 'Quality of Residential Accommodation'
- 5.2 'Transport Impacts'
- 5.3 'Walking and Cycling'
- 5.6 'Car Parking'

Residential Design Standards SPD (2008)

18 London Plan 2008 consolidated with alterations since 2004

- 3A.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.1 Tackling climate change
- 4A.2 Mitigating climate change
- 4A.3 Sustainable design and construction
- 4A.11 Living roofs and walls
- 4A.12 Flooding
- 4A.13 Flood risk management
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world-class architecture and design
- 4B.6 Safety, security, fire prevention and protection
- 4B.8 Respect local context and communities

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

PPS 1: Planning for Sustainable Communities
 PPS 3: Housing
 PPS 5: Planning for the Historic Environment
 PPG 13: Transport
 PPS 25: Development and Flood Risk
 SPG: Sustainable Design and Construction

Principle of development

- 20 The principle of a resident development within this area is acceptable given that the street, and wider area is generally residential in character. However, particular consideration needs to be given to the scale and nature of the development, and whether it would be in keeping with the character of the area, and ensure that there is no material impact on neighbouring occupiers.

Environmental impact assessment

- 21 None required with the scale and nature of this development.

Amenity

Neighbouring Occupiers

- 22 One of the main concerns raised by neighbouring occupiers is the potential for the proposed building to result in a loss of daylight and sunlight access to neighbouring properties and outdoor amenity spaces.
- 23 The proposed ground floor extends over much of the site, and the first and second floors are basically in line with the existing width of the adjoining building (7 John Maurice Close). The proposed building will extend 1300mm beyond the front and rear building lines of 7 John Maurice Close at first and second floor level.
- 24 The development therefore does not project to be within 45° (horizontal) of the centre of any window on the front or rear facade of this existing building.
- 25 Furthermore, as the row of terrace buildings at 1-6 John Maurice Close face the subject site, the bulk and height of the building has been designed to ensure that it does not project above 25° from the centre of the ground floor windows.
- 26 Likewise, the proposed building would not project above 25° from the centre of the ground floor windows associated with the properties located facing the subject site (23-27 John Maurice Close).
- 27 In accordance with the Residential Design Standards [SPD] 2008 if a proposed development exceeds these measures, there *may* be an unacceptable loss of daylight to the affected window.
- 28 It is also important to note that there is a vertical row of obscure glazed bathroom windows located at ground, first and second floor levels on the flank wall of the adjoining building of 7 John Maurice Close. Whilst the proposed building has created a lightwell around these windows in an attempt to retain natural ventilation and some natural light, there is no specific requirement to retain a measurable amount of natural sunlight and daylight, as the windows themselves do not relate to habitable rooms.

- 29 The applicant has also submitted correspondence from Right of Light Consulting, who have considered the application against the Building Research Establishment [BRE] Digest 209 entitled 'Site Layout Planning for Daylight and Sunlight' 1991. Within this document there is a test known as the 25 degree rule and the 45 degree rule, which the proposal would comply with, as stated above. Concerns have been raised that the proposal should be assessed against RICS guidance for assessing impact on light (Royal Institute of Chartered Surveyors). However, the Council's adopted Residential Design Standards SPD refers to the BRE guidance and this is widely accepted by the Planning Inspectorate.
- 30 Right of Light Consulting confirms that the development satisfies these simple 25 and 45 degree tests, and that further detailed daylight and sunlight tests are not required. This test aligns with that daylight and sunlight guidance located within the Residential Design Standards [SPD] 2008.
- 31 Furthermore, there was consideration of overshadowing of the gardens to the adjoining properties, the rear of ground floor of 7 John Maurice Close in particular. The BRE guidance suggests that no more than two fifths of the garden area (as a result of the proposed development) should remain in permanent shadow. Owing to the orientation of the site relative to neighbouring gardens, Right of Light Consulting are of the opinion that the development would also comply with this test (in fact no more than one quarter in this instance).
- 32 Overall, it is considered that the development has been sufficiently designed to avoid any material loss of daylight and sunlight to any neighbouring habitable room windows.
- 33 Another concern raised by neighbouring occupiers is that there would be overlooking and a resultant loss of privacy.
- 34 Developments should be arranged to safeguard the amenity and privacy of neighbouring occupiers and this includes issues around overlooking.
- 35 The Residential Design Standards [SPD] 2008 seeks a minimum distance of 12.0m between the front of a proposed building and any existing elevation that fronts onto a highway; the properties at 1-6 John Maurice Close face the subject site and a separation distance of 12.0m should therefore be sought.
- 36 The main bulk of the proposed development is located approximately 11.5m from these dwellings located at 1-6 John Maurice Close (to the west). Whilst there is a negligible shortfall of 0.5m for this separation guidance, it is recommended that a condition is imposed to obscure glaze the second floor windows on the western elevation to prevent overlooking. It is therefore not considered that the development would create demonstrable harm to the levels of privacy experienced at these neighbouring properties given the separation and proposed fenestration (a combination of high level glazing and glass bricks). The materials will be subject to approval by way of a condition, should consent be granted.
- 37 Aside from these properties, the windows at first and second floor level of the subject building are located approximately 23.0m from the buildings located opposite on John Maurice Close (to the south) and approximately 19.4m to the nearest building on Baytree Mews. The main bulk of the building (first and second floors) are also located approximately 26.1m to Driscoll House, 172 New Kent Road.
- 38 Given that the main bulk of the building is located more than 21m from all buildings to the north (aside from 8 Baytree Mews) and south, it is considered that this separation distance would ensure that there would be no material harm caused from overlooking

or loss of privacy.

