

## Planning Sub-Committee A

Tuesday 16 November 2021

6.30 pm

G02, Ground floor, 160 Tooley Street, London SE1

**(Second part 6.30pm onwards)**

### Membership

Councillor Kath Whittam (Chair)  
Councillor Adele Morris (Vice-Chair)  
Councillor Maggie Browning  
Councillor Sunil Chopra  
Councillor Richard Leeming  
Councillor Martin Seaton  
Councillor Jane Salmon

### Reserves

Councillor Peter Babudu  
Councillor Karl Eastham  
Councillor Renata Hamvas  
Councillor Victoria Olisa  
Councillor Anood Al-Samerai

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### 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

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#### Contact

Beverley Olamijulo, Constitutional Officer Email: [Beverley.olamijulo@southwark.gov.uk](mailto:Beverley.olamijulo@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 8 November 2021



# Planning Sub-Committee A

Tuesday 16 November 2021

6.30 pm

G02, Ground floor, 160 Tooley Street, London SE1 (Second part 6.30pm onwards)

## Order of Business

Item No.	Title	Page No.
1.	<b>INTRODUCTION AND WELCOME</b>	
2.	<b>APOLOGIES</b>	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	1 - 5
6.1.	<b>33 EAST DULWICH GROVE, LONDON SOUTHWARK SE22 8PW</b>	6 - 65
6.2.	<b>RICHMOND HOUSE, KINGSTON ESTATE, EAST STREET LONDON SE17 2DU</b>	66 - 106

**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: 8 November 2021

## 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.

**Please note:**

Those wishing to speak at the meeting should notify the constitutional team by email at [ConsTeam@southwark.gov.uk](mailto:ConsTeam@southwark.gov.uk) in advance of the meeting by **5pm** on the working day preceding the meeting.

**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  
Email: [beverley.olamijulo@southwark.gov.uk](mailto:beverley.olamijulo@southwark.gov.uk)

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 16 November 2021	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer, (Head of Constitutional Services)	

### RECOMMENDATIONS

1. That the Planning Sub-Committee A make 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 Planning Sub-Committee A 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 the Planning Sub-Committee A agree 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 of Southwark Council's constitution 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 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 Governance**

12. A resolution to grant planning permission shall mean that the development and building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the head of development management 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 head of development management 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 legal services, and which is satisfactory to the head of development management. 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 legal services. 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	Beverley Olamijulo 020 7525 7234
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer or the Planning Department 020 7525 5403

## APPENDICES

No.	Title
None	

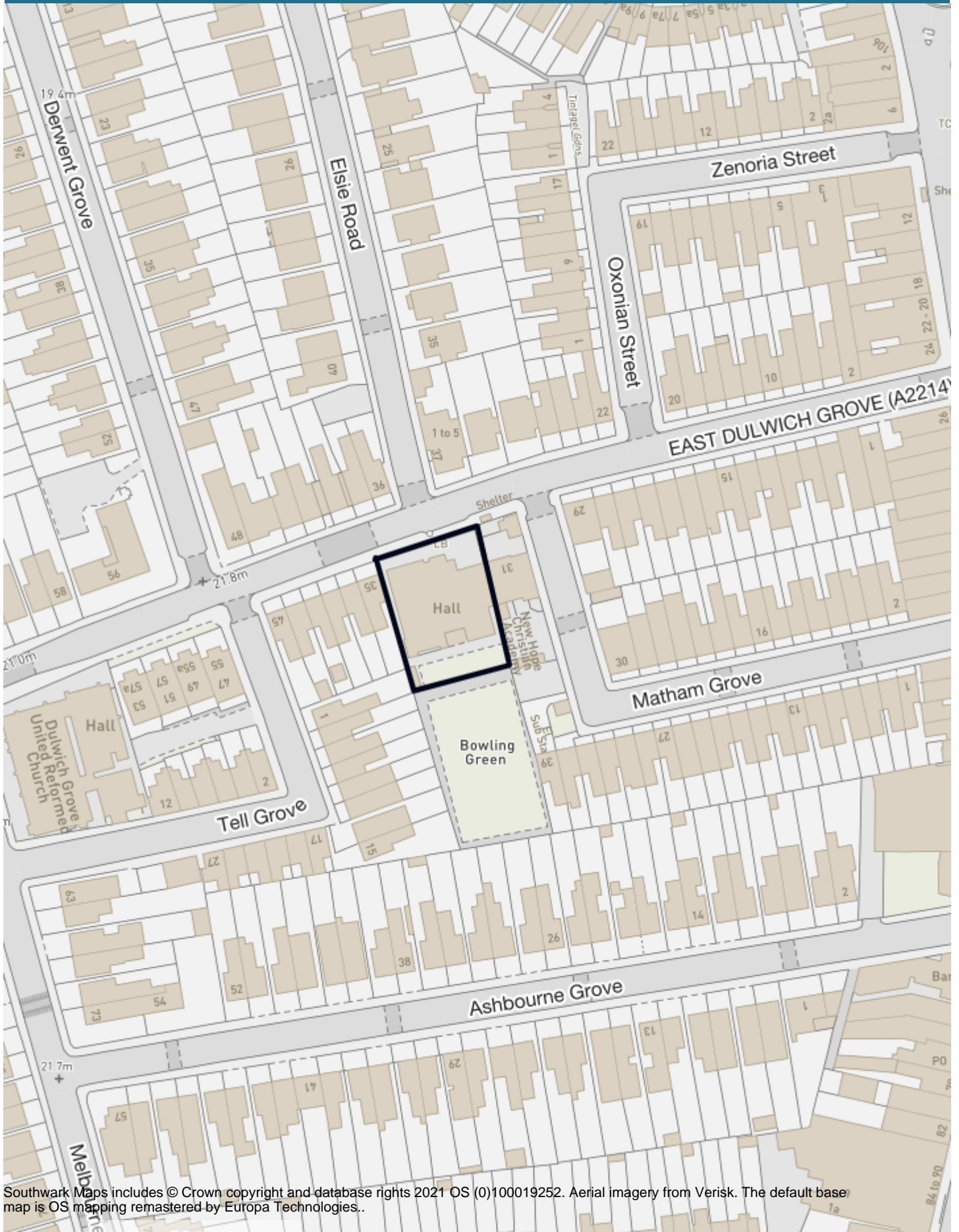
## AUDIT TRAIL

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Authors</b>	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	5 November 2021	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Governance	Yes	Yes
Director of Planning and Growth	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		8 November 2021

# Agenda Item 6.1



20AP3460 & 20/AP/3461 33 East Dulwich Grove, London, SE22 8PW



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<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 16 November 2021	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<p><b>Development Management planning application:</b> 20/AP/3460 for Planning permission 20/AP/3461 for Listed building consent</p> <p><b>Address:</b> 33 EAST DULWICH GROVE, LONDON SOUTHWARK SE22 8PW</p> <p><b>Proposal:</b> Change of use of the former Dulwich Constitutional Club (Sui Generis) into a children's day nursery (Class E) with exterior alterations to the existing listed buildings and associated works, and for listed building consent (20/AP/3461) for interior and exterior alterations to the existing listed buildings, landscaping and associated works related to the change of use.</p>		
<b>Ward(s) or groups affected:</b>	Goose Green		
<b>From:</b>	Director of Planning of Planning and Growth		
<b>Application Start Date</b>	16.11.2020	<b>PPA Expiry Date 30.11.2021</b>	
<b>Earliest Decision Date</b>	09.08.2021		

## RECOMMENDATION

1. That planning permission be granted subject to conditions.
2. That listed building consent be granted subject to conditions.

