

Planning Sub-Committee A

Tuesday 21 November 2017

7.00 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Membership

Councillor Leo Pollak (Chair)
Councillor Ben Johnson (Vice-Chair)
Councillor Nick Dolezal
Councillor Tom Flynn
Councillor Octavia Lamb
Councillor David Noakes
Councillor Kath Whittam

Reserves

Councillor David Hubber
Councillor Samantha Jury-Dada
Councillor Eleanor Kerlake
Councillor Sarah King
Councillor Cleo Soanes

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact Gerald Gohler on 020 7525 7240 or email: Gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 13 November 2017



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Planning Sub-Committee A

Tuesday 21 November 2017
7.00 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	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.	
6.	MINUTES	1 - 5
	To approve as a correct record the minutes of the meeting held on 3 October 2017.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 10
7.1	43 BELLENDEN ROAD, LONDON, SE15 5BB	11 - 32

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Note:

Development management items 7.3 and 7.4 are included as one report.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Date: 13 November 2017

Planning Sub-Committee

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site).
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) The members of the committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

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

Contacts: General Enquiries
 Planning Section, Chief Executive's Department
 Tel: 020 7525 5403

 Planning Sub-Committee Clerk, Constitutional Team
 Finance and Governance
 Tel: 020 7525 7420



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Tuesday 3 October 2017 at 7.00 pm at Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Leo Pollak (Chair)
 Councillor Ben Johnson (Vice-Chair)
 Councillor Nick Dolezal
 Councillor Tom Flynn
 Councillor Octavia Lamb
 Councillor David Noakes
 Councillor Kath Whittam

OTHER MEMBERS PRESENT: Councillor David Hubber
 Councillor Kieron Williams

OFFICER SUPPORT: Dennis Sangweme (Development Management)
 Margaret Foley (Legal Officer)
 Michael Glasgow (Development Management)
 Neil Loubser (Development Management)
 Amy Lester (Development Management)
 Beverley Olamijulo (Constitutional Officer)

1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

2. APOLOGIES

None were received.

3. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following member made a declaration regarding the agenda item below:

Item 7.1 The Clipper, 562 Rotherhithe Street, London SE16

Councillor David Noakes, non pecuniary because he received a copy of the resident's speech for the above application.

The chair pointed out that not all members of the sub-committee received a copy.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 – development management items
- Members' pack.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 18 July 2017 be approved as a correct record and signed by the chair.

7. DEVELOPMENT MANAGEMENT ITEMS

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during this time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation response, additional information and revisions.

7.1 THE CLIPPER, 562 ROTHERHITHE STREET, LONDON SE16 5EX

Planning application reference 17/AP/1766

Report: see pages 10 to 34 of the agenda and page 1 of the addendum report.

PROPOSAL

Redevelopment of the site to comprise a four storey building with commercial use (use class A1/A2) at ground floor and basement and 6 x 2 bed residential units on the first, second and third floors, with associated car and cycle parking.

The committee heard the officer's introduction to the report and addendum report, and asked questions of the officer.

Members asked further questions from the officers.

The committee heard representations from the objectors. The sub-committee asked questions of the objectors.

The applicant and applicant's agents addressed the committee. The committee asked questions of the applicant's agents.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

Councillor David Hubber addressed the committee in his capacity as ward councillor. Members of the committee asked questions of Councillor Hubber.

Members debated the application and asked further questions of officers.

A motion to grant planning permission was moved, seconded, put to the vote and declared carried.

RESOLVED:

That planning permission be granted subject to conditions.

7.3 GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5

The chair varied the running order of the agenda items. The committee considered item 7.3 before 7.2.

Planning application reference 17/AP/1333

Report: see pages 35 to 66 of the agenda and pages 1 to 2 of the addendum report.

PROPOSAL

Construction of 5-storey block adjoining Causton House and a 4-storey block located adjacent to Harford House to provide 6 x 1 bed, 6 x 2 bed and 5 x 3 bed residential units (17 units) together with associated landscaping.

The committee heard the officer's introduction to the report and addendum report and asked questions of the officer.

There were no objectors present that wished to address the meeting.

The applicant's agents addressed the committee. The committee asked questions of the applicant's agents.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

Councillor Kieron Williams addressed the committee in his capacity as ward councillor. Members of the committee asked questions of Councillor Williams.

A motion to grant planning permission was moved, seconded, put to the vote and declared carried.

RESOLVED:

That planning permission for application number 17/AP/1333 be granted, subject to conditions set out in the report and the addendum report.

The meeting adjourned for a five minute comfort break. The meeting reconvened at 8.55 pm.

7.2 10 BOMBAY STREET, LONDON SE16 3UX**Planning application reference 17/AP/0296**

Report: see pages 67 to 95 of the agenda and pages 2 to 7 of the addendum report.

PROPOSAL

Demolition of existing buildings and erection of a part 6 part 7 storey mixed-use building with 416sqm of flexible commercial and employment floorspace at ground and first floor level (Use Classes A1, A2, and B1), 18 flats (6 x 1 Bed , 8 x 2Bed & 4 x 3Bed) comprising 2 wheelchair accessible units in upper floors and associated private amenity areas, landscaping pedestrian access points, cycle parking and refuse storage.

The committee heard the officer's introduction to the report and addendum report and asked questions of the officer.

There were no objectors present that wished to address the meeting.

The applicant's agents addressed the committee. The committee asked questions of the applicant's agents.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

There were no ward members present who wished to speak at the meeting.

A motion to grant planning permission was moved, seconded, put to the vote and declared carried.

RESOLVED:

That planning permission for application number 17/AP/0296 be granted, subject to conditions set out in the report and the addendum report and the completion of a legal agreement which includes a provision for a viability review which will capture any subsequent uplift in the value of the shared ownership units that arises from an increase in market value and which includes the rental value of the units in the financial appraisal.

The meeting ended at 10.15 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 21 November 2017	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning sub-committee items members are asked, where appropriate:
 - a. 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.
 - b. 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.
 - c. 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.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to 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 maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning 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 director of planning 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.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning 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 director of law and democracy, and which is satisfactory to the director of planning. 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 director of law and democracy. The planning permission will not be issued unless such an agreement is completed.
14. 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. 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).

15. 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. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the 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).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Gerald Gohler 020 7525 7420
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	The named case officer as listed or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidi Agada, Constitutional Manager (Acting)	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	13 November 2017	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	13 November 2017	

ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A
on Tuesday 21 November 2017

Appl. Type Full Planning Application
Site 43 BELLENDEN ROAD, LONDON, SE15 5BB

Reg. No. 17-AP-2768
TP No. TP/2655-43
Ward The Lane
Officer Lasma Putrina

Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 7.1

Proposal

Demolition of all existing buildings on site and the construction three storey plus basement building containing 9 x residential dwellings with associated car parking, landscaping, amenity space and other works.

Appl. Type Full Planning Application
Site LAND ADJACENT TO 29 DULWICH WOOD AVENUE, LONDON, SE19 1HG

Reg. No. 17-AP-2997
TP No. TP/2088-29
Ward College
Officer Alex Cameron

Recommendation GRANT PERMISSION

Item 7.2

Proposal

Construction of a part one-storey part two-storey three-bed dwelling

Appl. Type Full Planning Application
Site 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ

Reg. No. 17-AP-2632
TP No. TP/1375-133
Ward Newington
Officer Tracy Chapman

Recommendation GRANT PERMISSION

Item 7.3

Proposal

Conversion of the existing single family dwelling into x4 self contained residential units, entailing: the restoration of historic features; the re-instatement of timber sash windows; rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'.

Appl. Type Listed Building Consent
Site 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ

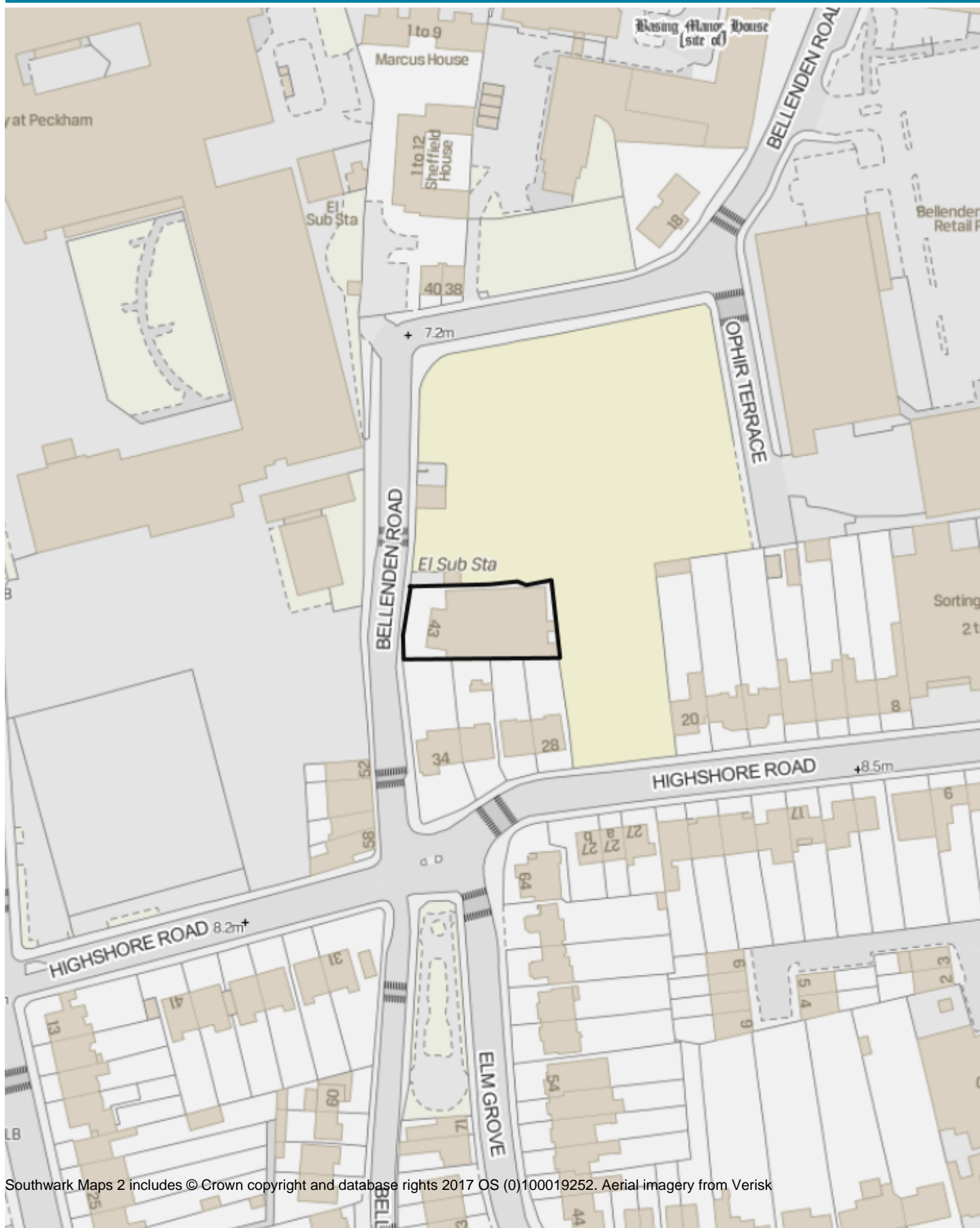
Reg. No. 17-AP-2633
TP No. TP/1375-133
Ward Newington
Officer Tracy Chapman

Recommendation GRANT PERMISSION

Item 7.4

Proposal

Conversion of the existing single family dwelling into x4 self contained residential units, entailing: the restoration of historic features; the re-instatement of timber sash windows; rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'.



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Item No. 7.1	Classification: Open	Date: 21 November 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/2768 for: Full Planning Application Address: 43 BELLENDEN ROAD, LONDON, SE15 5BB Proposal: Demolition of all existing buildings on site and the construction three storey plus basement building containing 9 x residential dwellings with associated car parking, landscaping, amenity space and other works.		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 17/07/2017		Application Expiry Date 11/09/2017	
Earliest Decision Date 01/09/2017			

RECOMMENDATION

1. Grant planning consent.

Site location and description

2. The application site is a photographic studio and an associated residential unit located on the east side of Bellenden Road. A development site is located to the north that will deliver a new school. A terrace of residential houses is located to the south, with rear of the gardens adjoining the boundary of the site.
3. The property is not listed and is not located within the vicinity of any listed buildings. It is located on the boundary with Holly Grove Conservation Area to the south.
4. The site is also located within Peckham and Nunhead Action Area, Urban Density Zone and Air Quality Management Area.

Details of proposal

5. Planning consent is sought for demolition of the existing building on site and construction of a three storey building with a basement. The proposed building would be approximately 35m deep and 12m wide, thus occupying the middle section of the property at almost full depth. The building would be 8.5m high above ground level, exceeding the ridge of the existing photographic studio by 1.2m.
6. The proposed development would deliver 9 residential units split into two different types of accommodation - 6 flats and 3 houses. The schedule of accommodation would be as follows:

Unit	GIA (sq.m)	L/K/D (sq.m)	Bedroom (sq.m)	Bathroom (sq.m)	Amenity (sq.m)
Apartment 1	54.2	36.2	9.8 + 4.8*	1.2 (wc)	39.5
Apartment 2	80	37.5	13.6 + 4.1* 14.2 + 4.1*		38.2
Apartment 3	80	37.5	13.6 + 4.1* 14.2 + 4.1*		36.9
Apartment 4	70	30.3	11.7 + 3.6* 10.4	3.6	3.1
Apartment 5	82.3	27.4	16.2 20.1 + 4.6*	3.9	5
Apartment 6	110	47.6	20.5 + 4.8* 20.5 + 4.8*	2.1 (wc)	12.8
House 1	127.8	41.6	15.8 14.2 21.7 + 5.9*	6.8	35.5
House 2	127.8	41.6	15.8 14.2 21.7 + 5.9*	6.8	37.2
House 3	144.7	51.2	17.2 + 6* 15.8 24.3 + 5.9*	6.9	52

* en-suite linked to bedroom

8. The proposed development would be constructed using brick, glass as well as bronze and timber panelling. Full height, partially obscure-glazed Crittal windows with some panes coloured green would be installed to elevations and ground floor rooms would feature bi-folding doors.
9. There would be three entrance points into the property off Bellenden Road. Apartments 02 and 03 as well as the three houses would be accessed from the south corner of the property frontage. Apartment 01 would have its own access and the rest of the apartments would have access from the north corner. Bike storage for 20 bikes overall would be provided, with one of the bikes stores dedicated solely to House 03 and one to Apartment 01. Otherwise the bikes would be located below the cantilevered element of the building to the front of the property. A communal bin store would be located on the north side of the property and individual bins for apartments 02 and 03 as well as the houses would be available.

Amendments

10. Since the application was originally submitted, several amendments have been made to the proposal and a re-consultation process has taken place. The following are main changes made to the initially submitted scheme:
 - a) Removal of lower ground floor accommodation for Houses 01, 02 and 03;
 - b) Reduction in size of House 03 at ground floor to set it away from boundary line, in keeping with the rest of the south elevation;
 - c) Introduction of obscured glazing to windows at first and second floor levels and proposed installation of obscure-glazed balustrades;
 - d) Removal of tiles as a design element to the north elevation;
 - e) Removal of one car parking space and reconfiguration of cycle storage as well as enlargement of outdoor amenity space associated to Apartment 01;
 - f) Clarification on retention of the existing south boundary brick wall;
 - g) House 03 set back at second floor level by 0.3m and installation of additional

obscured glazing at first floor level.

11. Planning history

05/AP/0190 Application type: Full Planning Application (FUL) Change of use of part of the existing commercial building to residential use and erection of external staircase to front elevation. Decision date 13/04/2005 Decision: Grant (GRA)
17/EQ/0119 Application type: Pre-Application Enquiry (ENQ) Re-development of site: Wholly residential development to provide 1x1 bedroom, 5x2 bedroom and 3x3 bedroom houses Decision date 09/05/2017 Decision: Pre-application enquiry closed (EQC)

Relevant planning history of adjoining sites

12. Former Highshore School Site, Bellenden Road
15/AP/2016 Full planning application for:
Redevelopment of the site involving the erection of a new two-storey primary school (special educational needs) with associated landscaping and parking
Granted permission on 12/10/2015

Summary of main issues

13. The main issues to be considered in respect of this application are:
- Principle of development
 - Impact on amenity of adjoining occupiers
 - Quality of accommodation
 - Design quality
 - Transport impacts
 - Other matters.