- 39 With regard to 8 Baytree Mews, although the upper floors of the proposed building would be located approximately 19.4m away, it is still considered that the separation distance would be sufficient to ensure that there would be no material harm caused to the occupiers of this neighbouring building.
- 40 Overall, it is not considered that the proposed building would result in overlooking or loss of privacy which would be so demonstrably harmful as to warrant a refusal of the application.
- 41 With regard to outlook from neighbouring buildings it is considered that this would be sufficiently maintained. However, it is noted that the ground floor flat within the adjoining building at 7 John Maurice Close would have an adjoining wall constructed at 2.5m high and 11.6m in length to the rear. This wall would be reduced in height by approximately 150mm along the middle section, and would also be pulled back from the boundary by 300mm along this same middle section. This would act to break up the visual appearance and bulk, and it is proposed to incorporate trellis and planting (such as creepers) in this space. Should consent be granted, a condition to secure appropriate landscaping is recommended.
- 42 Effectively the wall is not significantly higher than a fence which could be expected to be built in this location. It is not considered that the outlook from the rear of this residential unit would be unduly impacted on.
- 43 For the reasons provided above, it is considered that the development would comply with strategic policy 13 'High Environmental Standards' of the Core Strategy [2011], saved policy 3.2 'Protection of amenity' of the Southwark Plan [2007] and the Residential Design Standards SPD [2008].

Future Occupiers

- 44 The unit and overall room sizes all meet and exceed the minimum standards as outlined within the Residential Design Standards [SPD] 2008, with the future occupiers benefiting from a good level of daylight and sunlight access, privacy and outlook.
- 45 Whilst the SPD seeks to provide 50.0m² of outdoor amenity space for each dwelling, it is considered that there is a sufficient amount of usable outdoor amenity space (approximately 23.0m² and 25.0m² in area) associated with each of the proposed dwellings which would meet the needs of future occupiers, and it is recognised that the SPD standard is not always possible to achieve.
- 46 The proposed refuse storage areas for each of the new dwellings would provide sufficient capacity to meet the likely refuse and recycling generated by future occupiers. This is considered further below.
- 47 The quality of residential accommodation for the future occupiers is considered to be satisfactory and the houses would be built to lifetime homes standard. The development therefore meets strategic policy 13 'High Environmental Standards' of the Core Strategy [2011], saved policy 4.2 'Quality of residential accommodation' of the Southwark Plan [2007] and the Residential Design Standards [2008].

Ownership of Land

- 48 One of the main reasons of concern to neighbouring occupiers is the displacement of the car parking spaces, and specifically a concern that many neighbouring occupiers

(in particular those within 7 John Maurice Close) have a legal right to park within the spaces to be built upon. This is ultimately an issue of land ownership which is not a material planning consideration. Concerns have also been raised that there are no legal rights to park on the road on John Maurice Close and therefore four replacement parking spaces cannot be provided. Again, this relates to a land ownership issue which is not a material planning consideration. If it transpires that the applicant does not have the right to build on the parking spaces, then it would not be possible to build the scheme, if permission is granted. Ultimately is a private matter between parties, and as discussed further below, car parking within John Maurice Close is self-regulated and the Council has no jurisdiction with regard to parking within this street.

Traffic issues

- 49 A key concern for neighbouring occupiers relates to the displacement of the car parking spaces, and the resulting impact on parking capacity and transport safety.
- 50 This proposal is located in an area with a high TfL PTAL (public transport accessibility level) of (6a) reflecting the areas high level of access to all forms of public transport. Developments in areas with this PTAL rating are required to be car free in order to promote more sustainable transport choices and reduce congestion and pollution within Southwark.
- 51 The proposed development will build upon a total of 11 existing off-street car parking spaces. These spaces, although have been claimed to be unused by the applicant, were occupied at the time of a site visit. Furthermore, occupiers of 7 John Maurice Close (and other occupiers) have claimed that these car parking spaces are legally leased to them and that these should be retained as such.
- 52 There is lack of agreement regarding the legal right to park on John Maurice Close, with the applicants proposing to provide 6 car parking spaces on the street, 2 of which are for the dedicated use of future occupiers of the subject site. Many of the neighbouring occupiers claim that there is no legal right for anyone to park on this private street.
- 53 John Maurice Close is a private road and as such the Council has no objection to the rearrangement of the car parking spaces in this instance. Existing car parking within John Maurice Close is self regulating and Southwark Council Parking Enforcement has no jurisdiction within this street. Therefore the Council is unable to control who can park where.
- 54 There appears to be no formal car parking spaces within John Maurice Close on the street itself and residents have advised that this is not permitted. The Council can consider however, the impact of the proposal on the wider street network and on roads that are managed by the Highway Authority, and this is discussed below.
- 55 The applicant has submitted a Parking Stress Survey (prepared by Engineering Consultancy Limited) which shows there to be 73 car parking spaces within 200m of the site. Parking capacity within the surrounding street network (including Henshaw Street, Chatham Street, Balfour Street, Victory Place, and Munton Road) is considered to be sufficient to accommodate any displaced car parking associated with this application.
- 56 It is noted that several neighbouring occupiers have mentioned that this parking survey was undertaken when the Heygate Estate was vacant, and therefore given the number of unoccupied residential units within the area at the time, the survey has shown a low level of car parking which is not accurate.