## EXECUTIVE SUMMARY

3. The application site is the former Dulwich Constitutional Club and comprises a former early Victorian semi-detached house and two late Victorian halls, and is Grade II listed. The club has been vacant since 2019, following a long history of use as a private members club (Sui Generis). The proposals are for alterations and its change of use to a children's day nursery, providing spaces for up to 195 infants and toddlers, operating weekdays. Two rounds of local consultations have been undertaken, with 138 responses received, 90% of which raised an objection.
4. The proposed development is acceptable in land use terms, supporting educational facilities. Its operation would be accommodated by the local highway network, with sufficient on-street parking and space for on-street

servicing remaining available. The scheme proposes an improved local crossing facility, a travel plan and sufficient on-site cycle and scooter storage. The external alterations are minor in nature and would not noticeably alter the street scene or wider townscape. The main changes are internal and extensive, including the modernisation of services and subdivision of the large halls for classrooms and ancillary rooms; and the re-landscaping of the rear gardens for children's play. The designs have been modified to reduce the harmful impacts and are offset by the buildings' considerable refurbishment, which should ensure the long-term viability of the heritage asset. Conditions sufficiently address amenity concerns of overlooking and acoustic attenuation.

5. For the reasons set out in full in the 'Assessment' section of this report, it is therefore recommended that planning permission and Listed Building Consent are granted subject to conditions and a S.278 agreement.

## BACKGROUND INFORMATION

### Site location and description

6. The site is the former Dulwich Constitutional Club, located on the south side of East Dulwich Grove midway between the new Tessa Jowell medical centre and Lordship Lane. The club has been vacant for a few years, following a long history of use as a private members' club, providing sports and social facilities that included a bowling green, a snooker hall and function hall, as well as bar facilities. The site contains living accommodation on the second floor, which was used ancillary to the main use of the private members club, and is not self-contained. The bowling green is located within the rear garden.



Figure 1: Existing site layout

7. Established in 1888, the club operated in a semi-detached, early Victorian townhouse that was extended by the addition of two large interconnected halls to its side. The elegant, stucco-fronted, three-storey townhouse dates from the early to mid-19<sup>th</sup> century, and is contrasted by the robust, two-storey red brick halls with tall pitched roofs and gable-ends that date from the late 19<sup>th</sup> century. Further small extensions were added mainly to the rear during the Edwardian period and mid-20<sup>th</sup> century. The building complex is Grade II listed, whilst the site is not within a conservation area. The most sensitive part of the site in terms of heritage is the Victorian house, and as one half of a semi-detached pair with no.31, although the attached halls are nonetheless significant. The site, together with the neighbouring property, is described by Historic England on its statutory list as:

TQ3375SE EAST DULWICH GROVE 636-1/49/322 (South side) 27/09/72 Nos.31 AND 33, Grade II

*'2 semi-detached houses. Early to mid C19. Painted stucco with low-pitched, hipped slate roof with deep eaves soffit. 3 storeys and basement, 3-window range; No.31 with 2-storey, 1-bay entrance extension to left. 1st-floor sill band. Plain reveals to flat-arched windows with sashes of an original design: 6x9 to ground floor, 6x6 above, and 3x6 to 2nd floor. Projecting and boxed eaves. Banded, rusticated ground floor forming voussoirs to round-arched doorways; acanthus brackets flanking entrance. INTERIOR: not inspected.'*



Figure 2: Existing building complex

8. The site is subject to the following designations:
- Air Quality Management Area
  - Critical Drainage Area
  - Suburban Density Zone (middle)
  - TPO Individual TPO Zone (31 East Dulwich Grove & 39 Matham Grove).
  - Public Transport Accessibility Level (PTAL) 4
  - East Dulwich Controlled Parking Zone (ED).



## Details of proposal

9. The application seeks planning permission to change the existing sui generis use of the site, which was last used as a private members' club (Dulwich Constitutional Club), to a Children's Day Nursery (E(f)). The proposed day nursery would be run by the N Family club (nursery providers) and would provide spaces for up to 195 children. The proposed operation would have children on-site between the hours of 0700-1900, Monday to Friday, for 51 weeks of the year. There would also be occasional family events during the week and on weekends. The new use would also provide 46 full time and 5 part time staff positions.
10. The proposed use of the building comprises of a kitchen, plant room and staff facilities in the basement. The ground floor comprises of rooms for babies, pre-schoolers and toddlers as well as staff facilities. The first floor comprises of toddlers and babies areas. The second floor a play area and the third floor a potential specialised room. The proposal also includes exterior alterations to the buildings including replacement of timber windows in the rear elevation with timber bi-folding doors, new front entrance door. Four windows in the side (west elevation) are being re-opened. Other associated works (e.g., front and rear landscaping, bike and bin stores, etc.). A concurrent application is sought for listed building consent for the internal and external alterations to the existing buildings. The proposed alterations to the listed buildings are considered in the design and heritage section of this report.