Planning policy

14. National Planning Policy Framework (the Framework)

Section 6 - Delivering a wide choice of high quality homes
Section 7 - Requiring good design
Section 12 - Conserving and enhancing the historic environment
15. The London Plan 2016

Policy 3.5 - Quality and design of housing developments
Policy 5.12 - Flood risk management
Policy 5.13 - Sustainable drainage
Policy 6.9 - Cycling
Policy 7.4 - Local character
Policy 7.6 - Architecture
Policy 7.8 - Heritage assets and archaeology
Policy 7.21 Trees and woodlands
16. Core Strategy 2011

Strategic policy 1 - Sustainable development
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

The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework.

All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.4 - Employment sites outside the preferred office locations and preferred industrial locations
 Policy 3.2 - Protection of amenity
 Policy 3.8 - Waste management
 policy 3.11 - Efficient use of land
 Policy 3.12 - Quality in design
 Policy 3.13 - Urban design
 Policy 3.18 - Setting of listed buildings, conservation areas and world heritage sites
 Policy 4.2 - Quality of residential accommodation
 Policy 5.2 - Transport Impacts
 Policy 5.3 - Walking and cycling

18. Peckham and Nunhead Area Action Plan 2014

Policy 11 - Active travel
 Policy 16 - New homes
 Policy 18 - Mix and design of new homes
 Policy 20 - Trees
 Policy 24 - Heritage
 Policy 25 - Built form
 Policy 36 - Transport and movement
 Policy 37 - Built environment

19. Supplementary Planning Documents

Residential Design Standards (2015 Technical Update)
 Holly Grove Conservation Area Appraisal

Summary of consultation responses

20. Numerous neighbour objections have been received throughout the process of the application. In addition to the original consultation, a re-consultation process took place to account for changes made to the application. As such, two sets of consultation responses have been received and are accounted for below.

21. Main concerns raised in the first set of consultation responses:

- a) Loss of privacy through overlooking from windows and balconies on the south side;
- b) Inappropriate use of proposed signage;
- c) Proposed design would not be of high architectural merit and would utilise materials that would not be aesthetically pleasing;

- d) The design would not be in keeping with the adjoining conservation area, it would not enhance or preserve it;
 - e) Lack of car parking would detrimentally affect surrounding occupiers;
 - f) Change of use from employment space to residential is unacceptable would result in loss of a unique work environment;
 - g) Consultation letters were not sent to all affected neighbours;
 - h) The proposal would be too dense for its location and would deliver too many residential units;
 - i) The proposal would allow for overlooking towards the school that would negatively affect vulnerable students;
 - j) Possibilities of sports equipment being thrown over the boundary would occur and would have to be dealt with;
 - k) The school's permission included a condition for obscured glazing to be introduced on the south elevation to mitigate overlooking towards no. 43 Bellenden Road. Since views would be directed towards the school, it is requested that condition is removed;
 - l) No affordable housing would be provided;
 - m) Noise disturbance would be created by the large number of future occupiers and the possibility of use of the balconies;
 - n) Loss of sky view resulting from the increased height and massing of the building in comparison to existing;
 - o) Concerns over loss of daylight and inaccurate assumptions made in assessment, excluding lower ground floor windows;
 - p) Impact on trees located in the conservation area during construction and no impact assessment submitted with the application;
 - q) Insufficient information regarding southern boundary treatment.
22. Assessment: with the consultation responses in mind, several amendments were made to the application, including:
- Removal of basement level to the three houses
 - Design alterations, including, removal of tiles to northern elevation, rationalisation of windows to achieve a more symmetrical appearance and introduction of opaque window panels as well as balustrades;
 - Reduction in depth of House 3 at ground floor level and reduction of its terrace at second floor level;
 - Enlargement of private outdoor amenity space to apartment 1 to the front;
 - Re-location of bike storage space and residential bins.
23. Further concerns raised following amendments:
- a) Though obscured glazing introduced, at the height of 1.1m it would not effectively mitigate privacy issues raised previously;
 - b) Distance as shown on plans is not correct - distance between application site and 28 Highshore Road is 18m;
 - c) Concerns that a tree impact assessment is of insufficient quality and has been created based on assumptions that are not correct, similar concerns regarding impact on trees during construction;
 - d) Daylight assessment still has not taken into account the lower ground floor windows;
 - e) Boundary wall information still unclear, especially in connection to boundary wall with no. 34;
 - f) The new introduced slatted balustrades to Apartments 4 and 6 should be solid to mitigate overlooking.
24. Assessment: Following the second set of consultation responses the applicant has updated all plans to show that the existing brick boundary wall would be retained.

Furthermore, clarification on separation distances has been sought and the building line of House 3 has been set back further by 0.3m and window at first floor level has been obscured to a higher proportion. Separation distance between the site and all other relevant Highshore properties would be more than 21m, as advised by the applicant. Daylight assessment has been revisited and the 25 degree test shows that the lower ground floor windows would not be affected.

25. It is also noted that the applicant has met with neighbours from Highshore Road properties and following the meeting additional changes to the proposed design have been made. The terrace at second floor associated to Apartment 06 has been removed. The screen of Apartment 04 balcony has been shown to be the full extent and a blank panel to the first floor bedroom window of House 3 has been proposed.

Principle of development

26. The existing property contains a photography studio (B1 use) and an associated residential flat (C3 use) that in the officer's report of the application (05/AP/0190) was described as ancillary to the use of the studio and not self contained.
27. Following the proposed development the B1 use of the site would be lost, as a fully residential development has been proposed. To some extent, a residential use has been established on site. Furthermore, Policy 1.4 of the Southwark Plan does not apply as the property does not have direct access onto a classified road; it is not located within Central Activities Zone, Strategic Cultural Area, Town and local centre, Action area core or Camberwell Action Area. The principle of proposed residential development therefore aligns with Southwark council policies.

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

28. As detailed above, a large number of objections and concerns have been expressed in relation to the proposed development. While it is noted that comments about the application have been submitted by some residents of the wider area, it is considered that the occupants that would be most affected by the proposed development are those of no. 28, 30, 32 and 34 Highshore Road, which are the dwellings located to the south of the site with rear gardens abutting the south boundary wall.

Overlooking

29. Privacy impact has been the most disputed issue by the neighbours. Distances as displayed on plans have been questioned and plans have been amended to show updated measurements. In accordance to currently submitted plans, the distance between the rear elevation of no. 34 and the closest proposed first floor windows at the new site would be 22m, it would be 20.8m between no. 32 and the site, 20m between no. 30 and the site and 18.9m between no. 28 and the proposed building.
30. At second floor level the distance would be 21m between no. 28 and the site and more than 21m between all other units. The balustrade enclosing balconies at second floor level would be of similar depth from boundary to first floor windows and thus distances would be similar.
31. It is noted that distances between properties would largely achieve the recommended 21m separation, while the distance between no. 28 and the site would fall some 2m below the guideline. At first floor level more obscured glazing has been introduced to deal with this issue, and the method is considered acceptable. At second floor level a distinction has to be made between the views from the bedrooms and the views from the balconies. The views from bedrooms are considered to be at sufficient separation.

Concern is raised by neighbours that people could walk up to the balustrade and look directly into the bedrooms or gardens of adjoining occupiers. 1m high obscured-glazed balustrades have been proposed, but these are considered insufficiently high by neighbours to mitigate the issue.

32. The dispute here is based on a guideline that is contained within the Residential Design Standards. It is additionally stated that if the 21m distance cannot be achieved, this should be justified. It is recognised in the proposal that the distance would not be the full 21m and thus obscure-glazed balustrades have been introduced. Though these would be only 1.0m high, they would serve as an additional mitigation measure that would in conjunction with the 18 metre distance between the properties would ensure that no significant overlooking would take place. The concerns are also based on assumptions of the use of the balcony that is associated to a bedroom. Balconies that are not accessed directly off the main living spaces are less likely to be used for activities that neighbours are concerned about. Furthermore, note is made of the existing trees on the boundary that would help further obscure direct views.
33. It is recognised that the proposal would have an impact on the adjoining occupiers, especially if views to gardens are considered and compared to the current situation. However, the development would deliver 9 units and given its urban setting it is inevitable that some overlooking would occur. Arguably the application site would be used more efficiently in comparison to current use and on balance it is considered that the impact the proposed development would have on existing neighbours is acceptable.

Daylight and sunlight

34. The site is located to the north of Highshore Road properties in question, and thus would not affect levels of sunlight. It is recognised that the overall scale of the building would be increased in comparison to the existing building, especially considering the current sloping roof in juxtaposition to proposed flat roof proposal. However, based on all the information submitted it is considered that the separation between the new building and the existing Highshore Road properties would be sufficient not to result in noticeable loss in daylight. The second floor would be set back from the boundary and the main elevation of the new building and would thus further ensure that daylight levels are not adversely affected.
35. The applicant has taken into account neighbours' request to include lower ground floor windows into the daylight assessment. Confirmation has been received that even measured at ground level of neighbouring properties; the amount of daylight reaching the lower ground floor windows would not be negatively affected.

Other amenity concerns

36. Other issues include loss of sky view and potential light and noise pollution. It is considered that the proposal even though larger in scale in comparison to existing the building, would not have a significant impact on outlook due to separation distances and would not take away a significant proportion of sky as viewed from neighbours' windows. Additionally the daylight would not be detrimentally affected - these two factors are inherently linked and both would remain unaffected. Furthermore, noise from a residential use is unlikely to be so significant that it would harm residential amenity, the scheme has been designed so that the main living accommodation of the majority of units would be located on the ground floor and thus would be further away from existing neighbouring windows than the upper level windows that are associated to sleeping accommodation.
37. Concerns have been expressed by the representatives of the new school that is

currently under construction to the north of the site. The main issue is that the play areas of the school would be overlooked by the future occupiers of the proposed development. Obscure-glazed panels have also been introduced to the north elevation of the new building and thus would alleviate concerns related to direct overlooking. Additionally the main living accommodation would be located on the ground floor and thus would not offer direct views towards the school.

Quality of proposed accommodation

38. The application site is located within the Urban Density Zone and as such the acceptable level of density would be 200-700 habitable rooms per hectare. The density of this proposal would be 596 habitable rooms per hectare, which would comply with the density guidelines.
39. All 9 units would be sufficiently large, in accordance with the space standards set out in the Residential Design Standards. The units would be dual aspect, thus ensuring good levels of natural light and ventilation.
40. It is noted that the bedroom of Apartment 01 would not be sufficiently large if the en-suite is not counted towards its size. However, it is considered that because the overall size of the unit is sufficiently large and the fact that it would have an associated en-suite, the shortfall would be insignificant and would not warrant a refusal.
41. All units would have access to some type of private outdoor amenity space, either in the form of a lowered patio, a garden space or a roof terrace/balcony. Most of the proposed outdoor amenity space would be sufficiently large, though only one of the houses would have 50 sq.m of outdoor space. Whilst some external communal space is provided this is considered to facilitate pedestrian access throughout the development. It is not considered to be a communal amenity space. A S106 agreement is therefore sought to require a payment for the shortfall in outdoor amenity space that is proposed as part of the development.
42. Residential bins would be located in various locations, but all are considered accessible and sufficiently large to deal with weekly residential refuse.

Design issues and impact on Holly Grove Conservation Area

43. The proposed development is considered acceptable in its overall massing and scale, in comparison to surrounding residential buildings and the new school building to the north. The footprint of the building would be similar to existing photographic studio and while the studio has a dual pitched roof and the new development would be more square in shape, the height would be increased by approximately a metre.
44. The modern approach is also considered acceptable. The character of the photographic studio and an artistic place would be represented by a semi-industrial look mainly expressed in use of brick and Crittal windows. Small amendments have been made to the south elevation to ensure that windows are symmetrically placed. Obscured glazing has also been introduced, together with coloured obscured glass. Though in principle there are no objections to introduction of colourful glass panels, it is considered that the specific colour and material would be important in achieving the intended high quality design look and thus a condition is recommended to request samples of proposed materials, including the coloured glass are approved separately.
45. The property sits on the very edge of Holly Grove Conservation Area to the south. Highshore Road properties that adjoin the application site are included in the conservation area. While some concerns in the neighbour objections refer to the impact on the conservation area and especially enclosure of gardens that are an

important feature of the conservation area, it is noted that the conservation area appraisal really only considers front gardens to be an important feature of wider townscape views. The proposed development would not affect the views to the front of Highshore Road properties and views to the new development from within the conservation area would be limited to the top part of development, thus having little impact on the wider setting of the conservation area. The proposal is therefore considered acceptable in design terms.

Transport issues

46. The proposed development would be car-free, which aligns with council's policies and aspirations. A sufficient number of bicycle storage spaces have been proposed, of which the majority would be covered by the cantilevered element of the building. No objections to the proposal are thus raised based on transport related considerations.

Impact on trees

47. A tree impact assessment was submitted at a later stage during the application following concerns from neighbours regarding the impact on existing trees that are contained within the conservation area and are located closely to the site boundary.
48. The tree impact assessment considers that the existing 3.0m high brick boundary wall would be retained and thus any works would take place within the site and would not have a wider adverse impact on trees that are located on the other side of the brick wall. This evaluation and methodology is deemed acceptable, and thus it is considered that the nearby trees would not be affected during construction works and the proposed development would not have an adverse impact on the trees in the future.

Planning obligations (S.106 undertaking or agreement)

49. Due to a shortfall in outdoor amenity space proposed, a S106 agreement is proposed to be entered. The calculation of the Public Realm Contribution has been based on the Section 106 Planning Obligations and CIL SPD (2015) and is calculated to be £15,838.30.

Other matters

50. Flood risk

The site is located in Flood Risk Zone 1 and a Critical Drainage Area. No objections to the proposal have been raised by the Council's Flood and Drainage team. However, a condition is recommended to request a detailed drainage design plan prior to construction to ensure that any future drainage related flood risk is mitigated.

51. Environmental protection

Environmental protection team have also reviewed the application and consider it acceptable, subject to conditions regarding internal noise levels, air quality, artificial lighting and construction management. Several conditions would relate to matters within the confines of building control and thus are not recommended to be attached to the planning permission.

52. Community Infrastructure Levy

The proposed development would be liable for a CIL payment. The Mayoral CIL payment required would be £13,556 and the Southwark CIL payment would be

£16,674.

Conclusion on planning issues

53. In light of the above, it is considered that the proposal is acceptable in land use terms and would provide good quality accommodation for future occupiers. The proposed building is visually acceptable and would not have a negative impact on the nearby Holly Grove Conservation Area. Though the proposal would have some impact on adjoining occupiers, it is considered that on balance the impact is acceptable and would not be detrimental to the amenity of neighbours. Lastly, the proposal would be car free and would provide for a sufficient amount of cycle storage space. Overall the proposal is therefore considered acceptable and the application is therefore recommended for approval, subject to conditions and a S106 agreement.

Community impact statement

54. 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.