- 57 The future redevelopment of the Heygate Estate (and other sites within the area) would need to conform to relevant policies seeking to minimise private car usage and promote the use of sustainable transportation options, cycling, walking and the use of car clubs. The Council are presently seeking zero car parking (aside from disabled car parking) for the redevelopment of Heygate. As such, the likely reliance on private cars would be low.
- 58 As such, Officers consider that there is sufficient capacity within the surrounding street networks to accommodate any displacement.
- 59 Further to this the Transport Planning Team have requested future occupiers of this site should be made exempt from obtaining car parking permits given that the site is located within a Controlled Parking Zone (CPZ).
- 60 However, given that there is considered to be sufficient capacity within the nearby street network, it is not considered necessary to require this.
- 61 With regard to encouraging walking and cycling, in accordance with saved policy 5.3 'Walking and Cycling' of The Southwark Plan [UDP] 2007 the applicant has provided suitable cycle storage space within the curtilage of each of the dwellings.
- 62 Servicing and refuse collection will be undertaken from John Maurice Close. Due to site constraints no off-street serving facility can be provided. Residents have raised concerns that if vehicles have to park on the street, refuse collection and emergency vehicle access will be impeded. However, given the nature of the proposed development and the central location of the bin stores it is not thought there will be many service vehicle movements associated with the above application, or refuse vehicles stationary in the highway for an extended period. As the road is private, the Council cannot prevent people from parking on the street.
- 63 Overall, for the reasons outlined above it is not considered that the development would have a material impact on the functioning of the transportation environment on either John Maurice Close or the surrounding street network. As such, the development complies with saved policies 5.2 'Transport Impacts', 5.3 'Walking and Cycling' and 5.6 'Car Parking' of the Southwark Plan 2007 and strategic policy 2 'Sustainable transport' of the Core Strategy 2011.

Design issues

- 64 Concern has been raised from neighbouring occupiers that the proposed development is not in keeping with the character and appearance of the neighbourhood, and that the design is poor.
- 65 It is the opinion of Officers that when viewed in isolation, these houses would have a considerable amount of architectural interest and quality, as well as a good level of residential amenity. They represent an innovative solution to an unusual and restricted building plot, exemplifying an approach that is appropriate for the centre of London where house building plots are becoming increasingly rare.
- 66 The height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately. The urban structure, space and movement of a proposal should have regard to the existing urban grain, development patterns and density in the layout of development sites. Proposals should also be designed with regard to their local context, making a positive contribution to the character of the areas townscape and providing active frontages.

- 67 In terms of height, scale and massing the proposed development is considered to be generally acceptable, although the only direct response to the existing building is a reflection of the gutter level in the proposed parapet / flat roof. The width of the proposed houses is 6.5m which equals the width of the adjacent unit type. The depth of the proposed two houses (on the upper two levels) slightly exceeds that of the adjacent block which is approximately 8.8m, by 1.3m to front and rear.
- 68 Whilst it could be argued that it is unfortunate that this does break down the direct contextual response, it could also be said that this relates to the stepping in of the houses opposite the site.
- 69 Saved Policy 3.12 'Quality in design' of the Southwark Plan 2007 requires that developments achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. New buildings should embody a creative and high quality appropriate design solution, specific to their sites shape, size, location and development opportunities.
- 70 Viewed in context however, the issue of their compatibility with the rest of the housing estate is going to be mostly reliant on the use of a matching brick, as the proposal has a unique contemporary character which will appear as somewhat incongruous relative to the standard 'suburban' quality of the existing, with their pitched roofs and repetitive fenestration.
- 71 The Council would not expect or require a new proposal to merely repeat the design of the existing, as they are not of an architectural or urban design quality that would merit replication. In all cases however, the Council expects new buildings to make a tangible response to their context, and in this case Officers consider the use of matching materials to be a basic but acceptable response. It is noted that the intent for the window heads to match those adjacent will also establish a degree of relationship.
- 72 The nearby listed building, Driscoll House at 172 New Kent Road, must also be considered with regard to any impact this proposal will have on its setting. As the proposal will relate to the existing housing scheme in terms of scale and materials, it is considered that the impact the contemporary design will have (over that which already exists from the existing buildings) will be negligible.
- 73 Overall, whilst there is architectural interest in their stepping form and varied fenestration, the two houses will very much be viewed as modern interventions that are staking a claim for their own character and identity within a larger housing scheme. There are no objections on design grounds to this proposal, subject to conditioned approval, should consent be granted, of the brick work and pointing which needs to match the existing. Concerns have been raised regarding density, and that the estate has already been developed to an appropriate level. The density of the development would equate to 200 habitable rooms per hectare which would comply with strategic policy 5 of the Core Strategy however, which permits a density range of between 650-1,100 habitable rooms per hectare in the central activities zone.
- 74 As such, it is considered that the proposed development complies with saved 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 2007, strategic policy 12 'Design and conservation' of the Core Strategy 2011 and PPS5: Planning for the Historic Environment.

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

- 75 As discussed above.

Impact on trees

- 76 Neighbouring occupiers have raised concern regarding the loss of an existing hedgerow adjoining 7 John Maurice Close, and the removal of a Collingwood Ingram Japanese Maple. There are concerns that there would be a resulting impact on the character of the street and on the diversity of plants and animals (including birds and foxes).
- 77 Representations have stated that the tree is subject to an application for a Tree Preservation Order (TPO). However, the Council's Urban Forester considers that given that the tree is only a sapling, that it is not located within a conservation area or of significant enough importance, it is unlikely to become protected.
- 78 As such, the tree and hedge are not protected and their removal is not considered to create harm to the character of the street or quality of the environment.
- 79 It is important to note that the applicant is providing sedum roof areas on all flat roof parts of the development which will encourage biodiversity and help to mitigate any such impact arising from the removal of the vegetation.

Security and Safety

- 80 Another concern raised by neighbouring occupiers relates to the use and design of a small space to the rear of the subject site and the existing wall to the rear of properties on Baytree Mews (to the north of the site).
- 81 The concern is that this area would provide cover for criminals (such as burglars and muggers) and although narrow, the space will still allow someone to conceal themselves there.
- 82 The space in question is roughly rectangular in shape, and most of the space is within the application site. The land within the application site is full width of the site and measures approximately 6.5m in depth and 1.3m in width. It is proposed to plant this area and fence it with visually permeable railings and a locked gate at each end for access and maintenance purposes.
- 83 In addition to this, there is a thin elongated triangular sliver of land of the same depth but a maximum of 0.4m in width. This land is not under the control of the applicant, although they have attempted to obtain the land from the owners (understood to be 6 John Maurice Close) to enable a comprehensive use of this otherwise unusable piece of land, and to provide a fully fenced area to improve safety and security issues raised by neighbouring occupiers.
- 84 Given that this land was unable to be obtained to form part of the application site, the applicants have used best attempts to overcome this issue of safety and security.
- 85 The Metropolitan Police have therefore been consulted on this application, and they consider that the proposed use of this area would not pose a risk to safety or security given the use of permeable railings which would retain visibility of this area, that the space is small, and that the residential units at 1-6 John Maurice Close would face the area in question and would therefore have active surveillance of this space.
- 86 There was also concern regarding the fencing off of the rear area, given that if there was a fire residents of 7 John Maurice Close would be unable to escape through the rear garden as this access would be locked.