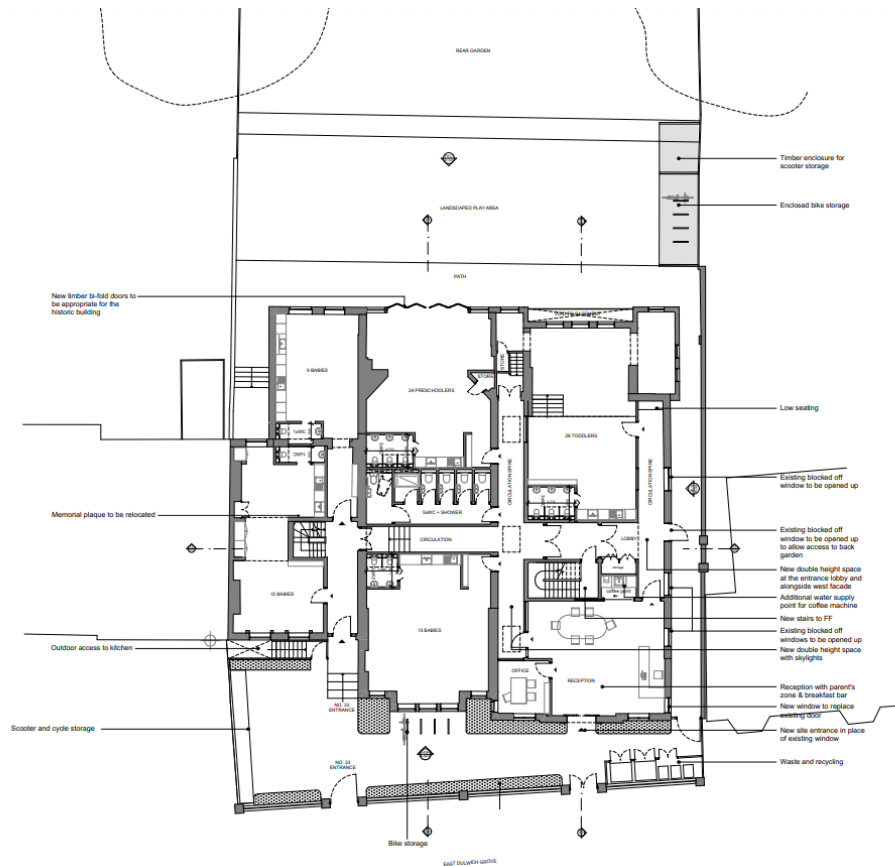


Figure 3: Proposed ground floor plan

## Surrounding area

11. The site is located within a mainly residential area of East Dulwich, fronting onto East Dulwich Grove, close to the Derwent Grove bus stop (B), with the high street of Lordship Lane some 150m to the east.
12. The site sits amongst uniform streets of modest two and three-storey late Victorian terraced housing and semi-detached villas, with some modern infill of similar low-rise scale. However, East Dulwich Grove itself is slightly more mixed in scale and character, being an important local road and containing the Dulwich Grove United Reform Church, which is nearby on the junction with Melbourne Grove; the local retail parade with flats above at nos.71-79 East Dulwich Grove; and the former Dulwich Community Hospital with its focal 'chateau' building, which is 275m to the west. The latter has been part refurbished and part redeveloped to provide the new Charter (East Dulwich) secondary school and Tessa Jowell medical centre. The church and its adjoining church hall are Grade II listed (1889, James Cubitt). The hospital 'chateau' is regarded as a non-designated heritage asset and includes a Grade II listed war memorial to the front.
13. The application buildings about no.31 East Dulwich Grove to the east, a building that was granted planning permission for a change of use from office use to educational use and is currently occupied by EDG Nursery. To the immediate west of the site is a terrace containing 6no. three-storey residential properties (nos. 35-45 East Dulwich Grove), which have mostly been subdivided into residential flats. The site is bounded to the south west by the back gardens of the residential properties of Tell Grove; to the south east by the front garden and flank wall of no.37 Matham Grove; and to the south (rear) by the back gardens of the residential properties of Ashbourne Grove.



*Figure 4: Site and its immediate context*

## Amendments to the application

14. Following the validation of the planning and listed building consent applications on 26 November 2020, a number of amendments and additional information have been submitted. The information includes a transport statement addendum to the initial transport statement submitted, which provides surveys from current branches of N Family nurseries in similar locations. The survey information is intended to ensure reliable estimates of the likely numbers of visitors/ users of the facility during peak periods. Based on these surveys, the transport statement addendum also suggests the likely modes of transport that will be adopted to travel to the site, details of car parking available, and how car parking will be discouraged and monitored by the nursery. The additional information was provided in order to suitably assess potential transport impacts.
15. The amended plans include an increased size of play area within the bowling green to the rear, and a series of internal changes to the proposed layout and design details, most notably: the removal of the front lightwell extension, the re-organisation of the main reception and the revised planform of the mezzanine insert.

## Consultation responses from members of the public and local groups

16. Two rounds of consultations were undertaken for the full planning and listed building consent applications. The first round of consultations ran from 9 December 2020 to the 9 January 2021 (32 days). Following this, officers met with the agent and scheme architects on several occasions to discuss concerns relating mainly to transport and heritage impacts. This led to the submission of the additional survey information and the proposed mitigation works to address the transport impacts, which would be secured by a Section 278 agreement. Amendments were also made to the proposed internal and external changes to the listed building, as well as an increase in provision for external play.
17. The additional information and amended plans were subject to a second round of consultations, which were carried out between 12 July 2021 and 9 August 2021, a period of 28 days. The follow-up consultations were conducted jointly for the planning and listed building consent applications, with all those who previously responded or invited to comment once again notified by letter. The consultation area was extended, with additional site notices displayed in East Dulwich Grove, Tell Grove, Matham Grove and Ashbourne Grove.
18. Combining both consultations a total of 138 consultation responses were received, which breaks down as 125 letters of objection, 12 letters of support and 1 neutral response. The material planning considerations raised by members of the public are summarised below:

Principle of development and proposed land uses:

- Loss of a community facility

Design quality and heritage impacts

- Alterations, particularly internal alterations, fail to preserve the special character of the Grade II listed building
- Over-development caused by the proposed external and internal alterations.

#### Transport, parking, highways, deliveries and servicing matters

- Harmful transport impacts caused by parking and increased traffic
- Pedestrian safety/ drop-off times - The safety of pedestrians will be compromised as a result of a large influx of children entering and exiting the site from two nurseries at peak times.

#### Environmental Impacts

- Air quality/ pollution - Consequential harmful impacts will be caused to the Air quality in the local area from pollution emanating from increased traffic from cars on the road as result of visitors to the site arriving by car.
- Noise - Harmful noise impacts from use of play area to the rear, with potential of 195 children and 51 staff using the nursery and the rear amenity area.

#### Amenity loss of open space

- Loss of bowling green to the rear of children's play area. This loss of bowling green has increased following scheme amendments that increased the size of play area.

#### Over-development

- The proposal is over-development in terms of capacity of use, which will have harmful impacts on transport and the environment.

#### Other matters - Non Material considerations

#### Financial impacts to neighbouring nursery EDG 31 East Dulwich Grove-

- The proposal for a neighbouring nursery will harm the financial viability of the existing nursery EDG nursery at 31 East Dulwich Grove
- Housing should be prioritised on the site.

19. The material planning considerations are addressed in the body of this report.

#### **Planning history of the site, and adjoining or nearby sites**

20. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site and other nearby sites is provided in Appendix 3.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

21. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
  - Heritage and design considerations
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - Transport and highways, including servicing, car parking and cycle parking
  - Environmental matters, including air quality
  - Ecology and biodiversity
  - Trees
  - Mayoral and borough community infrastructure levy (CIL)
  - Consultation responses and community engagement
  - Community impact, equalities assessment and human rights
22. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

23. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
24. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

### **Planning policy**

25. The statutory development plans for the Borough comprise the London Plan 2021, Southwark Core Strategy 2011 and saved policies from The Southwark Plan (2007 - July). The National Planning Policy Framework (2019) and emerging policies constitute material considerations, but are not part of the statutory development plan. A list of policies that are relevant to the applications is provided at Appendix 2. Any policies that are particularly relevant to the consideration of the applications are highlighted in the report.
26. With regards to listed building consent application 20/AP/1649, the application is required to demonstrate that it conforms with the Listed Building and Conservation Areas Act (1990) [the Act] as amended and updated, as well as the material policy considerations in the NPPF, London Plan 2016, the Core Strategy 2011 and the Saved Southwark Plan 2007.

27. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

## ASSESSMENT

### Principle of the proposed development in terms of land use

#### Relevant policy designations

28. Saved Policies 2.1 and 2.2 of the Saved Southwark Plan states the following;

***Policy 2.1 – Enhancement of Community Facilities***

*Planning permission for a change of use from D Class community facilities will not be granted unless:*

- i The applicant demonstrates to the satisfaction of the LPA that the community facility is surplus to requirements of the local community and that the replacement development meets an identified need; or*
- ii The applicant demonstrates that another locally accessible facility with similar or enhanced provision can meet the identified needs of the local community facility users.*

***Policy 2.2– Provision of new Community Facilities***

*Planning permission will be granted for new community facilities provided:*

- i. Provision is made to enable the facility to be used by all members of the community; and*
- ii. The facility is not detrimental to the amenity of present and future occupiers of the surrounding area in compliance with Policies 3.2 and 5.2; and*
- iii. Where developments will generate more than 20 vehicle trips at any one time a Transport Assessment will be required in compliance with Policies 3.3 and 5.2.*

29. It should be noted that references to D Class have been superseded by the changes to the Use Classes Order 1987 by The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 (SI 2020/757) (2020 Regulations) which revoke the D Use Classes and replace with classes E (commercial, business and service), F.1 (learning and non-residential institutions) and F.2 (local community).
30. Prior to these changes the proposed use as a day care centre/ nursery would have fallen into Use Class D but now falls within Use Class E (commercial, business and service).
31. The proposal seeks a change of use from the authorised use as a private members drinking club with ancillary living accommodation (sui generis) to a Children's Day Nursery (Class E). In planning policy terms there are no protection for sui generis uses.
32. Concern has been raised through consultation comments that the proposal will

result in the loss of a community facility (class F). It is noted that the site has been vacant since 2019. Prior to the site being vacant, it appears that the Dulwich Constitutional Club permitted non-members to use facilities such as fitness classes for a charge. The club also appears to have allowed musical and community events and private parties.