Consultations

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

Consultation replies

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

Human rights implications

57. 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.
58. This application has the legitimate aim of providing new 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2655-43 Application file: 17/AP/2768 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 7708 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-Application Enquiry (ENQ) - 17/EQ/0119
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Lasma Putrina, Planning Officer	
Version	Final	
Dated	6 November 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		9 November 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 09/08/2017**Press notice date:** n/a**Case officer site visit date:** 11/09/2017**Neighbour consultation letters sent:** 25/07/2017**Internal services consulted:**

Ecology Officer
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land
 Contamination / Ventilation]
 Flood and Drainage Team
 Highway Development Management

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

32 Highshore Road London SE15 5AF
 34 Highshore Road London SE15 5AF
 30 Highshore Road London SE15 5AF
 Highshore School House Bellenden Road SE15 5BB
 28 Highshore Road London SE15 5AF
 Wingfield St Peckham SE15 4LN
 Cherry Garden School Macks Road SE16 3XU
 52a Bellenden Road Peckham SE15 5BB
 Flat C 15 Consort Road SE15 2PH

41 Highshore Road London SE15 5AF
 33 Highshore Road London SE15 5AF
 28 Adys Road Peckham
 50 Blackheath Park London SE3 9SJ
 Cherry Garden School Macks Road SE16 3XU
 54 Bellenden Road Peckham SE15 5BB
 52a Bellenden Road SE15 5BB
 32 Highshore Rd London SE15 5AF
 Studio 13 Swan Court SE1 3LE

Re-consultation: 03/10/2017

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

Cherry Garden School Macks Road SE16 3XU

Cherry Garden School Macks Road SE16 3XU

Email representation

Flat C 15 Consort Road SE15 2PH

Studio 13 Swan Court SE1 3LE

Studio 13 Swan Court SE1 3LE

Wingfield St Peckham SE15 4LN

28 Highshore Road London SE15 5AF

28 Highshore Road London SE15 5AF

28 Highshore Road London SE15 5AF

28 Highshore Road London SE15 5AF

28 Highshore Road London SE15 5AF

28 Highshore Road London SE15 5AF

32 Highshore Rd London SE15 5AF

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34 Highshore Road London SE15 5AF

34 Highshore Road London SE15 5AF

41 Highshore Road London SE15 5AF

41 Highshore Road London SE15 5AF

50 Blackheath Park London SE3 9SJ

52a Bellenden Road SE15 5BB

52a Bellenden Road Peckham SE155BB

52a Bellenden Road Peckham SE155BB

52a Bellenden Road Peckham SE155BB

52a Bellenden Road Peckham SE155BB

54 Bellenden Road Peckham SE155BB



Chief executive's department

Planning division
Development management (5th floor -
hub 2) PO Box 64529
LONDON SE1P 5LX

Your Ref:

Our Ref: 17/EQ/0119

Contact: Lasma Putrina

Telephone: 0207 525 7708

E-Mail: lasma.putrina@southwark.gov.uk

Web Site: <http://www.southwark.gov.uk>

Date: 09/05/2017

Dear Ms Paget

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: 43 BELLENDEN ROAD, LONDON,
SE15 5BB

Proposal: Re-development of site: Wholly residential development to provide 1x1 bedroom, 5x2 bedroom and 3x3 bedroom houses

I write in connection with your pre-application enquiry received on 21/03/2017 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

Planning Policy

The statutory development plan for the borough comprises The London Plan (2016); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

Urban Density Zone
Air Quality Management
Area
Peckham and Nunhead Action Area
Critical Drainage Area
Controlled Parking
Zone

The property is located just outside Holly Grove Conservation Area to the south. There are, however, no listed buildings in the vicinity of the site that would be affected.

Other key material considerations

The National Planning Policy
Framework

Land Use

The existing property contains a photography studio (B1 use) and an associated residential flat (C3 use) that in the officer's report of the application (05/AP/0190) was described as ancillary to the use of the studio and not self contained.

Following the proposed development the B1 use of the site would be lost, as a fully residential development has been proposed. To some extent, a residential use has been established on site. Furthermore, Policy 1.4 of the Southwark Plan does not apply as the property does not have direct access onto a classified road, it is not located within Central Activities Zone, Strategic Cultural Area, Town and local centre, Action area core or Camberwell Action Area. The principle of proposed residential development therefore aligns with Southwark Council policies.

Access and site layout

The proposed vehicular access route into the site from Bellenden Road is considered appropriate as it is an existing access point.

There are some concerns regarding the proposed access further into the development that currently is indicated as 'communal mews courtyard'. The further access point would be a gap at ground floor level created by the building form extending over at first floor level. A communal bin store has been proposed to the side of this access point and a gate would be installed to ensure security within the development. It is envisaged that due to all of the refuse bins located in this enclosed space, this gateway would not be a pleasant space to use in the future. It is therefore suggested that the location of refuse bins be re-considered.

Otherwise, the proposed site layout is logical as the communal mews courtyard would ensure separation between the facade of the new proposed units and on the other side of the site the building line would be located on the boundary with the school, which is an established relationship. The proposal, due to its configuration, would take advantage of the sun path and would maximise natural daylight as well as in general would result in good outlook from proposed windows.

Detailed design

Though detailed floor plans have been submitted, apart from sketches of proposed elevations, actual elevational drawings have not been submitted. The comments on design of the proposal are therefore proportional in detail to the information submitted.

Two options have been proposed, one more traditional in appearance and one more modern. It was established and agreed in the pre-application meeting that the more modern option would be preferable as it would add interest to the site, but would follow established lines. As such, even though it would not be similar in appearance to the properties within the vicinity of the site, it would not detract from the character of the area and would not have a negative impact on the setting of the nearby conservation area.

It was noted that positioning an entrance door associated to Apartment 01 within the front facade would be a positive element as making the front facade as detailed and active as possible would be crucial.

Concerns in the meeting were discussed in relation to the overhanging first floor element on the south side of the site that would create the access point into the development. The visual appearance of this element was questioned, together with the impact on amenity of adjoining occupiers as a large blank wall would be constructed on the boundary with the rear gardens of the adjoining terraces. However, it was established that this element already exists on site. In principle, therefore the concern is lessened, however, further detail in regard to its appearance in the context of the proposed development and the surrounding properties would have to be submitted as part of the full application.

Some detail regarding materials and external appearance of the proposal has been submitted, but it was understood that the information submitted is just an indication of what would be proposed and does not include the final set of materials. While in general the proposed design detail is acceptable, some of the suggested materials, such as timber cladding for the enclosed balcony type structures on the north elevation are questioned.

Density

The proposal is estimated to have a density of 656 habitable rooms per hectare in the Urban Density Zone, which is within the expected density range of 200 to 700 set out within Core Strategy Policy 5. The proposed density is acceptable by virtue of the proposed number of habitable rooms being within an acceptable range in accordance with policy.

Housing Quality

Based on density calculation and the submitted floor plans, it is considered likely that the number of units proposed on site would be achievable. However, there are some concerns about the internal configuration of some of the units.

Firstly, some of the bedrooms within proposed units are shown as double bedrooms, while size wise they would only be able to accommodate a single bed. This is specifically problematic for Apartment 08, where both bedrooms would be single bedrooms.

Secondly, the lower ground floor rooms associated to House 04 and 05 would not have any outlook. Each house would have a bedroom located in the basement that would only be served by rooflights, which is contrary to Residential Design Standards.

Thirdly, House 04 and 05 would have internal garages located on the ground floor with an adjacent bedroom.

The garages are not considered to be large enough to accommodate a car, and the amount of space to maneuver in and out of the garages is questioned. Furthermore, as the property is located in an area with a high PTAL, the preference would be for a car-free development. With these factors in mind, it is considered that the internal layout of the houses could be reconfigured to achieve a higher quality internal accommodation. The basement level may not be necessary and with the loss of the internal garages a kitchen and living space could be located on the ground floor level in order to make the unit appear more active from the communal courtyard space.

Furthermore, removal of the internal garages would eliminate the need to create a driveway that currently is defined as 'communal mews courtyard'. If the proposal was submitted in its current form, the communal mews courtyard would not be counted towards the communal outdoor amenity space as it would be used primarily for the movement of vehicles. With the removal of the garages, therefore, this driveway could be landscaped and actually used as communal outdoor space. This would make the development more attractive for the future occupiers and any issues with unregulated parking along the driveway would be removed.

In terms of outdoor amenity space, some of the flats would have access to larger private outdoor amenity space than the proposed family units. This indicates that the available space has not been used to its full potential. Priority would be for family units to have largest outdoor amenity space, and then if possible, flats should have private amenity space too. It is therefore recommended to reconsider the overall configuration of proposed units to take into account the most efficient and effective way of allocating private outdoor amenity space.

Amenity impacts

The proposed site layout and massing is unlikely to have a harmful impact on neighbouring occupiers in terms of daylight/sunlight, overlooking and outlook. In relation to the nearby school, the proposed building line would be similar to existing. However, it is noted that currently the property is used as a photography studio whereas the future use would be residential. While in principle it is considered that both future uses would co-exist well, it is noted that issues related to overlooking were raised during the planning application process for the new school. As a result, a condition has been attached to the decision stating that the windows facing the nearby property associated to the first floor south corner classroom and stairwell would have to be obscure-glazed. This would therefore remove overlooking concerns at first floor level. At second floor level the proposed facade would be removed from the boundary, so in principle it is envisaged that overlooking issues would not be caused. However, the applicant is encouraged to submit plans that would clearly set out the relationship between the proposed development and the proposed school, in terms of distance between both facades, location of windows and angles of views that would occur.

It may be necessary to consider locating non-habitable rooms towards the rear of the units at ground floor level in order to eliminate overlooking.

To the other side of the site, a sufficient separation of approximately 20m would be created between the newly proposed units and the existing buildings along Highshore Road.

The proposed development would be similar in height to existing structure on site and it would occupy a narrower footprint than the existing building. It is therefore considered that it would not cause result in overshadowing or reduction in day light that does not already exist.

Transport and servicing issues

Car parking

The proposal would provide 5 car parking spaces, however, in light of the matters discussed above, it is considered that insufficient justification for providing such a high level of off-street parking spaces in an area with a PTAL score of 6a. The preference would be for the development to be car-free with provision of car club membership for a minimum of 3 years for each eligible adult.

Cycle parking

The submitted proposal would provide 14 residential cycle parking spaces which equates to 2 cycle spaces per unit, which is acceptable. However, further details regarding the appearance, access to and security of the cycle storage should be submitted as part of the full application.

Flood risk

The site is not situated within a Flood Risk Zone, however, it is located within a Critical Drainage Area. Considering that works would be carried out to create a basement level, a basement impact assessment as well as drainage strategy would have to be submitted with the full application. Further information is available on Southwark Council website:

http://www.2.southwark.gov.uk/info/100006/environment/3931/developers_guide

Archaeology

The site is not in an archaeological priority zone but does directly adjoin Peckham Village archaeological priority zone.

Bat activity

Bat roost assessment should be undertaken before submission of a full application in order to determine whether there are any bat roosts located within the property that would be affected by proposed development.

Planning obligations (S.106 undertaking or agreement)

Planning obligations may be required to offset the negative impacts of any development on the site. The Council's SPD on S106 Planning Obligations (2015) sets out the general expectations in relation to the type of obligations that will be sought. Depending on the final proposal, contribution due to lack of outdoor amenity space or necessity to ensure car-club membership may be required. Draft Heads of Terms should be submitted in accordance with the SPD as part of any formal application and are required for the purposes of validation.

Community Infrastructure Levy

This development will be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. The chargeable rate for Southwark is

£35 per square metre under MCIL and £50 per square metre of residential floorspace for SCIL (both subject to indexation). It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

A question regarding CIL charging schedule changes was raised in the meeting. The consultation process for proposed schedule has ended, it is anticipated that the new schedule would come into effect towards the end of the year.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

Conclusion

The proposal is considered to be acceptable in principle and it is considered that the proposed number of units would be deliverable on site. However, in its current form the proposal would not be fully acceptable as only limited information regarding design has been submitted and internal accommodation would have to be re-configured to meet Residential Design Standards. Furthermore, the gateway and provision of parking would also have to be reconsidered to achieve the most optimal solution.

List of documents required at application stage

- Completed planning application form;
- Planning application fee;
- Site location plan;
- Existing and proposed plans, elevations and sections to a stated metric scale; each drawing must include a scale bar;
- Design and access statement;
- Completed CIL form;
- Basement impact assessment and drainage strategy;
- Bat roost assessment.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

Simon Bevan
Director of Planning

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 William Burges	Reg. Number	17/AP/2997
Application Type	Full Planning Application	Case Number	TP/2088-29
Recommendation	Grant permission		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Construction of a part one-storey part two-storey three-bed dwelling

At: LAND ADJACENT TO 29 DULWICH WOOD AVENUE, LONDON, SE19 1HG

In accordance with application received on 02/08/2017 16:03:22

and Applicant's Drawing Nos. Site location plan
 001 EXISTING SITE LOCATION PLAN
 010 PROPOSED SITE PLAN
 011 REV A PROPOSED GROUND FLOOR PLAN
 012 PROPOSED FIRST FLOOR PLAN
 013 PROPOSED ROOF PLAN
 014 PROPOSED STREET ELEVATION (NORTH EAST)
 015 PROPOSED REAR ELEVATION
 016 PROPOSED SIDE ELEVATION (NORTH WEST)
 017 PROPOSED SIDE ELEVATION (SOUTH EAST)
 018 PROPOSED CROSS SECTION
 019 PROPOSED LONG SECTION
 300 Sunlight Study

Tree Constraints Plan
 Tree Protection Plan
 Design and Access Statement

Subject to the following nine conditions:

Time limit for implementing this permission and the approved plans

- 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:

010 PROPOSED SITE PLAN
 011 REV A PROPOSED GROUND FLOOR PLAN
 012 PROPOSED FIRST FLOOR PLAN
 013 PROPOSED ROOF PLAN
 014 PROPOSED STREET ELEVATION (NORTH EAST)
 015 PROPOSED REAR ELEVATION
 016 PROPOSED SIDE ELEVATION (NORTH WEST)
 017 PROPOSED SIDE ELEVATION (SOUTH EAST)
 018 PROPOSED CROSS SECTION
 019 PROPOSED LONG SECTION

Reason:

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

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Before any work hereby authorised begins details of the foundation works including changes to levels to be used in the construction of this development, showing how the roots will be protected, shall be submitted to and approved in writing by the Local Planning Authority. Details shall include the use of trial holes or trenches to check for the position of roots. The development shall not be carried out otherwise than in accordance with any such approval given. All works shall adhere to BS5837: Trees in relation to demolition, design and construction (2012) and National Joint Utility Group, Guidance 10 - Guidelines For The Planning, Installation And Maintenance Of Utility Apparatus In Proximity To Trees (Issue 2).

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 4 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

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

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 6 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 7 Before the first occupation of the building, three secure cycle storage facilities as shown on 011 REV A - PROPOSED GROUND FLOOR PLAN shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 8 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawings referenced 011 REV A - PROPOSED GROUND FLOOR PLAN shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 9 Notwithstanding the provisions of Schedule 2, Part 1 of the Town and Country Planning General Permitted Development Order 2015 (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the dwellinghouse.