87 The building at 7 John Maurice Close remains open to the rear and is separated from the nearest building to the east by approximately 15m. There remains sufficient space available for occupiers of this building to escape in the case of emergency.

88 As such, it is considered that the proposed development would not be contrary to strategic policy 13 'High Environmental Standards' of the Core Strategy [2011] and saved policy 3.14 'Designing out crime' of the Southwark Plan [2007].

Waste Management

89 The proposed development would require the relocation of the existing bin storage area understood to be associated with the residential units at 1-6 John Maurice Close.

90 The redevelopment of the site would provide a replacement refuse storage area for these adjoining residential units, comprising adequate space for refuse and recycling storage.

91 Weekly refuse generation for a 3 bedroom dwelling is 240L per week, with an additional 50% recycling capacity being sought, which would total 120L per week. The proposed refuse and recycling areas would be able to contain this likely weekly waste generation.

92 The proposed refuse and recycling storage areas are considered to be sufficient to meet the waste needs of present and future occupiers. As such the development is considered to be in accordance with strategic policy 13 'High Environmental Standards' of the Core Strategy [2011] and saved policy 4.2 'Quality of residential accommodation' of the Southwark Plan [2007].

Planning obligations (S.106 undertaking or agreement)

93 None

Sustainable development implications

94 All developments are required to maximise energy efficiency and to minimise and reduce energy consumption and carbon dioxide emissions, and a development should incorporate renewable energy technology and design.

95 The proposed development is to incorporate rainwater harvesting systems, green roof technology and solar thermal panels which is welcomed. The 2.0m² south facing solar panels will be supplied to each of the dwellings and according to the applicant will meet 20% of the development's energy requirements.

96 The development will also need to achieve Code for Sustainable Homes Level 4 and a condition to this effect is recommended.

97 As such, it is considered that the development would meet the relevant saved policies of The Southwark Plan [UDP] 2007, strategic policies of the Core Strategy 2011.

Flood Risk

98 The applicant has prepared and submitted in support of this application a Flood Risk Assessment Report (prepared by Ambiental Technical Solutions Ltd).

99 The application has therefore been assessed by the Environment Agency who has no objection to the development, subject to the imposition of conditions.

Other matters

- 100 A concern was also raised about construction effects impacting on the surrounding area. Whilst it is acknowledged that the area is undergoing a number of developments and has caused some disruption, the construction effects of the proposed development will be temporary in nature, and are not a material planning consideration. Demolition and construction is already controlled by requirements to adhere to numerous other legislative standards, such as Building Act 1984, Environmental Protection Act (EPA) 1990, Environment Act 1995, Air Quality Regulations 2000, and the Health and Safety at Work Act 1974.

Conclusion on planning issues

- 101 Overall, for the reasons provided above, it is considered that the proposed development is of a suitable bulk and design which would not create material harm to the character or appearance of the area, and would not result in material harm to the amenity of adjoining occupiers. Furthermore, the development would not result in safety or security concerns, and the quality of accommodation for future occupiers would be of a good standard. The development therefore complies with the relevant strategic policies of the Core Strategy 2011, the saved policies of the Southwark Plan 2007 and the Residential Design Standards SPD 2008. The development is therefore recommended for approval, subject to conditions.

Community impact statement

- 102 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

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

Consultation replies

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

Summary of consultation responses

Objection

- 104 58 objections from the following occupiers have been received:
- 1, 2, 3, 4, 6, 7, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32 and 33 John Maurice Close
 - Flats 1, 3, 4, 5 and 6, 7 John Maurice Close
 - Flats 1, 6 and 14, 8 John Maurice
 - Flat 3, 9 John Maurice Close
 - Flat 2, 13 John Maurice Close
 - Flats 1, 3, and 9, 14 John Maurice Close
 - Flats 3 4 and 6, 15 John Maurice Close

- 2 and 6 Baytree Mews
 - Flat 1 Wooster Place, Searles Road
 - Flat 9, The Paragon, 43 Searles Road
 - Flats 3, 6 and 7, 70 Searles Road
 - 86c Balfour Road
 - John Maurice Close Management Company Limited
 - Crabtree Property Management
 - Edwards Dining Rooms Limited (Freehold of 7 John Maurice Close)
 - Victoria Primary School (Rodney Road)
- No Address Provided - 5 objections to the proposal.
- Councillor Anood Al-Samerai (Riverside Ward)

Formally object to the application on behalf of the Liberal Democrat Council Group. Local residents are concerned that a previous and very similar application was refused for good reasons but they now have to make the case again. Concerns regarding:

- Parking spaces not suitable to be used for housing, if they were they would have been developed as part of the original development;
- The width of the road would be reduced and the road is already congested;
- Application not in keeping with the character of John Maurice Close;
- Loss of light and loss of mature green hedges;
- A local school is concerned regarding safety of school children;
- The development is inappropriate.