33. It would appear that the last use was as a members drinking club as noted on the 'CAMRA' website (Campaign for Real Ale) and whatpub.com notes, therefore the application property was used at certain times by non-members for a charge. This use would have been ancillary to the main use as a member's only drinking club and that the community uses have been used ancillary to the principal sui generis use. As such, saved policies 2.1 and 2.2 of the Southwark Plan 2007 do not apply to this application.
34. The proposal seeks the change of use from sui generis to a nursery providing educational facilities. Saved Policy 2.4 - Educational Deficiency – Provision of new Educational Establishments states the following;

*Policy 2.4 - Educational Deficiency – Provision of new Educational Establishments*

*Planning permission will be granted for new educational establishments especially in areas of demonstrated educational deficiency provided:*

*i. Opportunities are taken wherever possible to ensure that provision is made to enable the facility to be used by all members of the community.*

35. Educational establishments are supported by policies in the London Plan 2021, Policy S3 'Education and childcare facilities' and the NPPF Chapter 8 'Promoting healthy and safe communities' which specifically seeks to ensure that a sufficient choice of school places is available to meet the needs of existing and new communities. Planning permission for educational uses will be granted especially in areas of demonstrated educational deficiency. While it is noted that there is a neighbouring nursery at 31 East Dulwich Grove providing similar services, there are no policies in relation to nurseries being located next to each other in educational terms.
36. The Area Vision for East Dulwich AV.08 also notes that developments within this area should '*Meet the needs for school places, health services and community facilities;*' indicating that the provision of additional school places would be supported in this location which is in East Dulwich. Furthermore emerging NSP policy, P26 'Education places' notes that development of educational facilities will be permitted '*where proposals provide pre-school, school, higher and further education places to meet identified needs and where there are sports, arts, leisure, cultural or community facilities that are shared with local residents and all members of the community*' [ and that] '*school places must provide sufficient floor space for teaching, halls, dining, physical education, staff and administration activities, storage, toilets and personal care, kitchen facilities, circulation, plant and any non-school or support functions such as special needs facilities. Schools must receive adequate daylight and sunlight, provide high quality external areas that avoid sightlines from neighbouring homes, have good internal and external air quality and support safe, healthy travel by pupils.*'

37. The proposal at the application property complies with the area vision through the provision of: a play area within the former Bowling Green area; opportunities for sports and play and general physical education; kitchen facilities within the basement floor; two meeting rooms for staff administration activities on the basement floor and; 19 WCs and 1 shower within the premises. The internal space has also been designed to protect the privacy of neighbouring properties and is supported by transport measures to aid users of the nursery safely attending the facility with no adverse impact on highway issues and safety.
38. Concern has been raised through objections that the proposal will result in financial loss to the existing neighbouring nursery from a competing nursery at the site leading to its eventual demise. This is noted, however, potential competition from competing service providers within a particular industry is not a material planning consideration. In line with the area vision, the proposal will increase choice for customers in terms of educational providers for pre-school services.

### Affordable workspace

39. Emerging Policy P30 of the New Southwark Plan requires developments proposing over 500 sq. m GIA or more employment floorspace to provide 10% of the floorspace as affordable workspace at market rents. Although the proposal falls within the category of Class E- Commercial, Business and Service, the area provided for office use would not amount to 500sqm. As such emerging policy P30 does not apply and there is no requirement to provide affordable workspace.

### **Environmental impact assessment**

40. The applicant did not make a screening request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme at 0.22 hectares.

### **Design, layout and heritage assets**

#### Heritage considerations

41. The report considers both the relevant planning and listed building impact of the development. Section 16 (2) of the Planning (Listed Building and Conservation Areas) Act 1990 states that “In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The NPPF (July 2021) reinforces this principle stressing that heritage assets are “an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations” (para 189).



42. The NPPF requires Local Planning Authorities to identify the significance of a heritage asset and its setting, and to take this into account when considering the impacts of a scheme, to avoid or minimise any conflict between the listed building and the proposals (para 195). It sets out the tests for considering the impacts of a proposed development on a listed building, highlighting the need to give great weight to the conservation of the heritage asset (and the more important the asset, the greater the weight) and of evaluating the extent of harm or loss of its significance, and its justification. It expects the Local Planning Authority to generally refuse consent where the harm is substantial, or where necessary, assess that the impacts are outweighed by substantial public benefits (para 201). Where the development leads to less than substantial harm, this should be weighed against the public benefits, which can include securing the building's optimum viable use (para 202).
43. With regards to the Council's Core Strategy, chapter 12, Design and Conservation requires the conservation of listed buildings and conservation areas, while saved Southwark Plan policies 3.15 Conservation of the Historic Environment; Policy 3.16 Conservation areas; and 3.17 Listed Buildings are also relevant. The policy approach will shortly be carried through to the New Southwark Plan NSP) in policies P18 and P20.
44. As referenced earlier, the Dulwich Constitutional Club comprises three main elements, a former townhouse and two purpose-built halls that together form a small complex of buildings that front onto the main road, with a large garden to the rear. The townhouse is one half of a pair of large semi-detached family houses, nos. 31 and 33, that were constructed in the late 1830s/ early 1840s. The white painted stucco-fronted properties comprise three storeys raised above a basement level, and are neo-classical in their elevational architecture and proportions, featuring a rusticated ground floor with voussoirs to round-arched doorways and acanthus brackets flanking the entrances, and an ordered arrangement of sash windows with a strong elevational hierarchy. The townhouses share a low-pitched hipped slate roofs with deep eaves soffits that lends a Regency villa quality. The application property retains its panelled entrance door and sash windows. The pair of houses were added to the statutory list in 1972.
45. Internally, the application building (no.33) retains a reasonable sense of its original planform, with the room proportions evident to the front and on upper floors, and notable surviving interior details, including window shutters and architraves, elements of cornicing and skirtings, several fireplaces and internal doors, dado rails and plasterwork panelling, and the staircases between 1<sup>st</sup> floor and second floors and to the attic room. The rear room features a small war memorial attached to the wall. However, the building has undergone substantial alterations as part of its adaptation as a clubhouse and during subsequent refurbishments. The most notable change is to its circulation at lower levels, with the main staircase replaced and rotated 90 degrees and lateral openings made within the hallway's party wall at ground and first floors to connect through to the adjoining central hall. The staircase, double-leaf doors and wood panelling date from mid-20<sup>th</sup> century in their detailed finishes.