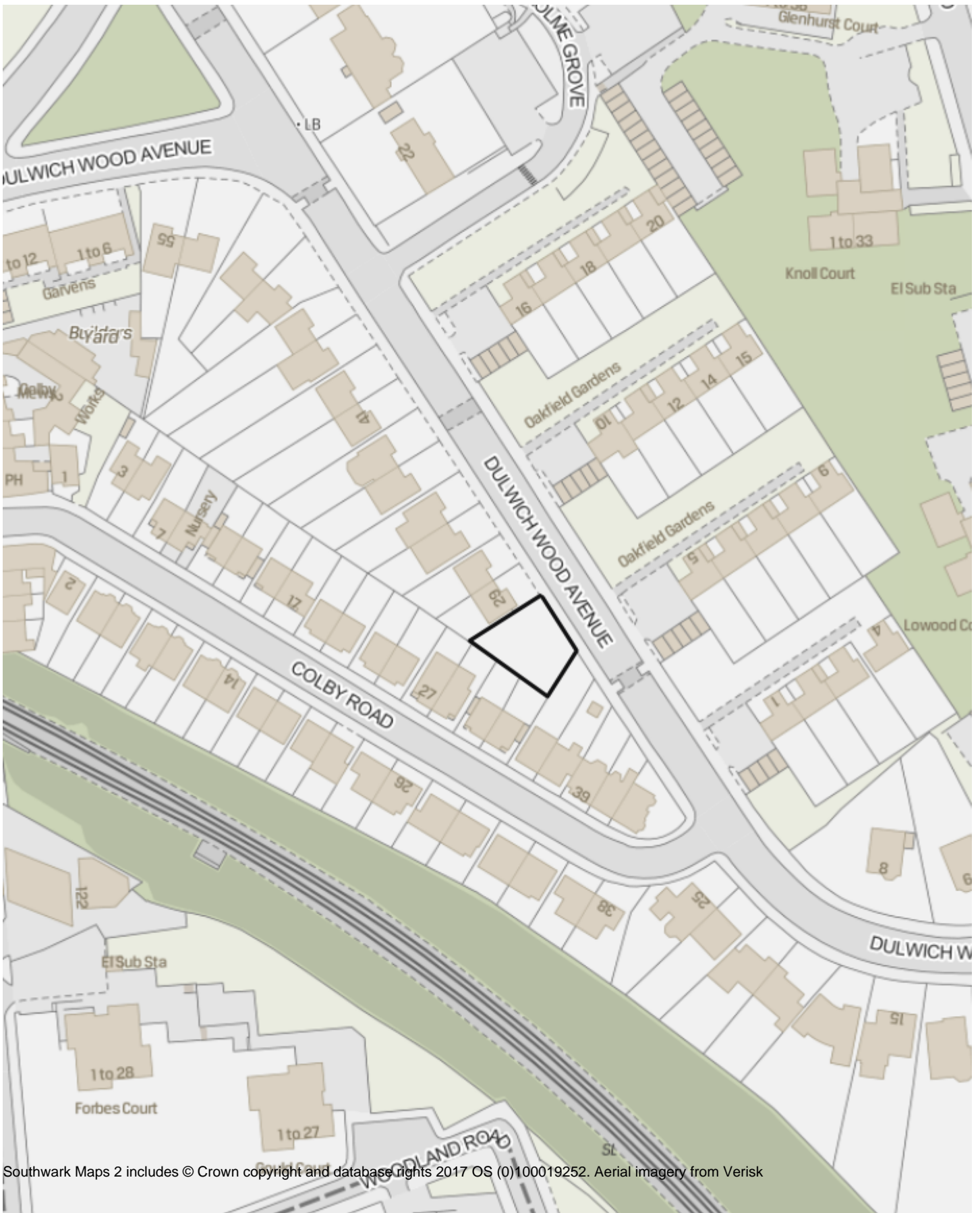
Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core

Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.



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Item No. 7.2	Classification: Open	Date: 21 November 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/2997 for: Full Planning Application Address: LAND ADJACENT TO 29 DULWICH WOOD AVENUE, LONDON, SE19 1HG Proposal: Construction of a part one-storey part two-storey three-bed dwelling.		
Ward(s) or groups affected:	College		
From:	Director of Planning		
Application Start Date 09/08/2017		Application Expiry Date 04/10/2017	
Earliest Decision Date 06/10/2017			

RECOMMENDATION

1. That planning permission is granted

BACKGROUND INFORMATION

Site location and description

2. The subject site is an adjacent plot of land located at the southern end of Dulwich Wood Avenue which shares a common boundary line with the following properties:
 - No. 29 Dulwich Wood Avenue
 - No. 29 Colby Road
 - No. 31 Colby Road
 - No. 33 Colby Road
 - No. 35 Colby Road
3. The site is not located within a conservation area and there are no heritage assets in the wider context of the site. The surrounding properties are predominantly two storey modest dwellings.
4. The site is located on a gradual hill which slopes downwards in a northerly direction. There is an established street pattern with properties located along Dulwich Wood Avenue and Colby Road to the rear of the site, however the back to back distances between dwellings reduce at the location of the application site as the two roads begin to meet.

Details of proposal

5. Full planning permission has been sought for the construction of a detached part one storey part two storey three bedroom dwelling.

6. The part single storey section of the proposed dwelling would have a flat roof and would be located primarily along the southern and front section of the subject site. The part two storey section of the proposed development would have a pitched roof and would be located primarily along the boundary wall with No. 29 Dulwich Wood Avenue (to the north of the site).
7. There will be an area of new hardstanding to provide one off street car parking space located in the front curtilage space of the dwelling. Secure cycle storage, for a minimum of three bicycles, would be provided in the rear garden area.
8. The proposal has an entrance hall with access to utility space, wc and storage areas. Beyond this there is a semi-open plan kitchen-dining space and a living room. The ground floor also has a study and bedroom with en-suite. The first floor contains two further bedrooms and a bathroom.
9. **Planning history**

06/AP/1030 Application type: Full Planning Application (FUL)
Erection of a two storey detached house with garden and off street parking area; new crossover.

Decision date 26/07/2006 Decision: Refused (REF)

Reason(s) for refusal:

1. The proposal would result, directly or indirectly, in the loss of mature trees on the site which would have an undesirable effect on the visual appearance of the area contrary to policies 3.10 Efficient Use Of Land, 3.11 Quality in Design, 3.12 Design Statements, 3.13 Urban Design of The Southwark Plan 2006 [Modifications Version] and policies E.2.3 Aesthetic Control and E.3.1 Protection of Amenity of the Southwark Unitary Development Plan 1995 [UDP].

2. The proposal would fail to provide satisfactory visibility splays and the proposed width of the vehicular access would exceed the maximum width of 5.0m, prejudicial to vehicular and pedestrian traffic safety contrary to policies 3.11 Quality in Design, 3.13 Urban Design and 5.1 Locating Developments of The Southwark Plan 2006 [Modifications Version] and Policy T.1.3: Design of Development and Conformity with Council Standards and Controls of Southwark Unitary Development Plan 1995

13/AP/0389 Application type: Full Planning Application (FUL)

Two-storey side extension to the southeastern flank of 29 Dulwich Wood Avenue

Decision date 18/04/2013 Decision: Refused (REF) Appeal decision date: 02/07/2013 Appeal decision: Planning appeal dismissed (DIS).

Reason(s) for refusal:

1. The proposed development, by reason of its detailed design, width, height and massing, would fail to respond positively to its surroundings. The inappropriate scale would result in an incongruous feature dominating the existing dwelling and would adversely impact the street scene which is well preserved along this section of Dulwich Wood Avenue. The proposal fails to accord with guidance in the Residential Design Standards SPD (2011) regarding side extensions and is contrary to saved policy 3.12 (Quality of Design) of The Southwark Plan 2007, Strategic Policy 12 'Design and Conservation' and The National Planning Policy Framework 7 Requiring good design.

2. The proposed development would lead to the loss of a large mature Sycamore tree, which is of high amenity value to the site, and locally within the area. In the

absence of appropriately detailed mitigation measures this is considered an unacceptable loss which would harm the amenity and appearance of the site contrary to Southwark Plan 2007 saved policy 3.28 'Biodiversity' and Strategic Policy 11 'Trees and Wildlife' of the Core Strategy and The National Planning Policy Framework Section 11 Conserving and enhancing the natural environment.

16/EQ/0420 Application type: Pre-Application Enquiry (ENQ)
Proposed new three bedroom, part two-storey, part single storey dwelling.
Decision date 15/02/2017 Decision: Pre-application enquiry closed (EQ)

17/EN/0413 Enforcement type: Change of use (COU)
Change of use of garage to habitable room
Sign-off date 23/08/2017 Sign-off reason: Final closure - no breach of control (FCNB)

10. The current application differs from the 2006 refusal as the scale, massing, design and access are all different to the previous refusal. The TPO tree would be retained on site and sightlines improved for vehicular access into and out of the site.

Planning history of adjoining sites

11. None relevant

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
- a) Principle of development.
 - b) Impact of proposed development on residential amenity.
 - c) Impact of proposed development on the character and appearance of the existing buildings and surrounding area.
 - d) Traffic issues.
 - e) Impacts on trees.

Planning policy

13. National Planning Policy Framework (the Framework)
6. Delivering a wide choice of high quality homes
 7. Requiring good design
 11. Conserving and enhancing the natural environment
14. The London Plan 2016
- 7.4 Local character
 - 7.6 Architecture
15. Core Strategy 2011
- Strategic Policy 5 - Providing new homes
 - Strategic Policy 7 - Family homes
 - Strategic Policy 12 - Design and conservation

Strategic Policy 13 - High environmental standards

16. Southwark Plan 2007 (July) - saved policies

The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 3.2 - Protection of Amenity

Policy 3.11 - Efficient Use of Land

Policy 3.12 - Quality in Design

Policy 3.13 - Urban Design

Policy 3.15 - Conservation of the Historic Environment

Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites

Policy 4.2 - Quality of Residential Accommodation

Policy 5.2 - Transport Impacts

Policy 5.6 - Car Parking

17. 2015 Technical Update to the Residential Design Standards SPD (2011)

Summary of consultation responses

18. Total number of representations:	16				
In favour:	5	Against:	9	Neutral:	2
Petitions in favour:	0		Petitions against:	0	

19. Main points raised in objection to the application.

- A loss of amenity for the neighbours (mainly those along Colby Road where referenced).
- A loss of daylight and sunlight
- A loss of privacy through overlooking
- The impact that the proposed development would have on the large sycamore tree
- The poor quality of design, with reference being made to the unacceptable materials as well as the concern that the development would appear incongruous to the surrounding area.
- Concerns of the drainage and foul water treatment
- Impact that the development would have on the existing parking spaces available on site.
- Impacts on wildlife including birds and bats
- The proposed garden space would be much less than surrounding properties.

Principle of development

20. There is no objection in principle for new residential properties in established residential areas provided that development fits within its environment and the development also functions well internally with landscaping contributing to the overall appearance of the development. It should also be of a high standard of design, respect and enhance the character of its surroundings including any designated heritage assets and does not adversely impact upon the amenity of adjoining properties or residents in accordance with above mentioned development policies.

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

21. The proposed site layout and massing is unlikely to have a harmful impact on neighbouring occupiers to the south along Colby Road in terms of daylight/sunlight, and outlook due to the building's relatively small size at first floor level and the distance between the properties, (at the closest point the, single storey section of the development would be 7m away from the neighbouring properties and 8.8m away from the two storey section).
22. The windows most likely to be effected from loss of daylight/sunlight are those on the south facing elevation at No. 29 Dulwich Wood Avenue, as these would be 2m away from the proposed development. However, the rear elevation would be set back from the rear elevation at No. 29 Dulwich Wood Avenue by 3.5m which would result in half of the side south facing elevation of No. 29 Dulwich Wood Avenue exposed. The one window that would be directly opposite the development would still pass the 45 degree daylight and sunlight test in the 2015 Technical Update to the Residential Design Standards SPD (2011).
23. The ground floor would, for the most part be contained behind the existing boundary walls and as such the new opening would have no significant impacts in terms of overlooking into any of the surrounding properties.
24. There would be three windows inserted on the first floor level of the dwelling, one on the rear elevation and two on the southeast facing side elevation. The window on the rear elevation would be more than 12m from the windows on the semi detached properties to the rear (on Colby Road). Whilst this is not the recommended 21m as stated in the Residential Design Standard Guidance (2015), it must be acknowledged that this new view point would not cause any greater harm than the existing first floor windows current present at No. 29 Dulwich Wood Avenue as the distances would largely be the same. The windows on the southeast facing elevation at first floor level would not result in any direct overlooking into any adjoining windows. Whilst it would have some views into adjacent gardens, it is a common feature within all of the surrounding properties that first floor windows would have some views into neighbouring gardens. Therefore, officers are satisfied that the proposal would not result in an unacceptable loss of amenity to the adjoining residents.

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

25. The surrounding properties are within residential use and the application is also for a residential use. As such no concerns are raised.

Transport issues

26. The proposal would provide 1 car parking space, which is acceptable within this location. It would be an off street car parking space located in the front of the dwelling, a feature which is common in along the road. The sightlines into and out of the site are acceptable in order to ensure that highway safety is not compromised.
27. The Design and Access statement outlines that secure cycle storage, for a minimum of three bicycles would be provided in the rear garden area and this has been outlined on the proposed site plan, the provision is acceptable and a compliance condition is recommended. Refuse storage is provided to the front of the dwelling in an enclosed storage area, again the provision is acceptable and a compliance condition is recommended.

Design issues

28. The scale of the building is appropriate as it has taken into account the design and layout of the surround properties as well as the previous reasons for refusal. This particular section of Dulwich Wood Avenue contains a row of semi-detached properties which step closer to the street in a South Eastern direction. The new build would continue this pattern as the front elevation would be set slightly in front the neighbouring property to the North West and this approach is considered appropriate within this setting. The existing wooden fence surrounding the site would be removed and a new boundary wall would be built that tappers away from the street in a north western direction. This would introduce a new feature along the road as all existing dwellings are flush/parallel to the street and this helps provide a greater sense of openness than currently exists. Whilst this may be a new feature to the street scene, it is considered acceptable as it would break the existing 50m long stretch of harsh rear boundary walls located at the south eastern end of the street.
29. The new dwelling would be a part two-storey part single storey building with a pitched roof. The single storey element would mainly be along the south eastern side of the site with the two storey element being located along the boundary wall with No. 29 Dulwich Wood. The scale of the two storey element would be designed in such a way to ensure that it is in keeping with the existing properties along the Dulwich Wood Avenue and as such would not appear out of context within the streetscene. The site is located on a hill and as a result the ridge line would be slightly higher than that of the neighbouring property, again this is common feature of properties along the street and as such raises no concerns in terms of design and massing.

Materials

30. Walls	Facing/exposed brick (no further details provided) Cement facias panels at first floor level set in between the brick walls.
Ground floor roof	Mill finish aluminium, with pigmented concrete coursing lintels
Entrance door	Timber.
Main pitched roof	Slate
Windows	Anodised aluminium at first floor level.

31. The proposed house would be constructed bricks and pigmented concrete that would be in keeping to the materials that are already established on the neighbouring properties. However, it is recommended that a condition is included into the decision notice to seek further details on the type of brick and the colour of concrete being proposed.

Impact on trees

32. The application site contains a number of mature trees, including a large Sycamore tree which is subject to a Tree Preservation Order (TPO). The proposed dwelling would result in a 14% incursion is shown into the root protection area of the TPO sycamore tree to the rear. However, a sensitive construction method is proposed with a non-dig raft and pile foundation. Whilst previous applications within the site would have resulted in the loss of this tree, officers are satisfied that the proposal would not result in any significant impacts on the long terms health of the tree subject to conditions relating to foundation design and tree protection measures.

Planning obligations (S.106 undertaking or agreement)

33.	GIA on each floor level (sqm)	Existing GIA	Proposed GIA
	1/F	na	42
	G/F	na	102
	Total measured	Vacant plot	144sqm

MCIL Chargeable Area = $Gr - Kr - (Gr \times E/G) = 144 - 0 - (144 \times 0/144) = 144 \text{ sqm}$
 MCIL = $144 \text{ sqm} \times \text{£}35/\text{sqm} \times 286/223 = \text{£}6,464$

SCIL Resi Chargeable Area = $Gr - Kr - (Gr \times E/G) = 144 - 0 - (144 \times 0/144) = 144 \text{ sqm}$
 SCIL (Resi. Zone 2) = $144 \text{ sqm} \times \text{£}200/\text{sqm} \times 286/259 = \text{£}31,802$

Density

34. The proposal would have a density of 158 habitable rooms per hectare in the Suburban Zone - South, which is below the expected density range of 200 to 350 set out within Core Strategy Policy 5.
35. Whilst the density is lower than what is usually considered acceptable within this particular zone, when taking into account the context of the surrounding properties it is considered that a larger/more dense layout would lead to a dwelling that would not be in keeping with the area and have additional amenity impacts on the neighbouring properties. Therefore, this particularly low density would likely be acceptable

Quality of accommodation

36. The proposed dwelling would meet the internal space standards for a new dwelling and all three rooms would meet the size standards for double bedrooms size requirements of the Residential Design Standards. Each habitable room would have vertical windows for outlook and provision of good levels of natural daylight and sunlight.

37.	Bedroom 1	17 sqm
	Bedroom 2	13.6 sqm
	Bedroom 3	13.6 sqm
	Living area	22 sqm
	Kitchen/Diner	32 sqm
	Study area	12 sqm
	Overall unit size	144sqm

Other Matters

Drainage/Flood Risk

38. The Councils Flood and Drainage team have been consulted on the application and have raised no concerns in relation to the proposal. No basement is proposed and as such no Basement Impact Assessment is required.