In addition a petition was received:

- Petition signed by 279 signatories (generally occupiers from John Maurice Close, Baytree Mews, Searles Road, Balfour Street, New Kent Road and Henshaw Street)

105 The neighbour objections have been summarised as following:

Transportation

- 106 There is concern that the application site is described as being 'disused' however many of the residents state that the car parking spaces are in constant use. There is already insufficient car parking available within the area, and the loss of the car parking spaces would increase congestion.
- 107 The development would remove 11 car parking spaces and whilst the developer has stated that they will provide 6 car parking spaces on the street (2 of which would be for future occupiers of the development), therefore creating a net loss of 7 car parking spaces.
- 108 Furthermore, the proposal to provide the car parking spaces on street is unrealistic as the road is too narrow and would obscure emergency vehicles.
- 109 The development will also make it difficult for the occupiers of 1-6 and 24-27 John Maurice Close to enter their garages or private car parking spaces.
- 110 The leasehold deed states that occupiers of 7 John Maurice Close have rights to park in the bays to be removed and that they have rights of access over this land.

On the plans, the street is a vehicular right of way so the applicant would not be able

- 111 to provide the additional car parking spaces on John Maurice Close, as this should remain free from vehicles parking.
- 112 The street is not wide enough to accommodate the 6 proposed car parking spaces, and would make the street impassable to delivery vehicles and emergency services.
- 113 The applicant states that they own the street, this is incorrect in that they own a share of it.
- 114 The loss of the car parking spaces will place pressure on the surrounding streets, including Searles Road.
- 115 The submitted parking survey does not take into account that the Heygate Estate is being redeveloped and as such is currently vacant. When the Estate is fully housed again this will lead to further stress on the parking availability.
- 116 Should consent be granted, there should be some control on construction vehicles, and to make good any damage caused to the road and footpath.
- 117 Resulting vehicle movements would be dangerous to pedestrians.

Design / Scale

- 118 The proposed development is out of character with the existing buildings in the area and is not architecturally integrated. The development would also cramp the street and be overdevelopment within this quiet street.
- 119 The bulk of the building is unacceptable and the density of the original development within John Maurice Close was set when it was granted planning permission. The proposed development would have a resulting unacceptable density.
- 120 The design of the development is also not new, innovating or interesting. The materials are out of keeping with the remainder of the street and will look out of place with the rest of the street given its different design, such as the flat roof.
- 121 When the street was originally developed all the houses and flats were of the same design and style, which was considered the maximum density it could accommodate.
- 122 The proposed building will not complement the other buildings in the street.
- 123 There is concern that the proposed development would fail to preserve or enhance the setting of the listed Driscoll House at 172 New Kent Road.

Amenity

- 124 The development would result in a loss of daylight and sunlight access, as well as loss of access to light and air.
- 125 Occupiers 7 John Maurice Close also state that there would be a loss of all light to the bathroom windows (on the flank wall adjoining the proposed building) and that it would severely restrict sunlight into bedrooms, living rooms and kitchens.
- 126 Also communal gardens will be completely overshadowed and rendered unusable.
- 127 In particular some adjoining occupiers have concern that the development would block the view and light of their windows, and result in overlooking and a resultant loss of privacy to windows.

- 128 Occupiers of Baytree Mews are concerned that the new development would overlook their rear garden and result in a loss of sunlight to the rear garden and rear of the house, there would also be a loss of privacy as these are south facing rooms.
- 129 There would be an adverse affect on the character of the street as the developer will remove trees and hedges and the site comprises important green space. The loss of the tree would be extremely discouraging to residents.
- 130 The diversity or variety of plants and animals will be adversely affected by this proposal.
- 131 The tree is subject to an application for a Tree Protection Order (TPO)
- 132 There are questions as to how the fenced off area to the rear will be maintained
- 133 Loss of the refuse stores which will not be replaced and health and safety issues when rubbish collection cannot be completed due to restricted vehicle access.
- 134 The creation of the lightwell / flue area around the bathroom windows of the flank wall would result in smells from bathrooms and kitchens not being dissipated, with the lack of ventilation impacting on amenity. There are also questions regarding maintenance of this area.
- 135 The positioning of the proposed building against the flank wall would result in kitchens adjoining bedrooms for example, resulting in a loss of amenity.

Security and Safety

- 136 There will be a concealed area located behind the back of the proposed building and the brick wall which separates John Maurice Close and Baytree Mews. There is serious concern that this area would provide cover for criminals (such as burglars and muggers). Although narrow, the space will still allow someone to conceal themselves there.
- 137 Also a concern regarding the fencing off of the rear area as if there was a fire residents of 7 John Maurice Close would be unable to escape through the rear garden as it is proposed to fence off this area and have a locked gate.
- 138 There was a rise in burglaries and anti-social behaviour recently, but after the introduction of initiatives there has been a reduction in these activities.
- 139 Any installation of security lighting would have an impact on the amenity of neighbouring occupiers.

Construction Effects

- 140 A concern from some residents was also raised regarding the impact arising from the construction phase from trucks, builders, delivery vehicles, noise and dust.

Consultation

- 141 Some neighbouring occupiers claimed there was a lack of consultation.
- 142 One of the representations in support of the application is from the father of one of the applicants, the application is therefore not credible.

Support

143 Support from the following occupiers have been received:

- No Address Given (previous occupier of John Maurice Close)
- 5 John Maurice Close

144 Reasons for supporting the scheme are given below:

145 The new building would enhance the area and be more pleasant to look at than the current flank wall. The building would improve security of the area, as it would close down the escape route through the back of the properties.

146 The current land use is poor and the car park is of little visual interest, and the proposed contemporary design is welcomed.

Human rights implications

147 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.