46. Further changes are the part opening up of the front and rear rooms at ground floor level, and an additional opening within the rear room, connecting through to a ground floor rear extension that accommodates a small bar area. The single storey extension appears Victorian in its finishes, although the saloon bar itself is modern. The basement has been extended to the front, infilling the original lightwell to provide toilets and cellarage. Lastly, a metal fire escape stair is attached to the rear of the townhouse over upper floor levels.
47. The two concentric halls are substantial two-storey red brick buildings with steeply pitched slate roofs and gable ends to the front and rear. The central building features a two-storey gabled bay with flat arched openings and timber sash windows at ground floor and multi-paned casements at first floor, with a strong vertical proportioning. The front elevation includes decorative brickwork keystones, banding at first floor level and roof dentils. The building is accessed internally from the townhouse by a short flight of internal stairs, being at grade level and with no doorway onto the street. The internal entrance and stairs match the designs of the main staircase (see above).
48. At ground floor the central hall is divided into two main spaces, a smaller room to the front that appeared to provide a games room, and a larger room to the back that may have provided a small hall, but presently accommodates the main saloon bar. A later single storey infill extension is added to the rear, connected to the bar by large bi-fold doors. The timber and glass structure provided a sun lounge, with extensive windows and French doors onto the rear garden. The flooring is exposed timber, though beyond this little original detailing remains evident at ground floor, with the introduction of modern dropped ceilings and the saloon bar.
49. The main feature of the central hall is at first floor level, which survives as a single, long room that is open to the roof space, with its exposed timber and steel-trussed roof structure and roof lanterns. The room also retains its timber flooring, cast-iron radiators and windows to the front and back, albeit the walls are plainly plastered. It retains its original use as a billiards or snooker room.



*Figure 5: Central hall existing 1<sup>st</sup> floor*

50. Lastly, the west building articulates forward of the central building, better defining its profile towards the street. Wider than the central hall, the building reads as two-storeys onto the street, but was originally conceived as a double-height concert/ lecture hall with stage for the club. The street elevation is notable for the pedimented design of its gabled roof and for the central large oculus at first floor that sits above an engaged brickwork portico. Tall casement windows sit to either side of the front bay, sharing the same brickwork banding, flat arch openings and keystones as the central hall. The portico contains a tripartite timber window above a brick panel, although it originally formed the building's main entrance, reflecting its design and alignment with the perimeter gate. The entrance was probably closed off during the Edwardian period, given the condition of the brickwork infill, since when its main access has been internal from the central hall, with secondary exits only on its flank and rear elevations.
51. Internally, the character and proportions of the large function hall have become obscured by the insertion of a suspended ceiling and the erection of a partition wall at mezzanine level that screens off a former end balcony. These alterations were undertaken during the 1970s, when much of the interior finishes were replaced in an extensive refurbishment. Nonetheless, the general layout of the hall remains, with the proscenium stage, front apron and wings evident. Backstage is a glazed corridor space that forms the 'cross-over' and accesses a corner dressing room and staircase to the basement level, which is set out as toilets and a further changing room. The ground floor area at the north end (front) of the building is fitted out as a modern kitchen space with tiling. The upper former theatre balcony retains little detail beyond its simple concrete access stair, balustrade and timber flooring, but is notable for the modern suspended ceiling that cuts across the oculus and is visible from the street.

52. Regarding the significance of the site, it is evident from the listed building entry that there is a primary focus on no.33 as part of a pair of surviving, early Victorian semi-detached houses with their coherent neo-classical architecture, although their underlying structure is not without some doubt. Nonetheless, the two houses have a historic significance in being a surviving part of the early suburbanisation of the Champion Grove/ East Dulwich area, with the buildings originally set within generous grounds and predating the arrival of the railway and the laying out of the surrounding network of streets and modest housing. Whilst not referenced in the listing description, its surviving sense of planform and decorative elements add to its architectural and historic significance, confirming its early Victorian domestic character. Similarly, there is significance in the evolution of the building, with its adaptation and extension use as a constitutional club, with its cultural identity and social interest.
53. The halls are considered of significance, albeit to a lesser extent than the house. Attached to the main house, the buildings nonetheless possess a confident, robust architecture that is engaging and functional, with the two halls distinct in profile and stylistically unified. Their general built form and elevational architecture are intact. The interior finishes have been extensively altered. However, the internal roof structures, proscenium stage and backstage, balcony and general planform can nonetheless be appreciated, albeit the spatial qualities are often concealed by the false ceilings.

### Design and impacts of the proposals on the heritage asset

54. Looking at the proposals, the external works are mainly matters of refurbishment, involving the restoration of the brickwork and overhaul of the surviving original windows and the roofs. The latter includes the insertion of additional insulation beneath the roof covers. A schedule for the window refurbishment and retention of single glazing for the original windows is recommended. The current French doors and non-original ground floor windows at the rear would be replaced in an appropriate style, but would not affect the special interest of the buildings, being modern structures and of poor quality and condition. New windows and doors are to be inserted within the exposed flank elevation of the west hall, although these would be within existing openings that have previously been infilled/ form design relief panels or replace current doors. New skylights are also proposed to be inserted within the slate roof of the west hall. The windows and doors would bring additional daylight into the building and allow for emergency egress. They would have minimal impact upon the appearance of the building, being within the flank wall and only glimpsed from the street. The proposals include the removal of the external emergency staircase at the rear, helping to declutter the rear elevation, as seen from the neighbouring Matham Grove.

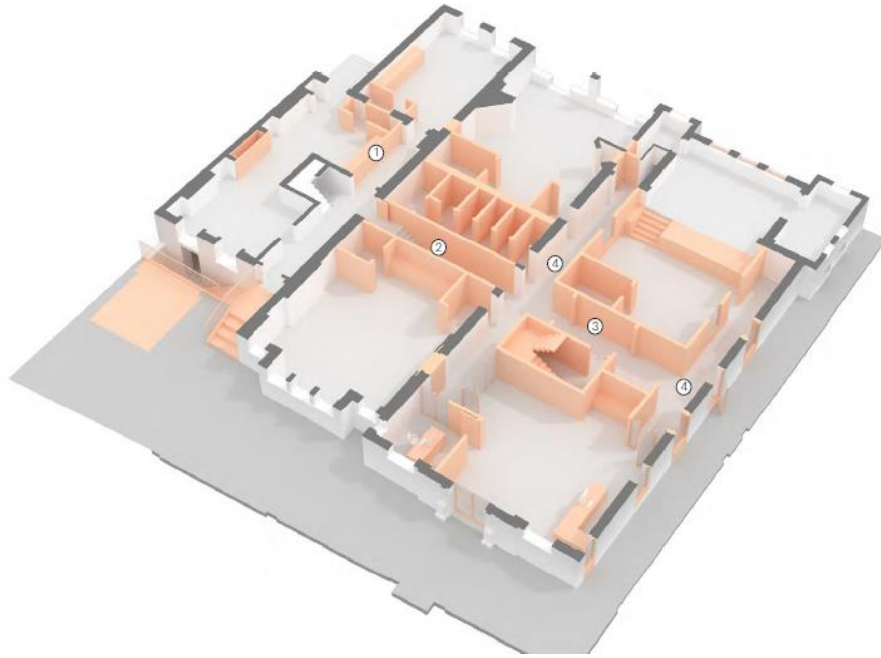


Figure 6: Front Elevation – Proposed

55. The significant external changes to the front are to the townhouse at basement level and to the west hall at ground floor level. Regarding the townhouse, the opportunity is being taken to re-establish the front lightwell and to incorporate a secondary entrance that will service a new kitchen area at basement level. This will involve demolishing the single storey extension that current protrudes above grade and mars the appearance of the townhouse, and reinstating a metalwork stair to access basement level. In addition, the modern concrete stairs to the main front door will be replaced and a shallow ramp incorporated to improve access to the townhouse. Subject to detailed designs for the new stairs, steps, ramp and railings, these changes would enhance the appearance of the townhouse, reinstating its original condition to the front. Importantly, the main front door would remain, although a condition is recommended to ensure its reinstatement following refurbishment and the re-introduction of a traditional fanlight.
56. Secondly, a new entrance is proposed to be inserted within the gable end of the west hall, which will form the main entrance to the nursery. The existing tripartite window and brickwork below would be removed and metal-framed sliding doors inserted. Whilst the change in appearance would be evident, the new entrance would improve the legibility of the host architecture, reinstating the original door position and making sense of the façade's engaged portico. The doors would be high quality, using slim-profile metal frames and, although not traditional, would read as the main entrance and would not unduly disrupt the appearance of the host building. A condition confirming the design details (incl. kick-plates) and colour finish is recommended.
57. In townscape terms, with no extensions, the existing general built form would be unchanged, as would the general appearance of the buildings. The removal of the lightwell infill would better reveal townhouse at ground floor level, whilst

the additional new entrance would provide good urban design, animating the street frontage, as well as improving informal surveillance. As such, the changes to the front are welcome on design grounds and are considered an enhancement of the heritage asset. The changes to the rear are not so obvious, being generally glimpsed from Matham Grove, although the removal of the external staircase at high level modestly improves the building's appearance in the townscape.