Conclusion on planning issues

39. The proposed development would not have a harmful impact on the amenities at the neighbouring properties nor would it give rise to any design issues that would harm the appearance of its settings. Furthermore, the quality of accommodation is considered to be acceptable as it complies with the Residential Design Standards. Conditions

requesting details on materials and landscaping/tree protection to be added to the recommendation. It is recommended that planning permission is granted subject to conditions.

Community impact statement

40. 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

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

Consultation replies

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

Human rights implications

43. 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.
44. This application has the legitimate aim of providing a new detached dwelling. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2088-29 Application file: 17/AP/2997 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0952 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-Application Enquiry (ENQ) - 16/EQ/0420
Appendix 4	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Christopher Kirby, Graduate Planner	
Version	Final	
Dated	10 October 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		9 November 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 11/08/2017**Press notice date:** n/a**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 09/08/2017**Internal services consulted:**

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

Flood and Drainage Team

Statutory and non-statutory organisations consulted:

n/a

Neighbour and local groups consulted:

First Floor Flat 25 Colby Road SE19 1HA
 Basement Flat 23 Colby Road SE19 1HA
 Basement Flat 25 Colby Road SE19 1HA
 21a Colby Road London SE19 1HA
 21b Colby Road London SE19 1HA
 Top Floor 23 Colby Road SE19 1HA
 Ground Floor Flat 25 Colby Road SE19 1HA
 Lower Flat 29 Colby Road SE19 1HA
 Upper Flat 29 Colby Road SE19 1HA
 Top Flat 35 Colby Road SE19 1HA
 Ground Floor Flat 35 Colby Road SE19 1HA
 Ground Floor Flat 23 Colby Road SE19 1HA
 37 Colby Road London SE19 1HA
 39 Colby Road London SE19 1HA
 41 Colby Road London SE19 1HA
 19a Colby Road London SE19 1HA
 27 Colby Road London SE19 1HA
 31 Dulwich Wood Ave SE19 1HG

33 Colby Road London SE19 1HA
 31 Colby Ave London SE19 1HG
 33 Dulwich Wood Avenue London SE19 1HG
 35 Dulwich Wood Avenue London SE19 1HG
 19b Colby Road London SE19 1HA
 27 Dulwich Wood Avenue London SE19 1HG
 29 Dulwich Wood Avenue London SE19 1HG
 29 Colby Road
 18 Oakfield Gardens London SE19 1HF
 2 Grove Lane Terrace London SE5 8SW
 2 Grove Lane Terrace London SE5 8SW
 3 Farley Road London SE6 2AA
 14 Oakfield Gardens Dulwich Wood Avenue SE19 1HF
 31 Dulwich Wood Avenue London SE10 1HG

 43 Dulwich Wood Avenue London SE19 1HG
 2 Garvens 57 Dulwich Wood Avenue Se19 1hu
 8 Oakfield Gardens, Dulwich Wood Avenue London SE19 1HF
 23 Dulwich Wood Avenue London SE19 1HB

Re-consultation: n/a

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

None

Statutory and non-statutory organisations

None

Neighbours and local groups

14 Oakfield Gardens Dulwich Wood Avenue SE19 1HF
 18 Oakfield Gardens London SE19 1HF
 2 Garvens 57 Dulwich Wood Avenue Se19 1hu
 2 Grove Lane Terrace London SE5 8SW
 2 Grove Lane Terrace London SE5 8SW
 23 Dulwich Wood Avenue London SE19 1HB
 27 Colby Road London SE19 1HA
 27 Colby Road London SE19 1HA
 27 Colby Road London SE19 1HA
 29 Colby Road
 29 Dulwich Wood Avenue London SE19 1HG
 3 Farley Road London SE6 2AA
 31 Colby Ave London SE19 1HG
 31 Dulwich Wood Ave SE19 1HG
 31 Dulwich Wood Ave SE19 1HG
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 31 Dulwich Wood Ave SE19 1HG
 31 Dulwich Wood Ave SE19 1HG
 31 Dulwich Wood Ave SE19 1HG
 31 Dulwich Wood Ave SE19 1HG
 31 Dulwich Wood Avenue London SE10 1HG
 39 Colby Road London SE19 1HA
 43 Dulwich Wood Avenue London SE19 1HG
 8 Oakfield Gardens, Dulwich Wood Avenue London SE19 1HF



Chief executive's department

Planning division
Development management (5th floor -
hub 2) PO Box 64529
LONDON SE1P 5LX

Your Ref:

Our Ref: 16/EQ/0420

Contact: Christopher Kirby

Telephone: 0207 525 0952

E-Mail: Christopher.kirby@southwark.gov.uk

Web Site: <http://www.southwark.gov.uk>

Dear MR BURGES

Date: 17/02/2017

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: LAND ADJACENT TO 29 DULWICH WOOD AVENUE, LONDON,
SE19 1HG

Proposal: Proposed new three bedroom, part two-storey, part single
storey dwelling.

I write in connection with your pre-application enquiry received on 21/12/2016 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

Planning Policy

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within
the:

- Suburban density zone -
South
- The site is not located with a conservation
area

There are no heritage assets within the site boundary area nor in the wider context of the site.

Other key material considerations

The National Planning Policy
Framework

Land Use

The proposed residential use is acceptable in principle on the site. The surrounding area is primarily residential. The existing use is a vacant garage that does not have protection under the Southwark Plan 2007.

Access and site layout

The proposed site layout is logical with the entrance to the property located on Dulwich Wood Avenue with some private amenity space located to the rear of the property, facing the rear garden of adjacent dwelling houses. Refuse storage has not been clearly incorporated into the elevation, however sufficient space would be available at the front of the property.

No cycle storage has been provided/shown on the plans. However, once again it would appear that sufficient space is provided at the entrance to the dwelling and when taking into consideration that the scheme is for a single family dwelling cycling storage could be utilised within the dwelling.

A single off road parking bay has been provided at the front of the property. This would be in keeping with the existing pattern of off road parking facilities along Dulwich Wood Avenue.

Detailed design

The proposed design details and elevation treatment is largely appropriate in the surrounding context.

The scale of the building is considered to be appropriate as it has taken into account the design and layout of the surround properties. This particular section of Dulwich Wood Avenue see a row of semi-detached properties which appear to encroach closer to the street in a South Eastern direction. The new build would continue this pattern as the front elevation would be set slightly in front the neighbouring property to the North West. The existing wooden fence which surrounding the site would be removed and a new boundary wall would be built that tappers away from the street in a north western direction. This would introduce a new feature along the road as all existing dwelling are completely flush/parallel to the street. Whilst this may be a new feature to the street scene, it is one that is consider to be a welcome change as it would break the existing 50m long stretch of harsh rear boundary walls located at the south eastern end of the street.

The new dwelling would be a part two-storey part single storey building with a pitched rood. The single storey element would mainly be along the south eastern side of the site with the two storey element being located along the boundary wall with No. 29 Dulwich Wood. The scale of the two storey would be designed in such a way to ensure that it is in keeping with the existing properties along the Dulwich Wood Avenue. The site is located on a hill and as a result the ridge line would be slightly higher than that of the neighbouring property.

Overall the bulk and scale of the scheme would likely be considered acceptable based on the plans which have been submitted. The details of the materials have yet to been confirm and as such it is advised that these materials are as in keeping with the existing materials on the neighbouring properties as possible. Key attention will need to be given to the type of materials used on the front fence.

Density

The proposal is estimated to have a density of 158 habitable rooms per hectare in the Suburban Zone - South, which is below the expected density range of 200 to 350 set out within Core Strategy Policy 5.

Whilst the density is lower than what is usually consider acceptable within this particular zone, when taking into account the context of the surrounding properties it is considered that a larger/most dense layout would lead to a dwelling that would not be in keeping with the area and have additional amenity impacts on the neighbouring properties. Therefore, this particularly low density would likely be acceptable.

Housing Quality

The proposed dwelling would meet the internal space standards for a new dwelling and all three rooms would meet the size standards for double bedrooms size requirements of the Residential Design Standards. Each habitable room would have vertical windows for outlook and provision of good levels of natural daylight and sunlight.

Outdoor amenity space would be provided at the rear of the property. Whilst the layout of the dwelling does slightly divide the rear garden into two halves it is still considered acceptable as it provides sufficient outdoor space.

Amenity impacts

The proposed site layout and massing is unlikely to have a harmful impact on neighbouring occupiers to the south along Colby Road in terms of daylight/sunlight, overlooking and outlook due to the building's relatively small size and the distance between the properties. However, there is some concern regarding a loss of light at the No. 29 Good Wood Avenue. It is therefore recommended that a daylight and sunlight test is submitted to substantiate the level of harm that the proposed scheme may have.

Trees

A full arboricultural assessment and method statement should be provided if a full application is to be submitted, identifying the potential harm that the works may have on the tree to the rear of the property.

Transport and servicing issues

Car parking

The proposal would provide 1 car parking spaces which equates to 1 spaces per dwelling, which is acceptable within this location.

Cycle parking

The submitted proposal would provide 0 residential cycle parking spaces which equates to 0 cycle space per dwelling which is not considered acceptable. Sufficient space is provided on site and if a full application is to be submitted it is advised that further clarity on this matter is provided.

Servicing

The information provided indicates that servicing would take place from Dulwich Wood Avenue and it is considered that these servicing arrangements are acceptable.

Community Infrastructure Levy

This development will be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

Conclusion

The proposal is considered to be appropriate in land use terms. The proposed residential accommodation is considered to be of an acceptable standard for the reasons set out above. The proposal, at most is considered to have an acceptable impact upon neighbours' amenity, however, a daylight and sunlight impact assessment is advised if a full application is to be submitted. Further details on the intended material would be required and subject to further assessment.

For the above reasons the proposal, subject to design clarity and submission of further information regarding daylight and sunlight, transport impacts, is worth submitting as a planning application in its current form.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

Simon Bevan
Director of Planning

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 Julian Amos Bellenden Estates Ltd.	Reg. Number	17/AP/2768
Application Type	Full Planning Application	Case Number	TP/2655-43
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of all existing buildings on site and the construction three storey plus basement building containing 9 x residential dwellings with associated car parking, landscaping, amenity space and other works.

At: 43 BELLENDEN ROAD, LONDON, SE15 5BB

In accordance with application received on 14/07/2017 12:01:01

and Applicant's Drawing Nos. Existing plans: PL-001 Rev P1, PL-002 Rev P1, PL-003 Rev P1, PL-004 Rev P1, PL-006 Rev P1, PL-007 Rev P1, PL-009 Rev P1 , PL-009-A Rev P1

Proposed plans: PL-010 Rev P4, PL-011 Rev P4, PL-012 Rev P4, PL-020 Rev P4, PL-021 Rev P2, PL-022 Rev P4, PL-023 Rev P4, PL-024 Rev P4, PL-050 Rev P4, PL-051 Rev P2, PL-052 Rev P1, PL-060 Rev P4, PL-061 Rev P4, PL-062 Rev P4, PL-063 Rev P4, PL-064 Rev P4, PL-070 Rev P3, PL-071 Rev P4, PL-072 Rev P4

Other documents: PL-008 Rev P1, Bat survey, Amended covering letter, Daylight and sunlight assessment, Design and access statement, Impact assessment in relation to existing trees, Updated drawing issue sheet, Flood risk assessment, Heritage statement, Transport statement

Subject to the following eleven conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans: PL-010 Rev P4, PL-011 Rev P4, PL-012 Rev P4, PL-020 Rev P4, PL-021 Rev P2, PL-022 Rev P4, PL-023 Rev P4, PL-024 Rev P4, PL-050 Rev P4, PL-051 Rev P2, PL-052 Rev P1, PL-060 Rev P4, PL-061 Rev P4, PL-062 Rev P4, PL-063 Rev P4, PL-064 Rev P4, PL-070 Rev P3, PL-071 Rev P4, PL-072 Rev P4

Reason:

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

- 2 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.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 No below grade works shall commence until details of a surface water drainage strategy, incorporating sustainable drainage principles, which achieves a reduction in surface water run-off rates as detailed in the Flood Risk Assessment (RPS, July 2017) during a 1% Annual Exceedance Probability (AEP) plus climate change event has been submitted to (2 copies) and approved in writing by Local Planning Authority. The site drainage must be constructed to the approved details.

Reason

To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9

Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 4 Prior to above grade works commencing, photographs of material samples of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 5 Before the first occupation of the building the cycle storage facilities as shown on PL-020 P4 shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 6 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing PL-020 P4 shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 7 Notwithstanding the provisions of Classes A, B, C, D, and E of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the premises shall be carried out to the houses hereby approved].

Reason

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Strategic Policy 13 - High environmental standards and Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, 3.12 Quality in Design of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 8 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T

Dining room - 40 dB LAeq T

* - Night-time 8 hours between 23:00-07:00

- Daytime 16 hours between 07:00-23:00

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012

- 9 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 10 The windows on the north and south elevations of the building shall be obscure glazed and fixed shut in accordance to approved plans PL-062 P4 and PL-064 P4 and shall not be replaced or repaired otherwise than with obscure glazing.

Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at 28-34 Highshore Road and the school to the north from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 11 The existing boundary treatment on the south side of the application site shall be retained in full extent. This included the 3.0m high brick wall and the lower brick boundary wall between the application site and 34 Highshore Road.

Reason

In the interests of visual and residential amenity in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 Design and conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity, 3.12 Quality in Design, and 3.13 Urban design of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.



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Item No. 7.3 and 7.4	Classification: Open	Date: 21 November 2017	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 17/AP/2632 for: Full Planning Application Application 17/AP/2633 for: Listed Building Consent Address: 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ Proposal: Conversion of the existing single family dwelling into x4 self contained residential units, entailing: the restoration of historic features; the re-instatement of timber sash windows; rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'.		
Ward(s) or groups affected:	Newington		
From:	Director of Planning		
Application Start Date	05/07/2017	Application Expiry Date	30/08/2017
Earliest Decision Date	20/08/2017		

RECOMMENDATION

1. That planning permission is granted, subject to conditions.
2. That Listed Building Consent is granted, subject to conditions.

BACKGROUND INFORMATION

Site location and description

3. The building, No. 133 Kennington Park Road, is a five storey Georgian townhouse, including basement and mansard roof, the southern half of a pair of townhouses which form part of terrace of buildings on the east side of Kennington Park Road. Like No. 131 Kennington Park Road, the townhouse was extended to the side with a three storey extension c1900 including basement, ground floor and first floor. This extension houses the porch and ancillary service spaces. The townhouses are brick with red brick detailing, slate mansards behind parapets. There is a stringcourse between ground and first floor and steps up to the front door which is timber panelled with and quined doorcase. No.133 Kennington Park is in a poor state of repair internally and externally and requires extensive restoration and attention to structural and damp issues. Whilst not formally registered as an HMO, when visited by officers the building was being used in this manner.
4. The building is Grade II listed and has been on Historic England's Heritage At Risk register since 2004, following a two year period of monitoring by the council. At the time of inclusion on the Heritage at Risk Register the property had been vacant for a number of years and in a poor state of repair. The property had been squatted and damaged internally by the intruders.

5. The site is located in the Kennington Park Road Conservation Area, Kennington Road Archaeological Priority Zone, Urban Density Zone and the Air Quality Management Zone.
6. Previously approved residential conversion

In 2008 planning permission and Listed Building Consent (LBS Reg: 08/AP/0326 and 08/AP/0327) was granted for the conversion of No. 133 Kennington Park Road into 4 self contained residential units (2x 1 bedroom at basement and ground floor levels and 2x2 bedroom at first and second floor levels). This permission did not seek to extend the building and has not been implemented.