148 This application has the legitimate aim of providing additional residential accommodation. 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

149 None

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/4038-1 Application file: 10-AP-3760 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, Planning Officer	
Version	Final	
Dated	27 July 2011	
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 Team		27 July 2011

Consultation undertaken

Site notice date:

21/03/2011

Press notice date:

17/03/2011

Case officer site visit date:

21/03/2011

Neighbour consultation letters sent:

18/03/2011

Internal services consulted:

Design and Conservation
 Transportation Team
 Metropolitan Police
 Urban Forester
 Waste Management

Statutory and non-statutory organisations consulted:

Environment Agency

Neighbours and local groups consulted:

Neighbour Consultee List for Application Reg. No. 10-AP-3760

TP No	TP/4038-1	Site	PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE, LONDON, SE17 1PY
App. Type	Full Planning Permission		

Date Printed	Address
18/03/2011	FLAT 4 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	FLAT 5 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	FLAT 3 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	FLAT 1 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	FLAT 2 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	FLAT 6 10 JOHN MAURICE CLOSE LONDON SE17 1PY
18/03/2011	31 JOHN MAURICE CLOSE LONDON SE17 1PZ
18/03/2011	32 JOHN MAURICE CLOSE LONDON SE17 1PZ
18/03/2011	30 JOHN MAURICE CLOSE LONDON SE17 1PZ
18/03/2011	28 JOHN MAURICE CLOSE LONDON SE17 1PZ
18/03/2011	29 JOHN MAURICE CLOSE LONDON SE17 1PZ
18/03/2011	FLAT 1 9 JOHN MAURICE CLOSE LONDON SE17 1PY

18/03/2011 FLAT 2 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 16 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 14 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 15 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 3 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 7 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 8 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 6 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 4 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 5 9 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 33 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 6 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 DRISCOL HOUSE NEW KENT ROAD LONDON SE1 4YT
 18/03/2011 FLAT 5 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 3 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 4 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 4 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 5 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 3 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 1 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 2 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 6 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 1 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 2 15 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 9 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 7 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 8 14 JOHN MAURICE CLOSE LONDON SE17 1PZ
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 18/03/2011 4 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 5 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 18 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 22 JOHN MAURICE CLOSE LONDON SE17 1PZ
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 18/03/2011 21 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 19 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 20 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 3 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 4 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 2 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 1 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 5 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 2 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 3 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 1 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 6 BAYTREE MEWS LONDON SE17 1PU
 18/03/2011 172 NEW KENT ROAD LONDON SE1 4YT
 18/03/2011 24 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 6 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 7 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 5 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 3 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 4 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 8 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 12 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 13 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 11 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 9 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 10 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 1 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 2 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 27 JOHN MAURICE CLOSE (flat 7) LONDON SE17 1PZ
 18/03/2011 25 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 26 JOHN MAURICE CLOSE LONDON SE17 1PZ
 18/03/2011 FLAT 3 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 1 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 2 8 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 6 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 4 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 FLAT 5 7 JOHN MAURICE CLOSE LONDON SE17 1PY
 18/03/2011 Marlborough House 298 Regents Park Road London N3 2UU

Re-consultation:

N/A

Consultation responses received

Internal services

Design and Conservation - does not object to the development with considerations provided in detail above. Comments have been incorporated into the main body of the report.

Transportation Team - does not object to the development with considerations provided in detail above. Comments have been incorporated into the main body of the report.

Metropolitan Police - have no objections to the development as it is considered that the area to the rear of the development would not increase the risk or threat of crime.

Urban Forester - no objections

Waste Management - no response at the time of writing

Statutory and non-statutory organisations

Environment Agency - does not object to the development subject to the imposition of a condition associated with groundwater protection, and other recommendations associated with flood risk.

Neighbours and local groups

Objection

Objections from the following occupiers have been received:

- 1, 2, 3, 4, 6, 7, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 27, 28, 29, 30, 31, 32 and 33 John Maurice Close
 - Flats 1, 3, 4, 5 and 6, 7 John Maurice Close
 - Flats 1, 6 and 14, 8 John Maurice
 - Flat 3, 9 John Maurice Close
 - Flat 2, 13 John Maurice Close
 - Flats 1, 3, and 9, 14 John Maurice Close
 - Flats, 3 4 and 6, 15 John Maurice Close
 - 2 and 6 Baytree Mews
 - Flat 1 Wooster Place, Searles Road
 - Flat 9, The Paragon, 43 Searles Road
 - Flats 3, 6 and 7, 70 Searles Road
 - 86c Balfour Road
 - John Maurice Close Management Company Limited
 - Crabtree Property Management
 - Edwards Dining Rooms Limited (Freehold of 7 John Maurice Close)
 - Victoria Primary School (Rodney Road)
 - No Address Provided x 5
-
- Petition signed by 279 signatories (generally occupiers from John Maurice Close, Baytree Mews, Searles Road, Balfour Street, New Kent Road and Henshaw

Street)

Councillor Anood Al-Samerai (Riverside ward)

Formally object to the application on behalf of the Liberal Democrat Council Group. Local residents are concerned that a previous and very similar application was refused for good reasons but they now have to make the case again. Concerns regarding:

- Parking spaces not suitable to be used for housing, if they were they would have been developed as part of the original development;
- The width of the road would be reduced and the road is already congested;
- Application not in keeping with the character of John Maurice Close;
- Loss of light and loss of mature green hedges;
- A local school is concerned regarding safety of school children;
- The development is inappropriate.

The neighbour objections have been summarised as following:

Transportation

There is concern that the application site is described as being 'disused' however many of the residents state that the car parking spaces are in constant use. There is already insufficient car parking available within the area, and the loss of the car parking spaces would increase congestion.

The development would remove 11 car parking spaces and whilst the developer has stated that they will provide 6 car parking spaces on the street (2 of which would be for future occupiers of the development), therefore creating a net loss of 7 car parking spaces.

Furthermore, the proposal to provide the car parking spaces on street is unrealistic as the road is too narrow and would obscure emergency vehicles.

The development will also make it difficult for the occupiers of 1-6 and 24-27 John Maurice Close to enter their garages or private car parking spaces.

The leasehold deed states that occupiers of 7 John Maurice Close have rights to park in the bays to be removed and that they have rights of access over this land.

On the plans, the street is a vehicular right of way so the applicant would not be able to provide the additional car parking spaces on John Maurice Close, as this should remain free from vehicles parking.