58. The majority of the important changes affecting the heritage asset, however, are within the building envelope and impact upon its surviving planform and decorative elements. Taking each building in turn:
59. *Townhouse:* The proposals make use of the current circulation, retaining and refurbishing the mid-century staircase, but also the Victorian staircase at upper floor levels. The lobby doors within the ground floor hallway and those connecting with the central hall would be removed, but are later additions and therefore of no strong interest. A new opening is proposed leading into the front room, which is not considered problematic subject to a slight change to an off-centre position, generally aligning with the original door position that became closed off during more recent renovations.
60. The open form of the front and rear main rooms remains as current, albeit there is sufficient sense of the front room's proportions. The reinstatement of the partition wall within the rear room separating it from the hallway is welcome, and whilst the contribution is potentially negated by the insertion of a small bathroom, its design as a pod structure could ease matters and is recommended by condition. Elsewhere, the original cellular plan form at 1<sup>st</sup> floor is retained, whilst the position of new partition walls generally follow the original planform at 2<sup>nd</sup> floor, allowing for a small bathroom. Given the floor hierarchy, the interventions at this level are of modest impact. Similarly, at basement level, the changes are of lower significance, being at an ancillary level, with the exception of the removal of the front extension (see earlier), which is particularly welcome. The new partitions are not problematic, allowing a new kitchen and ancillary services to be provided, which is appropriate at this level.
61. Regarding fixtures and finishes, the retention and refurbishment of the original window shutters and the retention and reopening of fireplaces are welcome. The relocation of the war memorial to the west hall, where it would be more prominent, is supported. The retention and refurbishment of the timber flooring throughout is welcome, as is the remaining decorative cornicing. The loss of the timber panelling within the lobby area is disappointing, but not resisted, comprising a thin timber veneer. The restoration of the decorative panelling within the stairwell is welcome, especially at upper floor levels, where the detailing is Victorian. New services will be introduced, and a schedule of services will be required by condition to ensure the proposed routeing is not too invasive in terms of visual impact and loss of fabric. More overt is the provision of wall-mounted heaters, although the units are and justified in terms of child safety and comfort, and are sufficiently discreet.



*Figure 7: Proposed additions at ground floor level*

62. *Central hall:* The internal access from the townhouse at ground and first floor level is retained, although the short stair at ground floor level is replaced. This is disappointing as the stair is mid-century and co-ordinates with the staircase within the townhouse. However, the stair does not meet modern standards and its retention would unduly restrict the layout of the adjoining rooms, and therefore its loss would be unreasonable to resist. The removal of the saloon bar and sub-division of the space for washrooms and classrooms is supported, being the most modified space within the hall. The main feature is the 1<sup>st</sup> floor billiards room, where the proposal is to refurbish the internal roof structure, including reopening the roof lanterns as skylights, and to leave the ceiling void exposed. The room itself, however, would be subdivided, which is harmful to the original planform and sense of quality of space, albeit the partitions are detailed to minimise their impact on the roof structure, be reversible and to retain the sense of openness to the roof void. A condition requiring the upper sections of the partitions be glazed is recommended, allowing the single space to continue to be read. Furthermore, the existing cast-iron radiators will be removed and replaced with high-level heaters. Although this loss is justified for reasons of child safety and comfort, it is nonetheless harmful, the radiators being attractive and authentic to the billiards room.



*Figure 8: Central hall proposed first floor (currently billiards room)*

63. *West hall:* This sees the most fundamental changes, with the hall repurposed to provide the main reception and larger nursery spaces. The re-opening of the original front entrance, removal of the kitchen fixtures and fitting and the refurbishment of the front room as the main reception is welcome, arguably reinstating the space as an important 'receiving' space. Little historic fabric remains within the space. The intention is to take the interior finish of the main structural walls back to their original brickwork, which is repaired and overpainted in a light or white colour. New partition walls are painted plasterwork, whilst the new internal doors comprise timber framed glazed doors with matching sidelights and fanlights. The look is simple and clean, with modern fixtures and fittings. The changes are well designed and discreet.
64. A corner office meeting room is inserted within the space, using studwork partitions and glazing, but has little impact on the sense of space and is reversible. The reception is made larger than the current kitchen space with the demolition of the partition wall between the kitchen and hall, but is proportionate to its use as the pick-up and drop-off area and is acceptable as part of the changes to the main hall space (see below). The changes will involve the demolition of the original corner stair that leads to the theatre balcony, resulting in the loss of original fabric, albeit concrete and ironwork, and detracting from the original planform.
65. Within the main hall, the current side entrance from the central hall will be retained, and a new circulation introduced with a central corridor across the main hall and two further corridors running the length of the hall at its outer edges. This is created by removing the suspended ceiling and inserting a new mezzanine structure within the main hall, providing a new first floor level for additional classroom accommodation. The new mezzanine is intended to read as a modern insert, comprising white painted plasterwork, varnished timber



framed windows and doors in a modern style, and occasional plywood finishes in accent colours. Its structure is designed to be as freestanding and reversible as possible, relying on minimised anchor points to the hall walls and ceiling and providing its own new central staircase and service voids.



*Figure 9: West hall proposed double-height corridor (currently hall with false ceiling)*

66. The insertion of the new mezzanine does disrupt the historic planform of the main hall. However, its spatial quality is currently impacted by the suspended ceiling and arguably the mezzanine floor does much the same, but more sensitively in that it allows the full height of the building to be appreciated in several places. The mezzanine is also reversible. The first floor floorplate is pulled in from the main flanks of the hall for much of their length, allowing the new outer corridors to form double height spaces and the full height of the original hall to be read. As with the central hall, the existing roof structure, with its timber framework and steel trusses, will be refurbished and left exposed and therefore visible from within both corridors, as well as from within the new first floor classrooms. A further double-height space is also provided within part of the proposed rear classroom. Whilst the location was originally backstage and the ceiling never exposed in this part, the additional sense of building's spatial quality is nonetheless welcome.
67. The provision of the new mezzanine and classroom layout involves the demolition of elements of the proscenium stage, which is integral to the

significance of the west building and wider complex. The existing stage apron, which is a simple timber structure that provides additional downstage space and storage, is demolished and replaced by a larger timber platform with staircase, whilst the backstage partition that formed the stage wings and crossover is demolished. The works facilitate a larger rear classroom space that features the raised platform and a double-height ceiling at the rear. This impacts upon the understanding of the stage and its supporting spaces. Importantly, however, the main stage and proscenium arch are retained in situ at ground floor, which are the main public-facing features of the stage, as well as the corner dressing room space. At first floor the proscenium arch is infilled to partition off the upper classroom from the rear double-height space. That said, the infill is made evident in its material treatment and is reversible, whilst the detailing of the proscenium arch is restored and left exposed as a feature of the room. The new partition includes a round internal window that allows the children to look into the rear double-height space and down into the classroom below.