Details of proposal

7. The proposals under consideration here are to convert the 9 bedroom building from a single dwelling in an HMO condition, to four self contained flats, including three 2x bedroom flats at basement, ground and first floor levels and one 3x bedroom maisonette (over the second and third floors), plus a three storey stepped rear extension (at basement, ground and first floor) and a second floor mansard. The proposed gross internal area (GIA) is as follows:
 Basement flat 94 sqm
 Ground floor flat 72 sqm
 First floor flat 77.6 sqm
 Second/ third floor maisonette 129 sqm

8. Revisions to the proposed scheme

Following consultation comments the following revisions have been made to the proposed scheme and supporting documents:

- The existing elevation revised, including the omission of a proposed mansard to No. 131 Kennington Park Road, which has not yet been applied for and consented.
- The full height window to the proposed second floor mansard revised to a tripartite sash window.
- Flood Risk Assessment revised to take into account comments from the Environment Agency.

9. **Planning history**

08/AP/0327 Application type: Listed Building Consent (LBC) Conversion of single family dwelling house into 4 self contained residential units, restoration of original features and reinstatement of windows to match originals. Decision date 29/04/2008 Decision: Granted (GRA)
08/AP/0326 Application type: Full Planning Application (FUL) Conversion of single family dwelling into 4 self contained residential units, restoration of original features and reinstatement of windows to match originals. Decision date 29/04/2008 Decision: Granted with 'Grampian' Condition (GWGC)
17/EQ/0079 Application type: Pre-Application Enquiry (ENQ) Conversion of the existing single family dwelling into x4 self-contained residential units, entailing: the restoration of historic features; the re-instatement of windows (like-for-like); rear extensions to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing' Decision date 10/04/2017 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

10. 131 Kennington Park Road

There is no planning history relating to the conversion of 131 Kennington Park Road into two flats.

LBS Reg: 07/AP/0894 Listed Building Consent granted in 2007 for 'Demolition of wall between kitchen and corridor and 2m wide opening formed in wall between existing lounge and corridor, bricking up of two doorways (bedroom and corridor), enlargement of existing window opening and removal of existing radiator to create a new door opening between the bedroom and the study, new cast iron radiator in the bedroom, new entrance to shower area with new glass door and refurbishment of kitchen'.

LBS Reg: 10/AP/1316 and 1317- planning and Listed Building Consent granted in 2010 for 'Internal modifications including removal and erection of stud walls, structural alterations to chimney breast and renewal of services inside the building. Removal of 2 x first floor rear windows and replacement with 1 sash window. Removal of rooflight and replace with double glazed rooflight and renewal of external asphalt coverings and leadwork'.

LBS Reg: 16/AP/0687- listed building consent granted in 2016 for 'rectification of works carried out badly by previous builder, including demolition of chimney stack and other structural repairs. Other works include internal alterations, replacement rooflight and changes to windows and doors'.

11. 135A & C Kennington Park Road SE11

There is no planning history relating to the conversion of 135 Kennington Park Road into three flats.

LBS Reg: 03/AP/0475 granted in 2003 for 'external and internal alterations including replacement sash windows at ground level (front elevation), new rear door at ground floor level, realignment of internal partitioning and general refurbishment'.

LBS Reg: 07/AP/0663 planning refused in 2007 and listed building consent granted in 2007 at community council for 'erection of a two storey rear extension to increase living accommodation'.

LBS Reg: 07/AP/0664 and 1192 planning and listed building consent granted in 2007 for 'erection of a two storey extension to existing rear outlet to increase living accommodation'.

Summary of consultation responses

Listed Building Consent (17/AP/2633)

12. Ten public consultation responses received in relation to the listed building consent application, three for and seven against the proposal. Historic England Heritage at risk officer wrote in support of the application.

13. Historic England

I understand that there is a current planning application being considered for 133 Kennington Park Road for its conversion into flats. The building has been on Historic England's Heritage at Risk Register since 2004 which is a considerable time for a property in residential use. We would welcome a scheme which will ensure that the property is brought back into a good state of repair and full occupancy as soon as possible, ensuring no further loss of historic fabric and its proper contribution to this

row of listed buildings.

14. Objections

- Two objectors were of the opinion that the property should be retained as a single dwelling due to lack of family houses and loss of character.
- One objector said they were told that a flat conversion for their single dwelling would not be supported by the Council.
- One objector raised concerns that the rear elevation to Nos. 131 and 133 were not accurate and could allow for possible changes to No. 131 that could impact on them.
- One objector agreed the building required restoration but considered that the plan form and historic fabric would be impacted. Also the proposed extension would be larger and higher than neighbouring extensions. Dividing the garden and adding a roof terrace will have noise. Finally the building was last used as a squat in 2006/2007 and after that by the previous owners family and friends.
- Two objections received from the neighbouring property. They claimed it had not been a HMO or squat since 2006 and only vacant since it was sold. The proposal would harm character of the neighbourhood, less housing for families, more noise, more cars, less outside space, loss of privacy and unnecessary development. They considered the extension granted to 135 in 2007 (07/AP/1192) must not be seen as a precedent. If they had been notified of it they would have complained. They objected to the roof terrace and the impact on their amenity. Roof terraces are not a characteristic of the area. Any permission in respect to the extension must address overlooking and stay blind or obscured. The terrace and sub-divided garden will increase noise and impact on amenity. The creation of so many units will increase the number of cars. The proposal is to replace lath and plaster with stud walls internally and any permission should require the same as elsewhere 'like for like'.

* Note two of the seven objections were received following re-consultation, however they raised no new issues and did not specifically discuss the revised plans and Flood Risk Assessment.

15. Support

- Whilst they supported the desire to keep as many single dwelling due to the investment needed to the property they welcomed the proposal.
- One response in support was received was from the occupant of No. 133 at the time of the original permission. They welcomed the restoration and already use the roof as an amenity space. They considered the extension to be in keeping.
- Another neighbour welcomed the proposals as the property has been an eyesore for a long time. They confirmed the house has been a HMO and more recently a squat for sometime. They welcomed the proposal to maximise the property comparable to 133. There only reservations that the building works could impact on them and may preclude them from making changes, but expected that professional standard would prevent this.

16. Officer comment:

The drawings have been amended following comments in relation to accuracy and amenity concerns. In terms of car parking and communal refuse conditions have been suggested to cover these matters. The history of the building in terms of use has been covered in paragraphs 3 and 4 of this report. The precedent for conversion of the building into flats was established in planning terms with the 2008 permission.

Planning application (17/AP/2632)

17. Three public consultation responses against were received in relation to the planning application. One was identical to the Listed Building Consent application. One statutory consultation received from the Environment Agency, who following the submission of a revised Flood Risk Assessment withdrew their objection.

18. The two other objectors raised the following issues:

- One from outside the borough considered the proposal over development, damaging to the historic streetscape with the wheelie bins that would result.
- One objection raised privacy issues for No. 129 Kennington Park Road due to the proposed basement and ground floor windows of the extension. Multiple occupancy will cause noise nuisance. The detrimental impact on the character and appearance of the building as a result of the conversion. Encroachment of the extension and impact on the character of the garden.

19. Officer comment:

A condition has been suggested for details of the bin enclosure. In terms of overlooking on No. 129 Kennington Park Road, given the distance from the site and existence of an outrigger to that property there would be no impact in terms of overlooking. The precedent for conversion of the building into flats in terms of noise nuisance was established in planning terms with the 2008 permission. The precedent for an extension to the rear was established with the permission at No. 135 Kennington Park Road, which was granted by members at community council in 2007.

KEY ISSUES FOR CONSIDERATION**Summary of main issues**

20. The main issues to be considered in respect of this application are:

- a) Principle of development including creation of 4 residential units including sustainability and transport
- b) Size, layout of units and impact on future occupants amenity
- c) Extension design and impact on neighbours
- d) Flood risk
- e) Design, conservation area and archaeological impact
- f) Other matters

Planning policy

21. National Planning Policy Framework (the Framework)

- 4) Promoting sustainable transport
- 6) Delivering a wide choice of high quality homes

- 7) Requiring good design
- 12) Conserving and enhancing the historic environment

22. The London Plan 2016

- Policy 3.3 Increasing housing supply
- Policy 3.5 Quality and design of housing developments
- Policy 3.9 Mixed and balanced communities
- Policy 3.11 Efficient use of land
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes

23. Core Strategy 2011

- Strategic Policy 1 Sustainable Development
- Strategic Policy 5 Providing new homes
- Strategic Policy 12 Design and conservation
- Strategic Policy 13 High environmental standards

24. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- Policy 3.2 - Protection of Amenity
- Policy 3.11 - Efficient Use of Land
- Policy 3.12 - Quality in Design
- Policy 3.13 - Urban Design
- Policy 3.15 - Conservation of the Historic Environment
- Policy 3.16 - Conservation areas
- Policy 3.17 - Listed buildings
- Policy 3.18 - Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- Policy 3.19 - Archaeology
- Policy 4.2 - Quality of Residential Accommodation
- Policy 5.2 - Transport impacts
- Policy 5.6 - Car Parking

Principle of development

25. The proposal under consideration is to convert the building from a 9 bedroom single dwelling in an HMO condition, to four flats, including three 2 no. bedroom flats at basement, ground and first floor levels and one 3 bedroom maisonette (over the second and third floors). The proposal also includes a stepped rear extension plus a three storey rear extension (at basement, ground and first floor) and a second floor mansard to the side extension. The extension is proposed to the rear, in the area of the existing 1900s extension, in a outrigger style, typical of such townhouses.

26. On inspection, the building is currently in an HMO type use, and includes bathrooms and kitchens at basement, ground floor and first floor, with bathrooms at ground floor, first floor and second floor. The age of the fittings indicate that the building has been used as such for a substantial period of time, over 25 years, although not formally registered. The existing layout indicates possible historic use as 2 x 2 bed flat and 1 x 3 bed flat, although this arrangement may be fluid. Therefore the principle of flats within this building is established through ongoing use as such. Any subdivision from single dwellinghouse to flats would now be lawful. Furthermore, the planning precedent was established when consent was given in 2008 (LBS Reg: 08/AP/0326 & 0327) to subdivide the building into four flats, although this scheme has not been implemented.
27. The conversion of the existing dwelling house accords with the council's policy which allows the sub-division of a single house to self contained flats on the basis that the original net floor area of the dwelling house measures a minimum of 130 sq. m. The dwelling house in question has a net floor area of 340 sq m and with the proposed extensions this would increase to 416 sq m, therefore there are no policy issues in so far as the principle of the conversion is concerned.
28. The principle of altering and extending this terraced house is considered acceptable in listed building terms, provided that the proposal has due regard for the character, appearance and historic fabric of the listed building and raises no substantial conflict with planning policy or guidance.
29. The building has been damaged in the past by squatters and this has included the removal of historic fireplaces. As a consequence the windows and door openings at basement level have been boarded up and bricked up to stop intruders. The basement has suffered damage to the fabric as a result of a fire and damp ingress. There is also water ingress on the second floor. The remainder of the house is also in a poor state of repair. As part of the conversion works the proposal seeks to repair/ replace the external fabric and refurbish surviving historic features internally. The works proposed to the building are set out below.
30. External Works

The mid-20th century metal windows will be replaced with sash windows to match those at No. 131 Kennington Park Road. The openings at first floor level (front elevation) will be returned to their original proportions. A note on the drawings indicate that these new windows will be double glazed, however this would be considered harmful in a terrace where none exist as it is very unusual for double glazed windows to be able to fully reflect the single glazed style due in part to the need normally for thicker frames to mount the glass. This has been discussed with the applicant and a notwithstanding condition for single glazing has been suggested on the Listed Building Consent. To the rear the existing sashes which are life expired will be replaced to historic designs. The non-original front door and fanlight will be replaced, details of the replacements have been provided and are considered acceptable. The works will also include restoration of the surround around the entrance door and modification of the structural opening to the adjacent window to improve its proportion and relationship to other windows in the facade. The large openings in the bow to the rear were modified during the 20th century. These alterations have not been successful and structural repairs are required. Other external works include fabric repairs to the facades and roof, with finishes and materials to match existing or adjoining properties. A structural engineers report on the condition of the building has been provided in support of the application. Conditions have been suggested for material samples and more detailed Schedule of Works for the proposed fabric repairs.

31. Rear Extension

The rear facades of the terrace as a group exhibit considerable variety of additions and variations, no two houses being alike. Most of the additions date from the later 19th through to the 20th centuries and span from basement, ground, first and second floors. Typically they are rectangular in form and constructed of brick and render. The adjoining property (No. 135) has an extension on the shared party wall, with a flat roof. The proposed 3300mm wide rear extension will follow the rectangular plan form, albeit slightly shorter and incorporate a shallow pitched zinc covered roof. The extension will step down from first floor down to basement. The extension covering basement and ground floor levels is 6200mm above the ground level to the rear and 5267mm above the garden level. The extension rising up to 9340mm at first floor level, with the ridge height of the second floor mansard at 11660mm in height. Blind window openings are proposed to the side wall (garden facing) at first floor level, to provide some visual interest. Openable windows will be located at basement and ground floor level on the north elevation and east elevation. At first floor level the window on the new extension is on the eastern elevation.

32. Entrance Wing Mansard Extension

An infill mansard extension above the entrance wing is proposed at second floor level. No objection is raised in principle, however a condition has been suggested to ensure the sill of the dormer window sits below the existing parapet. This is to ensure that the dormer windows are not too dominant in the roofslope of the new extension.

Basement

33. The existing condition of the basement is very poor. The proposal is to remove the decayed timber floor. The floor will be excavated to the base of the foundations and a new concrete slab on a water protective membrane. Above this base slab an additional slab will be cast on rubber shock mounts to reduce the noise and vibrations from the Northern Line beneath. The walls and ceiling plaster will be removed and the walls will receive a treatment for rising damp. Metal bars will be added to the windows in the front lightwell, to provide added security. These will not be visible in views of the listed building from Kennington Park Road.

34. The existing kitchen unit will be removed and the accommodation in the later side entrance wing will be re-ordered and extended to create a two bedroom flat. The existing rear wall will be opened up and the garden steps removed to facilitate the construction of a 3330mm wide extension along the party wall to a depth of 8000mm. The works also involve the creation of an opening between the existing side extension and living room. The historic two room plan around the central staircase will remain discernible with the openings fixed shut. The historic doorway between the side extension and staircase will remain and a door installed. This will provide a secondary means of escape in the event of a flood.

35. Ground

The works are comparable at ground floor level to those proposed to the basement, in terms of new openings. Later additions will be removed and redundant openings around the stairwell sealed and fixed shut. The works will involve the return of the historic two room plan to the original part of the house. The later side extension will be reordered to create a second two bedroom flat. Other works include the installation of a new staircase in the side wing to create a separate access to the first floor flat. The historic staircase will provide private access to the maisonette at second and third floor levels.

36. First Floor

At first floor level the proposed extension steps back and reduces down to 3000mm from the rear flank wall. Once again the works are comparable to that on the lower floors, with redundant openings fixed shut. A chimney stack on the later side extension will be taken down to create an opening. This is a later addition and will not involve the loss of important historic fabric.

37. Second and Third Floor

A maisonette will be created over the second and third floor. At second floor level modern partitions will be removed to restore the two room plan and a redundant opening onto the stair fixed shut. A mansard extension will be added to the existing side wing at second floor level. Dormer windows will be installed to the front and rear and conservation style roof lights installed will provide additional light. As on the lower floors a new opening will be created between the side extension and the original part of the house. At third floor level the front bedroom will be re-ordered to create an ensuite. The existing dormer window is life expired and will be replaced with new doors onto the balcony. This is a comparable arrangement to that found at No. 131 Kennington Park Road. The existing rooflight is in a poor condition, access has not been possible so the full extent of the repair works is not known at this stage. It is therefore suggested that a condition be attached for further details.