The street is not wide enough to accommodate the 6 proposed car parking spaces, and would make the street impassable to delivery vehicles and emergency services.

The applicant states that they own the street, this is incorrect in that they own a share of it.

The loss of the car parking spaces will place pressure on the surrounding streets, including Searles Road.

The submitted parking survey does not take into account that the Heygate Estate is being redeveloped and as such is currently vacant. When the Estate is fully housed again this will lead to further stress on the parking availability.

Should consent be granted, there should be some control on construction vehicles,

and to make good any damage caused to the road and footpath.

Resulting vehicle movements would be dangerous to pedestrians.

Design / Scale

The proposed development is out of character with the existing buildings in the area and is not architecturally integrated. The development would also cramp the street and be overdevelopment within this quiet street.

The bulk of the building is unacceptable and the density of the original development within John Maurice Close was set when it was granted planning permission. The proposed development would have a resulting unacceptable density.

The design of the development is also not new, innovating or interesting. The materials are out of keeping with the remainder of the street and will look out of place with the rest of the street given its different design, such as the flat roof.

When the street was originally developed all the houses and flats were of the same design and style, which was considered the maximum density it could accommodate.

The proposed building will not complement the other buildings in the street.

There is concern that the proposed development would fail to preserve or enhance the setting of the listed Driscoll House at 172 New Kent Road.

Amenity

The development would result in a loss of daylight and sunlight access, as well as loss of access to light and air.

Occupiers of John Maurice Close also state that there would be a loss of all light to the bathroom windows (on the flank wall adjoining the proposed building) and that it would severely restrict sunlight into bedrooms, living rooms and kitchens.

Also communal gardens will be completely overshadowed and rendered unusable.

In particular some adjoining occupiers have concern that the development would block the view and light of their windows, and result in overlooking and a resultant loss of privacy to windows.

Occupiers of Baytree Mews are concerned that the new development would overlook their rear garden and result in a loss of sunlight to the rear garden and rear of the house, there would also be a loss of privacy as these are south facing rooms.

There would be an adverse affect on the character of the street as the developer will remove trees and hedges and the site comprises important green space. The loss of the tree would be extremely discouraging to residents.

The diversity or variety of plants and animals will be adversely affected by this proposal.

The tree is subject to an application for a Tree Protection Order (TPO)

There are questions as to how the fenced off area to the rear will be maintained

Loss of the refuse stores which will not be replaced and health and safety issues when

rubbish collection cannot be completed due to restricted vehicle access.

The creation of the lightwell / flue area around the bathroom windows of the flank wall would result in smells from bathrooms and kitchens not being dissipated, with the lack of ventilation impacting on amenity. There are also questions regarding maintenance of this area.

The positioning of the proposed building against the flank wall would result in kitchens adjoining bedrooms for example, resulting in a loss of amenity.

Security and Safety

There will be a concealed area located behind the back of the proposed building and the brick wall which separates John Maurice Close and Baytree Mews. There is serious concern that this area would provide cover for criminals (such as burglars and muggers). Although narrow, the space will still allow someone to conceal themselves there.

Also a concern regarding the fencing off of the rear area as if there was a fire residents of 7 John Maurice Close would be unable to escape through the rear garden as it is proposed to fence off this area and have a locked gate.

There was a rise in burglaries and anti-social behaviour recently, but after the introduction of initiatives there has been a reduction in these activities.

Any installation of security lighting would have an impact on the amenity of neighbouring occupiers.

Construction Effects

A concern from some residents was also raised regarding the impact arising from the construction phase from trucks, builders, delivery vehicles, noise and dust.

Consultation

Some neighbouring occupiers claimed there was a lack of consultation.

One of the representations in support of the application is from the father of one of the applicants, the application is therefore not credible.

Support

Support from the following occupiers have been received:

- No Address Given (previous occupier of John Maurice Close)
- 5 John Maurice Close

Reasons for supporting the scheme are given below:

The new building would enhance the area and be more pleasant to look at than the current flank wall. The building would improve security of the area, as it would close down the escape route through the back of the properties.

The current land use is poor and the car park is of little visual interest, and the proposed contemporary design is welcomed.

RECOMMENDATION

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

Applicant	Mr M. Trentham Michael Trentham Architects	Reg. Number	10-AP-3760
Application Type	Full Planning Permission	Case Number	TP/4038-1
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

The erection of a three storey semi detached building comprising 2 x 3 bedroom residential units against the gable wall of 7 John Maurice Close, with associated waste and cycle storage

At: PARKING SPACES IN FRONT OF 1-6 JOHN MAURICE CLOSE, LONDON, SE17 1PY

In accordance with application received on 30/12/2010 08:00:20

and Applicant's Drawing Nos. Site plan, 123 (S)01, 123 (S)02, 123 (S)03, 123 (P)01 A, 123 (P)02 A, 123 (P)03 A, 123 (P)04 and 123 (P)05.

Daylight and Sunlight Study for Planning
Flood Risk Assessment Report
Parking Stress Survey
Design and Access Statement

Reasons for granting permission.

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

a] Strategic Polices of the Core Strategy 2011:

Strategic Policy 1 Sustainable Development which requires developments to improve the places we live in and work in and enable a better quality of life for Southwark's diverse population.

Strategic Policy 2 Sustainable Development which seeks to encourage walking, cycling and the use of public transport rather than travel by car.

Strategic Policy 5 Providing New Homes requires that developments meet the housing needs of people by providing high quality new homes in attractive environments, particularly in growth areas.

Strategic Policy 7 Family Homes requires developments to provide more family homes with three or more bedrooms for people on all incomes to help make Southwark a place which is affordable for people on all incomes.

Strategic Policy 12 Design and Conservation which requires the highest possible standards of design for buildings and public spaces.