68. The west hall includes a small basement area, which is accessed backstage, and currently contains modern partitions and sanitary ware. The underlying layout of the space and its exposed structural steel beam will be retained, and a new minor partitions inserted to provide storage and staff rooms lit by the existing rear lightwell. The works do not impact upon any important historic fabric or compromise the planform, whilst the use reflects its original ancillary function.
69. *Statutory consultations on heritage:* Historic England have responded to the proposals, stating that they do not wish to offer any direct comments and are satisfied for the application to be determined by the Council in accordance with policy and with the advice of the Council's conservation officer. The Victorian Society was consulted, but chose not to respond.

### Conclusion on design and heritage impacts

70. Looking at the designs in the round, the proposals do not alter the built form or the external architecture of the townhouse and the adjoining halls, with the buildings remaining much the same as they appear, albeit refurbished and returned to a high standard of finish. The new openings are mainly to a hidden flank elevation and, along with the replacement windows and doors on the rear elevation, are positioned and detailed sympathetic to the host building. The entrance to the townhouse is retained and a new main entrance is provided within the west hall, improving the building's legibility and activation within the street scene. The new entrance is modern, but remains sufficiently sympathetic to the host architecture. Overall, the proposals do not alter the general townscape in terms of additional height or massing, but bring welcome improvements in terms of the building's architectural appearance and its contribution to the street scene and good urban design.
71. The outstanding factor is the development's heritage implications for the Grade II listed complex. The design approach is well considered and adept, involving a mix of refurbishment and sensitively handled new internal additions. On balance, the scheme works well to sustain the special interest of the early Victorian townhouse, with its retained and refurbished historic fabric and sense

of planform, including the reinstatement of the front lightwell and some internal partitions. The central staircase of the club is retained and restored and, although not part of the building's original planform, preserves the building's evolution and special interest as part of the Constitutional Club. By contrast, the disruption of additional bathrooms and services and the loss of elements of historic fabric are minor, given its refurbishment and part restoration.

72. Regarding the halls, whilst acknowledging they are of less significance, their heritage contribution is nonetheless important. Their poor decorative order and extensive alterations are key considerations, as are the surviving planform and fabric of the billiards room within the central hall, the proscenium stage within the west hall, and the surviving timber and steel-trussed roof structure, albeit the latter is partly concealed. Whilst the new proposals are similarly extensive and there is harm to planform and spatial qualities of the billiards room and function hall and loss of elements of historic fabric, the harm has been minimised as part of the new design. This mainly comprises the careful positioning and treatment of the new partitions within the billiards room and the 'light-touch' insertion of the discrete mezzanine structure within the main hall, with its double-height spaces. Along with the refurbishment of the roof structure and its partial exposure within the main hall, the changes should allow a sense of the planforms and spatial qualities to be sufficiently retained and appreciated. The new insertions are modern and evidently contrasting in their appearance, and generally reversible. The harm is less than substantial, but is towards the lower end of the scale and is offset by the sensitive external and internal refurbishment of the townhouse and halls; the removal of the unattractive lightwell extension and modest improvement to their setting; and securing their functional use and long-term viability as a Grade II heritage asset.
73. Overall, the scheme meet the requirements of the council's design policies and the NPPF as high quality design that sustains the historic environment, and is therefore supported on these grounds, subject to appropriate conditions.

### **Landscaping**

74. In addition to the works to the buildings, the proposals will provide new landscaping both to the front and rear of the building complex. At the front, the proposals are to refurbish the existing low-wall and railings and to renew the existing hard surface that covers the property's forecourt, providing a scooter-friendly finish. New planted borders will be introduced adjacent to the front boundary wall and in sections immediately adjacent to the three buildings, which will soften the appearance of the built form within the street scene. Furthermore, the new planting immediately adjacent to the re-instated front lightwell of the former townhouse will support a sense of its original domestic quality. Provision is made for new scooter and bike parking and bin enclosures, with low-rise storage units discreetly positioned and finished in timber cladding, the final designs for which will be controlled by condition to prevent clutter.
75. The site currently features a small rear garden of 144 sqm and a bowling green of 885 sqm. At the rear, the landscaping proposals have been revised to acknowledge the bowling green as part of the social history of the former club. The short section of former lawn immediately adjacent to the buildings and

which is currently overgrown, is re-landscaped as a small garden with ornamental border planting, a pergola for shade and a play area for babies (including sand pit). A long single storey covered space will separate the small garden from the main landscape to the rear. The structure is not detailed and is reserved by condition, but is intended to provide a simple, covered activity area that will be open on both main sides. The bowling green, which is similarly become overgrown, will be mostly retained as lawn with several trampolines recessed into the ground and the rear bowls hut repurposed as a play den. The bowling green's perimeter will be re-landscaped as a nature trail, growing area and additional tree planting, with a replacement close-boarded, high timber fence with acoustic attenuation for the boundary treatment. Overall, the rear landscaping works well, providing an attractive green landscape that retains the sense of the former bowling green.

76. Objection has been raised that this will result in the loss of green space however the green space will still be retained but partially used for play space to be utilised by the users of the nursery. Sports England was also consulted on concerns related to the alterations to the bowling green, but chose not to comment.



Figure 10: Landscaping proposals at the rear

77. Overall, the landscaping will bring a welcome improvement to the site within the street scene, softening its appearance, as well as maintaining its green open

aspect and the sense of its former recreational use at the rear. It provides a modest, but nonetheless welcome improvement to the townscape and setting of the heritage asset.

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

### Daylight, sunlight and overshadowing

78. The proposal does not include any external extensions and therefore there will be loss of daylight, sunlight or a sense of enclosure to adjoining properties.

### Privacy, outlook and sense of enclosure

79. In terms of privacy the proposal will reintroduce first floor windows along the west elevation on the first floor, these windows are currently bricked up. These windows serve a void created by the introduction of a double height circulation area on the ground floor. There are additional internal windows and therefore it is not possible to stand by the newly opened windows and look out onto the flank elevation of 35 East Dulwich Grove. Therefore, it is not considered the proposal will adversely affect the amenity of the occupiers of 35 East Dulwich Road by loss of privacy.

### Noise and vibration

80. An acoustics assessment has been submitted with the planning application. Relevant NPPF policies include para 170 and 180 which require development to reduce or mitigate impacts on the environment, including noise and vibration. London Plan 2021 policies Policy D13 Agent of Change, Policy D14 Noise, Saved Southwark Plan Policy 3.2 Protection of Amenity and emerging policy P55 Protection of amenity of NSP are also material planning considerations. The submitted acoustic assessment looked at noise impacts from sound from two primary sources:

1. The mechanical services equipment serving the development
2. Noise impacts as a result of the proposed play area.

81. The design of the proposed mechanical services equipment serving the development has not yet been finalised and so maximum permissible levels for any future equipment has been specified. To ensure compliance with the Council's standard noise requirements, a condition is recommended requesting further details of the proposed plant to ensure that the cumulative maximum permissible sound rating level operating together should not exceed LAeq 27dB during the proposed operating period between 07:00 – 19:00 hours at 1m from any noise-sensitive properties in the vicinity.
82. There have been concerns from neighbouring residential properties that harmful noise impacts could occur as a result of a new play area to the rear in particular the play area located partially within the bowling green. The basis for

an assessment of this type of noise is discussed in the Guidelines for Environmental Noise Impact Assessment, written by the Institute of Environmental Management and Assessment (IEMA). The noise assessment in relation to noise emanating from the play area considered noise arising from at least 50 children playing in the amenity space. It noted that this will predominantly be during operational hours and will not be for long periods, it also noted that that noise within the play area would primarily be of children's voices. The noise assessment confirmed noise emissions from the proposed play garden when the play garden is at its busiest will cause a cumulative increase to the existing residual sound level of  $\leq 2.5$  dBA. When assessed in accordance with the IEMA Guidelines, gives an initial impact of "*none/not significant*".