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

38. Saved policy 3.2 (Protection of Amenity) of the Southwark Plan (2007) seeks to ensure an adequate standard of amenity for existing and future occupiers; Strategic policy 13 (High Environmental Standards) of the Southwark Core Strategy (2011) requires development to comply with the highest possible environmental standards, including in sustainability, flood risk, noise and light pollution and other amenity problems. The 2015 Technical Update to the Residential Design Standards SPD (2011) also sets out the guidance for roof and dormer window extensions which states that development should not unacceptably affect the amenity of neighbouring properties. This includes privacy, outlook, daylight and sunlight.
39. The proposed rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing', by virtue of their design, scale and locations would not compromise the amenity of the neighbouring users or occupants. The large rear extension (basement and ground) in existence at 135 Kennington Park Road obscures the scale of the rear extension from neighbouring gardens to the south. There would be some overlooking of the existing garden from the rear and mansard extension, however as there are active residential windows in existence on the rear elevation, there would be no increase in overlooking or loss of privacy from the garden of No. 133 Kennington Park Road. The design of the openings at second floor level has been revised, with a tripartite sash replacing the double full height windows originally proposed. In addition a condition is suggested to ensure that the roof to the proposed rear extension is used for escape in case of emergency and not as an outdoor amenity space. The outdoor amenity space at third floor level of the main building is comparable to that which already exists at No. 131 Kennington Park Road. Between Nos. 131 and 133 there is a brick wall separating the properties approximately 1320mm high on the side of No. 133, with ground dropping a further 970mm by the new outrigger. The ground level to No. 131 is approximately 170mm lower, giving a wall height of 2320mm. On top of this wall there is a 830mm timber trellis. The nearest windows to No. 131 are contained within the curved rear wall, reflecting the arrangement at No. 133. Therefore given the

distance and arrangement it is considered that the windows at basement and ground floor level will not impact on the amenity of the occupiers of No. 131 Kennington Park Road in terms of overlooking. It should be noted that blind windows are proposed at first floor level facing the rear garden to No. 131. With regards impact on Nos. 58A and 59 De Laune Street, they have outriggers set back from the boundary wall at first floor level. There are no windows to the outriggers of Nos. 58A and 59 De Laune fronting the rear garden of the application site. In summary it is considered that the proposal would not impact on the amenity of neighbours in terms of overlooking. Furthermore, due to design, of the proposed extensions there would not be an adverse impact on visual amenity in views towards the Grade II listed building from the conservation area.

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

40. The proposed internal and external changes are in association with the building's existing residential use. Therefore it is not considered that there will be an impact on nearby uses and users as a result of the proposed external alterations.

Transport issues

41. Saved Policy 5.2 seeks to ensure new development would not have a significant transport impacts. The proposal makes no provision for off street car parking which is mainly due to the constrained nature of the site. Although the property benefits from a large forecourt area, it is not possible to provide off street car parking given that the pavement level is much higher than the road, a difference of some 500mm.
42. The site is located within the West Walworth controlled parking zone and a red route where parking restrictions are rigidly enforced. The site is within fairly easy reach of a variety of public transport facilities with Kennington Station within two minutes from the site and Elephant and Castle a further 10 minutes away. There are also a variety of bus routes along Kennington Park Road, the PTAL for the site is rated 6, which is good.

43. Car Parking

No parking is provided however given the location within a good level of public transport accessibility. The site is located within a CPZ and a condition removing the rights of future occupants to purchase permits should be sufficient mitigation.

44. Cycle parking and refuse storage

Details of secure cycle parking have been provided. The proposal is to use the original coal store outside the garden flat as the cycle store as this would have easy access from all flats and the street, accessible via the existing stair and cycle wheeling ramp. This would be partitioned into two separate spaces and have new timber doors, as the existing are damaged and beyond repair. The communal recycling and refuse storage is to be provided at the front of the property, it is suggested that a condition be attached for details relating to the proposed form of enclosure.

Design issues

45. Saved policy 3.12 Quality in Design and 3.13 Urban design of The Southwark Plan 2007, seeks to ensure that new development will be of a high standard. Saved policy 3.13 requires that the principles of good urban design must be taken into account in all developments. This includes: height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and

streetscape. It is considered that the proposed mansard extension to the side wing would be appropriately subservient to main listed building when viewed from Kennington Park Road. With regards the rear extension, given the size of the existing building and the site overall, in particular the rear garden, the proposal is considered proportionate and would not unduly dominate the listed building. The extension would not be visible from Kennington Park Road. A two storey extension already exists to the south at No. 135 Kennington Park Road. Saved policy 3.12 requires that developments should be carefully considered, particularly where the host building is listed and in a conservation area, which is the situation here. Paragraph 56 of the NPPF requires that 'good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to making places better for people. The extensions are traditional in design, given the footprint and height of the existing building the extensions are considered to be subservient in their size and would compliment the listed building in terms of materials. Subject to the amendment of the position of the dormer window and approval of materials samples, it is considered that the extensions would be sympathetic to the listed building and the wider Kennington Park Road Conservation Area.

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

46. Paragraph 129 of the NPPF requires that '*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimize conflict between the heritage assets conservation and any aspect of the proposal.*' The significance of the building is as a Georgian terrace house, of traditional hierarchy with a grand centrally located principle staircase (with balustrade and rooflight) leading to large, mostly intact rooms at front and rear. The side extension is slightly later, and has been some modification in the early 20th century. The internal spaces retain some features, including chimney breasts and chimney pieces, architraves, doors and some plastering, although the passage of time has seen numerous alterations including poorly designed decor and the replacement of brick with render and modern plaster, and the replacement of windows to the front elevation with metal framed casements. The buildings significance lies primarily in its architectural merit (of note its floor plan, external facades and staircase) and an example of a townhouse built during the 18th century gentrification of south east London's suburbs.
47. Paragraph 126 of the NPPF requires that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. Paragraph 131 requires that '*in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets*'. Paragraph 132 goes onto advise that '*when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification*'. NPPF sets out the presumption in favour of the conservation of designated assets and the aims of the policies within the PPS are to conserve these assets, for the benefit of future generations. Any harmful impact on the significance of the designated asset needs to be justified on the ground set out in paragraph 133 (substantial harm or total loss) or paragraph 134 (less than substantial harm). It is *considered that the proposed development would lead to less than substantial harm to the significance and therefore paragraph 134 of the NPPF is relevant here.*

Paragraph 134 requires that 'where a development proposal will lead to less than

substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.' Whilst there would be some loss of original arrangement by the conversion and harm to the significance of the Grade II listed building, the historic plan form will remain legible and historic fabric restored. It is therefore considered that any perceived harm is less than substantial. Furthermore, the 'public benefits' of the scheme, the provision of four residential units and the bringing of this long-term building back to beneficial use would outweigh the harm as to comply with paragraphs 132 and 134 of NPPF.

48. With regards the local plan policies, Strategic Policy 12 – Design and Conservation, of Core Strategy 2011, requires that development will achieve the highest possible standards of design for buildings and conserve or enhance the significance of Southwark's heritage assets. Saved Policy 3.17 'Listed buildings' requires that proposals involving a listed building should preserve the building and its features of special architectural or historic interest, involve no loss of important historic fabric, relate sensitively and respect the period, style, detailing of the building and that existing detailing and important later additional features are preserved, repaired or, if missing, replaced. Saved Policy 3.15 'Conservation of the historic environment', requires that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance and planning proposals that have an adverse effect on the historic environment should not be permitted. Saved Policy 3.16 'Conservation areas' asserts that within conservation areas, development should preserve or enhance the character or appearance of the area. Saved Policy 3.18 'Setting of listed buildings, conservation areas and world heritage sites', states that Permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building and conservation area. It is considered that the proposal would comply with Strategic Policy 12 and Saved Policies 3.15 and 3.17, as the internal and external alterations would preserve the Grade II listed building, subject to approval of details and that the character and setting of the wider Kennington Park Road Conservation Area and the listed buildings; would not be compromised by the scheme.
49. These Southwark Plan policies are reinforced by the London Plan 2011 (July) Policy 7.8 'Heritage assets and archaeology', which requires a demonstration that the scheme, protects and enhance London's historic environment, should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. As well as Policy 7.9 'Heritage-Led Regeneration', which requires that regeneration schemes should make use of heritage assets and reinforce the qualities that make them significant, this includes buildings and landscape features. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable viable use that is consistent with their conservation. Overall it is considered that the scheme is sympathetic, would not be detrimental to the listed building and therefore has complied with Policies 7.8 and 7.9.

Impact on trees

50. None identified

Planning obligations (S.106 undertaking or agreement)

51. This application is CIL liable; the chargeable new residential floor area is 76sqm.

Other matters

52. Quality of accommodation

The proposal would convert an existing building to form three 2 no. bedroom flats at basement, ground and first floor levels and one 3 bedroom maisonette (over the second and third floors), plus a three storey stepped rear extension (at basement, ground and first floor). The room sizes comply with the Residential Design Standards SPD and would provide a good standard of accommodation for future residents.

53. Fire and acoustic separation

The works also include the addition of an acoustic layer to the existing floor to improve fire and acoustic separation between the residential units. This type of work is considered acceptable subject to detail design of the junctions between the acoustic layer/ fire separation and historic joinery. A condition has been suggested in connection with this work.

54. Amenity provision

To the rear of the property there is a large garden (16500mm x 9000mm) of which the back section would be available for use by the ground floor flat (76sqm). The front section of the rear garden (44.6 sqm) will be for the use of the basement flat. Large areas of planting and grass areas and existing walls and fencing maintained. The existing Yorkstone paving currently in the rear garden will be re-used in the forecourt. As a result of site constraints no private amenity space is proposed for the first floor flat and the maisonette across the second and third floor will have access to a balcony located behind the parapet of the bay window to the rear. All the flats will have access to the communal front garden and the nearby Kennington Park

55. Front boundary treatments

The supporting documents make mention of the proposed demolition of the non-original brick wall separates the garden from the street. The intention is that this will be replaced by railings to match those at Nos. 131 and 133 Kennington Park Road. No drawn details have been provided and the applicant has confirmed that the boundary works will form the basis of a further future application.

56. Flood Risk

Whilst the site lies within the flood risk zone, the flats are laid out over several floors, with no bedrooms at lower ground floor level as such no objections are raised to the residential use. The Environment Agency have reviewed the updated submitted information and removed their previous objection for the proposed development. The applicant has confirmed that the occupier of the garden flat at basement level will be able to gain access to the ground floor in an emergency flood situation via a stairwell shown on amended on an amended plan and indicated further on recent submitted section drawings. The Environment Agency expect that this stairwell is available for use for the occupier at all times. A condition has been suggested to cover this requirement.

57. Archaeology

The site is within the Kennington Road APZ. However the Council's archaeology officer has confirmed that the application will have no impact upon buried archaeological remains therefore no archaeological response is necessary.

58. Environmental Protection

The Environmental Protection Team raised no objection to the scheme subject to the imposition of noise conditions to ensure acceptable levels of internal noise are achieved for the proposed residential units.

Conclusion on planning issues

59. After careful consideration, the harm arising to the heritage assets, the listed house itself and the Kennington Park Road Conservation Area, through the sub-division and addition of the mansard extension to the side wing, the rear stepped extension to the side wing at basement, ground and first floor level, are not considered to be significant as to warrant refusal of planning and Listed Building Consent. The proposal will provide additional residential accommodation, preserve the significance of the heritage assets and bring this long-term vacant listed building back into beneficial use. There are no harmful impacts arising from the development in terms of neighbour amenity. The principle of this development is acceptable as it raises no substantial conflict with planning policy or guidance, the proposal will secure the long term future of the property and this is considered to be sustainable development as set out in the NPPF.

Community impact statement

60. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
- a) The impact on local people is set out above.
 - b) The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Human rights implications

63. 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.
64. This application has the legitimate aim of bringing the buildings at risk back into use as property sub-divided into four self-contained flats. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/1375-133 Application file: 17/AP/2632 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5375 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Pre-Application Enquiry (ENQ) - 17/EQ/0079
Appendix 4	Recommendation – 17/AP/2632 for: Full Planning Application
Appendix 5	Recommendation – 17/AP/2633 for: Listed Building Consent

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Tracy Chapman, Team Leader Design & Conservation	
Version	Final	
Dated	7 November 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		9 November 2017

APPENDIX 1**Consultation undertaken****Site notice date:** 28/07/2017**Press notice date:** 20/07/2017**Case officer site visit date:** 28/07/2017**Neighbour consultation letters sent:** 17/07/2017**Internal services consulted:**

Environmental Protection Team Surgery [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations consulted:Environment Agency
Thames Water - Development Planning**Neighbour and local groups consulted:**Flat B 135 Kennington Park Road SE11 4JJ
Basement Flat 131 Kennington Park Road SE11 4JJ
Flat A 135 Kennington Park Road SE11 4JJ
Flat C 135 Kennington Park Road SE11 4JJ
131 Kennington Park Road London SE11 4JJ133 Kennington Park Road London SE11 4JJ
129 Kennington Park Road London SE11 4JJ
3 Cleaver Square London SE11 4DW
Second Floor Flat 129 Kennington Park SE11 4JJ**Re-consultation:** 13/09/2017**APPENDIX 2****Consultation responses received****Internal services**

Environmental Protection Team Surgery [Noise / Air Quality / Land Contamination / Ventilation]

Statutory and non-statutory organisations

Environment Agency

Neighbours and local groupsSecond Floor Flat 129 Kennington Park SE11 4JJ
129 Kennington Park Road London SE11 4JJ
131 Kennington Park Road London SE11 4JJ
3 Cleaver Square London SE11 4DW



Chief executive's department

Planning division
Development management (5th floor - hub
2) PO Box 64529
LONDON SE1P 5LX

Your Ref:

Our Ref: 17/EQ/0079

Contact: Catherine Jeater

Telephone: 0207 525 5375

E-Mail: catherine.jeater@southwark.gov.uk

Web Site: <http://www.southwark.gov.uk>

Date: 10/04/2017

Dear Mr Murphy,

TOWN & COUNTRY PLANNING ACT 1990 (as amended)
PRE-APPLICATION ENQUIRY

At: 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ

Proposal: Conversion of the existing single family dwelling into x4 self-contained residential units, entailing: the restoration of historic features; the re-instatement of windows (like-for-like); rear extensions to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'

I write in connection with your pre-application enquiry received on 24/02/2017 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

Outlined below is a preliminary assessment of the proposal, including an indication of the main issues that should be taken into consideration in any future application submission to the Council. The depth of analysis provided reflects the scope of information made available to officers.

Summary

The building is grade II listed and on the Heritage At Risk register. A site visit was carried out by officers prior to the pre-application request in January 2017 where it was noted the house was generally in a poor state of repair and required attention. The proposals are to convert the building from a single dwelling in an HMO condition, to four flats, including three 2 no. bedroom flats at basement, ground and first floor levels and one 3 bedroom masonite (over the second and third floors), plus a three storey rear extension (at basement, ground and first floor) and a second floor mansard. In principle, a conversion into a number of units, restoring features and retaining the significance elements of the building may be acceptable, and the principle of a mansard on second floor and an "outrigger" style extension to the rear may be acceptable. However concern is raised to the layout, specifically access from the principal staircase to the units and the use of the outrigger for bedrooms. These elements may affect the overall scheme and thus should be considered carefully, with a view to altering these elements.

Site

Type of property
Site bounded by

Residential terrace
Terraces to north and south, mature garden to front and rear

Any differences in ground level?

Yes - basement with steps up to ground floor

Is property listed?

YES - Grade II

In conservation area?

YES - Kennington Park

Road Affects the setting of any nearby heritage assets? buildings? Yes- adjacent listed

Proposed development

The proposals are to convert the building from a single dwelling in an HMO condition, to four flats, including three 2 no. bedroom flats at basement, ground and first floor levels and one 3 bedroom maisonette (over the second and third floors), plus a three storey rear extension (at basement, ground and first floor) and a second floor mansard to the side extension.