Strategic Policy 13 High Environmental Standards which requires developments to meet the highest possible environmental standards.

b] Saved Policies of the Southwark Plan [July 2007]:

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

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 3.9 (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 3.14 (Designing out Crime) seeks to ensure that development in both the private and public realm is designed to improve community safety and crime prevention.

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 3.31 (Flood Defences) advises that permission will not be granted for development sited adjacent to the River Thames unless it is set back at a suitable distance from the river wall to allow for the replacement/repair of flood defences and for any future raising to be undertaken in a suitable and cost effective manner.

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.

c] Policies of the London Plan [2004]:

- 3A.1 Increasing London's supply of housing
- 3A.2 Borough housing targets
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.1 Tackling climate change
- 4A.2 Mitigating climate change
- 4A.3 Sustainable design and construction
- 4A.11 Living roofs and walls
- 4A.12 Flooding
- 4A.13 Flood risk management
- 4B.1 Design principles for a compact city
- 4B.2 Promoting world-class architecture and design
- 4B.6 Safety, security, fire prevention and protection
- 4B.8 Respect local context and communities

c] Planning Policy Statements [PPS] and Guidance Notes [PPG]:

- PPS 1: Planning for Sustainable Communities
- PPS 3: Housing

PPS 5: Planning for the Historic Environment
 PPG 13: Transport
 PPS 25: Development and Flood Risk
 SPG: Sustainable Design and Construction
 Residential Design Standards SPD (2008)

Particular regard was had to the potential impact on the character and appearance of the street, the impact on the amenity of neighbouring occupiers, community safety crime prevention and transport impacts. However it was considered that the proposed development, would not create any material harm, subject to the imposition of appropriate conditions and that there was adequate capacity on the surrounding streets to accommodate any overspill parking. It was therefore considered appropriate to grant planning permission having regard to the policies considered and other material planning considerations.

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: 123 (P)01 A, 123 (P)02 A, 123 (P)03 A, 123 (P)04 and 123 (P)05.

Reason:

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

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

Reason

In order that the Council may be satisfied that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with saved policies 3.2 'Protection of Amenity' and 3.7 'Waste reduction' of the Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 4 The area (as shown on drawing 123 (P)01 A) to the rear of the proposed building (the northern end of the site) shall be fenced with visually permeable railings and planted prior to occupation of the building. This area shall thereafter be retained as such and shall not be used for any other purpose without the prior written consent of the Council as local planning authority.

Reason:

In order to ensure that the area will be safe and secure in accordance with saved policy 3.14 'Designing out crime' of the Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 5 Details of the green roof 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 the green walls is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with saved policies 3.13 'Urban Design' and 3.28 'Biodiversity' of the Southwark Plan 2007 and strategic policy 1 'Sustainable development' of the Core Strategy 2011.

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

Reason:

In order to ensure that the development will achieve a good standard of amenity and to protect the amenity of neighbouring occupiers in accordance with saved policies 3.1 'Environmental effects' and 3.2 'Protection of amenity' of the Southwark Plan 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 7 The brickwork and pointing used in the carrying out of this permission shall match the original facing materials of the building at 7 John Maurice Close.

Reason:

To ensure that the new works blend in with the adjacent building in the interest of the design and appearance of the building in accordance with saved policy 3.12 'Quality in design' of the Southwark Plan 2007 and strategic policy 12 'Design and conservation' of the Core Strategy 2011.

- 8 The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

Reason:

To ensure that the Local Planning Authority is satisfied that the scheme is of a suitable standard of sustainable construction in accordance with saved policy 3.4 'Energy efficiency' of the Southwark Plan 2007 and strategic policy 13 'High environmental standards' of the Core Strategy 2011.

- 9 The second floor windows on the western elevation of the building shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing without the prior written approval of the Local Planning Authority.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 1-6 John Maurice from undue overlooking in accordance with saved policy 3.2 'Protection of Amenity' of the Southwark Plan [UDP] 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 10 Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the approved dwellings, without the prior written consent of the Local Planning Authority, to whom a planning application must be made.

Reason:

To ensure the protection of amenity of neighbouring occupiers in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan [UDP] 2007 and strategic policy 13 'High Environmental Standards' of the Core Strategy 2011.

- 11 Prior to the commencement of development approved by this planning permission the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
1. A preliminary risk assessment which has identified;
 - all previous uses;
 - potential contaminants associated with those uses;
 - a conceptual model of the site indicating sources, pathways and receptors;
 - potentially unacceptable risks arising from contamination at the site.
 2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Strategic Policy 13 'High Environmental Standards' of the Core Strategy 2011,

saved policy 3.1 'Environmental effects' of the adopted Southwark Plan 2007 and PPS 23 Planning and Pollution Control.

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MEMBERS & EXTERNAL DISTRIBUTION LIST MUNICIPAL YEAR 2011-2012
WALWORTH COMMUNITY COUNCIL (Planning)

Note: Original held by Constitutional Team (Community Councils)
(Tel: 020 7525 7420)

	Copies		Copies
To all members of the community council			
Councillor Martin Seaton (Chair)	1	Audit Manager	1
Councillor Darren Merrill (Vice-Chair)	1	Ground Floor	
Councillor Catherine Bowman	1	160 Tooley Street	
Councillor Neil Coyle	1		
Councillor Patrick Diamond	1		
Councillor Dan Garfield	1		
Councillor Lorraine Lauder MBE	1		
Councillor Abdul Mohamed	1	Borough Commander	1
Councillor Helen Morrissey	1	Southwark Police Station 323 Borough High Street London SE1 1JL	
Libraries (Newington, Brandon)	2		
Local History Library	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		
Constitutional Officer (Community Councils) (at CLG, Tooley Street – Second Floor – Hub 4)	15	TOTAL	37
Rob Bristow (Tooley St - Fifth Floor, Hub 2)	1		
Suzan Yildaz (Tooley St - Second Floor, Hub 2)	1		