Relevant Policies

National Planning Policy Framework (2011)(NPPF)

- Chapter 8: Requiring Good Design
- Chapter 12: Conserving and Enhancing the Historic

Environment London Plan (2015)

- 7.6 Architecture
- 7.8 Heritage and

Archaeology Core Strategy (2010)

• Strategy Policy 12 - Design and Conservation Southwark Plan (2007)

- Policy 3.2 Amenity
- Policy 3.12 Quality in Design
- Policy 3.15 Conservation of the Historic Environment
- Policy 3.17 Listed Buildings
- Policy 3.18 The Setting of listed buildings, conservation areas and world heritage sites

Relevant planning history

The following planning history exists for the application site:

08/AP/0326 Application type: Full Planning Application (FUL) Conversion of single family dwelling into 4 self contained residential units, restoration of original features and reinstatement of windows to match originals. Decision date 29/04/2008 Decision: Granted with 'Grampian' Condition (GWGC)
08/AP/0327 Application type: Listed Building Consent (LBC) Conversion of single family dwelling house into 4 self contained residential units, restoration of original features and reinstatement of windows to match originals. Decision date 29/04/2008 Decision: Granted (GRA)

Relevant considerations

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 of the development on the amenity of the occupiers of adjoining properties.
- c) Heritage and Design Issues
- d) All other relevant material planning considerations

a) Principle of development

The principle of a conversion is acceptable, subject to the addressing the concerns listed below. The proposals should comply with all other material planning considerations, in particular Saved Southwark plan policies 3.2 Protection of Amenity, 3.12 Quality in Design, 3.15 Conservation of the Historic Environment, 3.17 Listed Buildings, 3.18 The Setting of listed buildings, conservation areas and world heritage sites, 4.3 dwelling mix and 4.12 Quality of residential accommodation.

b) Assessment of amenity

The proposed extensions (the mansard and the rear extension) by virtue of their design, scale and locations would not compromise the amenity of the neighbouring uses or occupants. The large rear extension in existence at 129 Kennington Park Road obscures the scale of the rear extension from the neighbouring gardens. There would be some overlooking of the existing garden from the rear and mansard extension, however as there are active residential windows in existence on the rear elevation, there would be no increase in overlooking or loss of privacy from the garden or 133 Kennington Park Road. This would be in compliance with 3.2 Protection of Amenity.

c) Heritage and Design Issues

The significance of the building is as a Georgian terrace house, of traditional hierarchy with a grand centrally located principle staircase (with balustrade and rooflight) leading to large, mostly intact rooms at front and rear. The side extension is slightly later, and has been some modification in the early 20th century. The internal spaces retain some features, including chimney breasts and chimney pieces, architraves, doors and some plastering, although the passage of time has seen numerous alterations including poorly designed decor and the replacement of brick with render and modern plaster, and the replacement of windows to the front elevation with metal framed casements. The buildings significance lies primarily in its architectural merit (of note its floor plan, external facades and staircase) and an example of a townhouse built during the 18th century gentrification of south east London's suburbs.

While the building could be retained as a single dwelling house, it is sensible to concede that the subdivision into flats would result in a building being better restored and conserved than in its current state. Numerous town houses on Kennington Park Road have been converted into self contained flats and thus the principle of this is acceptable. The neighbouring 133 Kennington Park Road at pre-application stage was advised that a traditional mansard would be appropriate (16EQ0007), and thus a similar arrangement to the side extension to 133 would be appropriate. The proposed rear extension is located in an area where the building has previously been altered, and extended and thus a small extension in a traditional outrigger style could be utilised here to locate elements of a building which require services (such as kitchens and bathrooms) keeping intrusive service risers in a modern extension, rather than disrupt historic fabric. It is however noted that this extension largely proposes further bedrooms. There may be scope to add a staircase in the side extension to facilitate access to the first floor, however this appears to have come at the expense of blocking up the doorways from the principal staircase and the rooms at first floor. As the layout and connections particularly at this floor are important to the buildings significance, this is harmful and thus would not be in compliance with 3.17 Listed Buildings. A alternative to this should be sought; this may require looking again at floor plans and units sizes, particularly in relation to the locations of kitchens and bathrooms. The aim should be to find the least harmful way of conversion, rather than solely concentrating on maximising space, although it is recognised that there will need to be a balance in order for the development to be viable. It is noted and welcomed that the restoration of the windows and tradition detailing internally would better enhance the significance of the building. Para 134 of the NPPF states that where proposals "lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". Overall officers are of the opinion that this balance has not yet been met.

d) All other relevant material planning considerations

Quality of accommodation

The proposed flats on the basement and ground floor plan would not provide a good standard of accommodation. Within the basement flat the kitchen/dining room is both the corridor access to the living room and bedroom 2. Additionally there is only a door serving this 'room' to access the garden, and the opening of the door is restricted by the bay window. There is insufficient daylight to this room and it is considered that this should be a 1 bedroom flat, with the kitchen located in the rear in place of Bedroom 2. A similar layout is proposed to the ground floor with the entrance straight into the kitchen, again such an arrangement would provide poor living accommodation and would not be considered acceptable. There is also a concern that the width of doorway from the living room to the corridor leading to the main bedroom is very narrow and clarification should be provided on the proposed width. It is considered that this should also be a 1 bedroom flat or the ground and basement flats should be combined to form a maisonette, (this would overcome other concerns around flood risk). No individual room and flat sizes have been provided, all conversions should comply with the 2015 Technical Update to the Residential Design Standards (2011), which sets out the national flat size standards as well as the local room size standards.

Parking

The site is located in a Controlled Parking Zone and any additional units are likely to be required to be car free, and residents would be made exempt from purchasing parking permits. As the proposals are in a sustainable location, close to public transport and cycle routes, this is generally acceptable,

Cycle and refuse storage

This is shown on the lower ground level, but it is not clear how this will be collected by refuse operatives and as it submitted this would not be acceptable. Likewise with the cycle storage, residents should not have to carry their bicycles up and down stairs and an alternative solutions should be found.

Floodrisk

The site lies within Floodrisk Zone 3 and as such vulnerable uses, such a sleeping accommodation is not encouraged. You are advised to contact the Environment Agency before submitting an application and you would be expected to provide a flood risk assessment as part of your planning submission.

Conclusion

The principle of what is proposed is largely acceptable, however there are concerns around the quality of accommodation provided and the arrangements for refuse and bicycle storage. Additionally subject to alterations to floor plans to retain the connection between the staircase and the first floor, could be acceptable subject to details. However, officers are of the opinion that harm would arise from this part of the proposal and suggest revisions concentrating services in the outrigger and retaining historic circulation as much as possible would provide a better balance. At present the harm does not outweigh the public benefit and thus would not be compliant with the NPPF Chapter 12 and 3.15 Conservation of the Historic Environment and 3.17 Listed Buildings.

It is noted that you requested a meeting with this pre-application and time constraints has not allowed officers to arrange this. Owing to the inclusion of the building on the Heritage at Risk register, officers are happy to arrange a post advice meeting, and consider alterations to the plans in the manner suggested above. Please contact Catherine Jeater (details above) to arrange a meeting.

Submitting a Planning Application

Information as shown below will be required for the formal submission of your application for full planning permission:

- A completed application form
- A site location plan to identify the land to which the application relates drawn to an identified scale (1:1250) showing the direction of North
- A copy of plans and drawings or information necessary to describe the subject of the application including:
 - Block plan of the site
 - Existing and proposed floor plans
 - Existing and proposed site sections, to include finished floor and site levels
 - Existing and proposed roof plans
 - Existing and proposed sections
- Design and Access Statement (if the proposed works would affect a designated heritage asset or the setting of a designated heritage asset)
- The applicable fee

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

Simon Bevan
Director of Planning

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 Julian Murphy	Reg. Number	17/AP/2632
Application Type	Full Planning Application	Case	TP/1375-133
Recommendation	Grant permission	Number	

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Conversion of the existing single family dwelling into x4 self contained residential units, entailing: the restoration of historic features; the re-instatement of timber sash windows; rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'.

At: 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ

In accordance with application received on 04/07/2017 08:00:57

and Applicant's Drawing Nos. Existing Plans
139 P001 Rev A, 139 P002 Rev B, 139 P003 Rev B, 139 P004 Rev B

Existing Elevations
139 E010 Rev B, 139 E011 Rev C

Existing Sections
139 S020 Rev A, 139 S021 Rev A, 139 S022 Rev A, 139 S023 Rev A

Proposed Plans
139 P100 Rev A, 139 P102 Rev M, 139 P103 Rev M, 139 P104 Rev J

Proposed Elevations
139 E110 Rev F, 139 E111 Rev G

Proposed Sections
139 S120 Rev C, 139 S121 Rev B, 139 S122 Rev D, 139 S123 Rev C, 139 S124 Rev C

Proposed Details
139 D(31) 400 Rev A, 139 D(31) 401, 139 D(31) 402

Structural Engineer's Drawings
17002 TP01, 17002 TP02

Design, Access and Heritage Statement Report Rev C
Flood Risk Assessment by Unda Consulting
Structural Engineer's Letter Report by HF-K

Subject to the following seven conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

139 P100 Rev A, 139 P102 Rev M, 139 P103 Rev M, 139 P104 Rev J, 139 E110 Rev F, 139 E111 Rev G, 139 S120 Rev C, 139 S121 Rev B, 139 S122 Rev D, 139 S123 Rev C, 139 S124 Rev C, 139 D(31) 400 Rev A, 139 D(31) 401, 139 D(31) 402, 17002 TP01, 17002 TP02

Reason:

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

- 2 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.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

- 3 Before the first occupation of the conversion and extension of the building hereby permitted details of the arrangements for the storing of domestic refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure 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 The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 4 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T * and 45dB LAFmax

Living rooms - 30dB LAeq, T **

Dining room - 40 dB LAeq, T **

* - Night-time 8 hours between 23:00-07:00

** - Daytime 16 hours between 07:00-23:00

A report shall be submitted in writing to and approved by the LPA. The approved scheme shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter. The development shall be carried out in accordance with the approval given. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample (usual minimum of 10%) of premises. The results shall be submitted to the LPA for approval in writing.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 5 The roof of the rear extension at second floor level hereby permitted shall not be used other than as a means of escape and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason

In order that the privacy of 131 and 135 Kennington Park Road may be protected from overlooking from use of the roof area in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 6 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment prepared by UNDA with project reference number 87398 dated August 2017

The occupier of the garden flat at basement level will be able to gain access to the ground floor in an emergency flood situation via a stairwell shown on amended on amended plan 139P102 rev L and indicated further on recent submitted section drawings. The stairwell is to be available for use for the occupier at all times.

Reason

To ensure the development is designed safely in reference to flood risk in accordance with The National Planning

Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.9 Water of the Southwark Plan 2007.

- 7 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

Informative

The site is situated within flood zone 3a, which is considered to be 'High Risk', but does benefit from being defended by the Thames Tidal Defences. The site of the proposal is situated within the greater than 12 hour inundation zone and described as 'moderate' risk within the Southwark Strategic Flood Risk Assessment (SFRA). We would assert that the flood resilient design as proposed in the FRA should be adopted to reduce the potential impact of flooding, and we would also highlight that that the applications are in alignment with the recommendations stated within table 6.4.4 Spatial Planning & Development Control Recommendations of the Southwark SFRA. Under NPPF, the proposals would be maintained as 'more vulnerable', and we would draw special attention to Table 6.4.4 Spatial Planning & Development Control Recommendations of the Southwark SFRA, which states that basements should be flood resilient, have access to higher ground internally, and that no sleeping accommodation must be placed within the greater than 12 hour inundation zone. While we are not objecting to the proposal we insist that the flood resilient construction techniques and the flood risk mitigation measures as proposed in the FRA are essential in reducing the risk to the residents to a more tolerable level. We would also recommend that occupants register with the Environment Agency's flood warning service, 'FloodLine', so that they may prepare themselves in case of a flood event. This can be done by calling 0345 988 1188 to register.

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 Julian Murphy	Reg. Number	17/AP/2633
Application Type	Listed Building Consent	Case Number	TP/1375-133
Recommendation	Grant permission		

Draft of Decision Notice

Listed Building CONSENT was given to carry out the following works:

Conversion of the existing single family dwelling into x4 self contained residential units, entailing: the restoration of historic features; the re-instatement of timber sash windows; rear extension to the entrance 'side wing' at basement, ground and first floor levels; roof extension to the entrance 'side wing'.

At: 133 KENNINGTON PARK ROAD, LONDON, SE11 4JJ

In accordance with application received on 04/07/2017 08:00:57

and Applicant's Drawing Nos. Existing Plans
139 P001 Rev A, 139 P002 Rev B, 139 P003 Rev B, 139 P004 Rev B

Existing Elevations
139 E010 Rev B, 139 E011 Rev C

Existing Sections
139 S020 Rev A, 139 S021 Rev A, 139 S022 Rev A, 139 S023 Rev A

Proposed Plans
139 P100 Rev A, 139 P102 Rev M, 139 P103 Rev M, 139 P104 Rev J

Proposed Elevations
139 E110 Rev F, 139 E111 Rev G

Proposed Sections
139 S120 Rev C, 139 S121 Rev B, 139 S122 Rev D, 139 S123 Rev C, 139 S124 Rev C

Proposed Details
139 D(31) 400 Rev A, 139 D(31) 401, 139 D(31) 402

Structural Engineer's Drawings
17002 TP01, 17002 TP02

Design, Access and Heritage Statement Report Rev C
Flood Risk Assessment by Unda Consulting
Structural Engineer's Letter Report by HF-K

Subject to the following seven conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason:

As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as amended.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 2 Detailed drawings at a scale (1:5) of the steps and railings. New external metalwork to be constructed of wrought/ cast iron shall be submitted to the Local Planning Authority for approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given. The use of aluminium or steel is unacceptable for these elements.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 3 The following samples shall be made available on site for inspection by the Local Planning Authority, and approval in writing; the development shall not be carried out otherwise than in accordance with any such approval given.
- i) 1m² sample panel of brickwork, mortar and pointing
 - ii) Brick
 - iii) Natural and cast stone

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 4 Prior to commencement of works, a Schedule of Works and detailed drawings (at a scale of 1:5/10) of any floor strengthening, fire protection and sound deadening works (to include critical junctions with joinery, door thresholds, landings and staircases) shall be submitted to and approved by the Local Planning Authority in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 5 Prior to commencement of works, the applicant shall submit a Schedule of Works and methodology for the following works to the Local Planning Authority for approval in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

- 1) Damp proofing
- 2) External Fabric repairs (to include alterations to parapets, party walls, chimney stacks and structural works)
- 3) Internal repairs to historic joinery and plasterwork (including drawn details 1:5 of new work)

Reason: In order to ensure that the proposed works are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 6 Notwithstanding the notes on proposed plans 139 P101 Rev A, 139 P102 Rev M, 139 P103 Rev M, 139 P104 Rev J, 139 E110 Rev F, 139 E111 Rev G, 139 S120 Rev C, 139 S121 Rev B, 139 S122 Rev D, 139 S123 Rev C, 139 S124 Rev C, 139 D(31) 400 Rev A, 139 D(31) 401, 139 D(31) 402,:
- all new and replacement windows to be single glazed
 - the sill to the dormer windows of the new mansard extension to sit behind the existing parapet copings on the front elevation.
 - redundant historic openings to be retained, sealed shut and doors and architraves to remain.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building and the historic plan form remains discernible, in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

- 7 All new internal/external works and finishes and works of making good shall match existing original work adjacent in respect of materials used, detailed execution and finished appearance, except where indicated otherwise on the drawings hereby approved or as required by any condition(s) attached to this consent.

Reason:

In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.15 Conservation of the Historic Environment; 3.16 Conservation Areas; 3.17 Listed Buildings; of The Southwark Plan 2007.

Informative

Please note:

This listed building consent only applies to the works specified here, including the drawings and schedules on this notice.

Any additional fire, sound and other structural works that may be necessary for building regulations approval and which are not shown on the drawings and schedules on this notice are likely to require an additional application for Listed Building Consent (LBC). Please bear in mind that unauthorised works to a Listed Building could constitute a criminal offence.

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PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2017-18

NOTE: Original held by Constitutional Team all amendments/queries to Gerald Gohler Tel: 020 7525 7420

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Councillor Ben Johnson (Vice-Chair)	1	Environmental Protection Team	
Councillor Nick Dolezal	1		
Councillor Tom Flynn	1		
Councillor Octavia Lamb	1	Communications	By
Councillor David Noakes	1	Louise Neilan, media manager	email
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Officers			
Constitutional Officer, Hub 2 (2 nd Floor), Tooley St.	7		
Jacqui Green/Selva Selvaratnam, Hub 2 (5 th Floor) Tooley St.	3		
Margaret Foley, Legal Services Hub 2 (2 nd Floor) Tooley St.	1		