83. Taking into account potential high noise events from the play space such as children shouting or laughing it is considered that with adequate supervision that this would only happen on an occasional basis. LAfmax sound levels at neighbouring properties will be at or below LAfmax 73dB. This exceeds existing LAfmax values recorded during ACA Acoustics' background sound level survey of LAfmax 70dB by only 3dBA. To provide additional protection against a loss of amenity to neighbouring properties from these types of occasional events an acoustic fence is proposed to the rear to protect, a condition is recommended to ensure that this is provided. The acoustic fence would be a minimum 2.6m high to the western and north-western sides, and 2.3m to other sides. A suitable fence would be formed of nominally 20mm thick timber laths, tongue and grooved or with overlapping laths to ensure no gaps between boards. Any doors/gates would be formed to a similar specification to ensure the effectiveness of the acoustic qualities of the fence and gates.

## **Transport and highways**

84. The site falls within Public Transport Accessibility Level 4 and is located within East Dulwich Controlled Parking Zone (ED) which operates from Monday to Friday 08:30 -18:30. The application property is located adjacent to double yellow lines and a loading bay. The site is located close to East Dulwich Train Station and on bus routes 37 and 42.

## Property access

85. There are two pedestrian entrances proposed that can be accessed from East Dulwich Grove. One entrance is to the west hall and would serve as the main reception and access point to the nursery facility. The second is the retained entrance to the townhouse, which would form a secondary or staff entrance and would be more occasionally used. A further access point to the townhouse is proposed to be provided at basement level within the re-opened front lightwell, using the new steps. This will allow direct access to the new kitchen and would be for servicing and emergency egress only. Lastly, there is access to the landscaped play area to the rear.

## Trip generation

86. As noted above a transport statement was submitted with the application and an addendum was later submitted by the applicant. The initial transport statement provided data on modes of travel in relation to the applicants N Family club branch in Hackney (Defoe Road) based on a survey that was carried out in April 2019. This site has a similar Public Transport Accessibility Level (PTAL) of 4. Of the 69 parents and carers of children 65% (45) travelled by foot and 9% (6) travelled by car. The most used modes of travel to site were by foot and by bicycle. The transport addendum provided details of estimated modes of travel to the site based on other branches run by the applicant in other comparable locations including Brixton SW2 with a PTAL of 5, Church Street N16 with a PTAL of 4, London Fields E8 with a PTAL of 6a, West Hampstead NW6 with a PTAL of 6a and Twickenham TW1 with a PTAL 5. The Defoe Road branch in Hackney (N16) also provided updated information on travel modes. This data was obtained through surveys undertaken during March 2021.
87. The survey data concluded that 61% of children travelling less than a mile to their nursery and 92% less than two miles. On average, 89% of children travel by active modes either walking by themselves or being pushed in a buggy by parent/carer, scooting or by cycle. On average, 11% of children are transported by car, with all sites other than Twickenham having a car mode share equal to, or lower than this percentage. These surveys undertaken by the agent have been used by to estimate how users and staff at the proposed nursery will travel to the nursery proposed at 33 East Dulwich Grove
88. The nursery proposed at 33 East Dulwich Grove will accommodate up to 195 children with 46 full time members of staff and 5 part time members of staff. The nursery will be open between 7am and 7pm weekdays only, with core hours being 8am to 6pm. Drop-off and pick-up activity for children attending during core hours will be encouraged to take place between 8am – 9am and 5pm – 6pm. As such, activity will be spread across this period resulting in no intensive period of peak activity.
89. Using the averages provided in the transport addendum, the addendum suggests that 11% (22) of the proposed 195 pupils would use cars for their journeys to and from this school while the remaining 89% (173) would use sustainable travel modes. The travel survey has also suggested that only 14% (7) of the 51 staff would travel by car. Southwark Transport Policy and Highway teams reviewed and verified the conclusions reached in the transport addendum provided by the applicants transport consultants.
90. In terms of car parking demand, during a parking survey by officers, 43 spaces were observed unoccupied along the immediate sections of Derwent Grove, Elsie Road, Matham Grove and Oxonian/ Zenoria Street during a site visit at 14:50hrs on 27 April 2021. A car parking survey carried out by the applicant's consultants on Thursday 11 February 2021 along the proximate segments of same roads plus Tintagel Crescent, Lordship Lane, Crawthaw Grove, Tell Grove, East Dulwich Grove and Melbourne Grove has indicated that on average at each period during morning and evening peak times of 0800hrs to 0900hrs and 1700hrs to 1800hrs, 50 (19%) and 78 (30%) of the 261 restricted

car parking spaces respectively were unoccupied.

91. The surveys provide evidence that the resulting residual capacities of the nearby road sections are more than double the 22 spaces calculated as being needed for the whole school during drop-off or pickup periods based on the sampled nurseries' existing travel plans
92. The Southwark Transport Policy Team concluded that after interrogating the TRICS' travel survey that this proposed development is likely to produce 62 and 65 two-way vehicle movements in the morning and evening peak periods. This would result in, at the most, 33 on-street car parking spaces being needed for the drop-off or collection of children. Although this is slightly higher than the projected 22 children estimated to be attending the site by car as purported by the applicants transport addendum, the estimated total can still be absorbed by the free on-street car parking spaces discussed above.

### Servicing and deliveries

93. The level of delivery and servicing activity for the proposed development will be low, with refuse likely to be collected three times a week and deliveries anticipated to take place two or three times a week. Deliveries will take place outside of the operational hours of the nursery. Deliveries to the site will typically take place using Transit size vans comprising of supermarket / food orders, office and nursery supplies. The nursery will seek to schedule deliveries to the site to avoid periods when children are being picked up and dropped off at the nursery, this will ensure that deliveries can be unloaded and carried into the site without drivers needing to negotiate their way past people arriving or departing from the site.
94. The Southwark Transport Policy Team have concluded that servicing and delivery activities can be conducted effectively on the prevailing dedicated on-street loading bay flanking the application property on East Dulwich Grove. The Southwark Transport Policy Team also acknowledge that the forecourt of the application property has ample space to contain patrons converging on the application property during the course of dropping off and collection of children, without any overspill onto the adjoining highway.

### Refuse storage arrangements

95. The proposal provides 2no. 1100L bins for residual waste and 2no. 1100L bins for recyclable waste which are proposed to be located on the front court yard via a refuse store. Refuse will be collected three times a week. As previously confirmed the loading bay directly outside the application property frontage will enable waste to be collected efficiently.

### Car parking

96. No car parking spaces are to be provided for staff. It was considered that if the 14% of staff surveyed to travel by car was to be doubled to 28%, this would mean a demand for 14 on-street spaces on the uncontrolled/'Pay by Phone'



road segments where 28 free spaces had been observed.

### Cycle parking and cycling facilities

97. The New Southwark Plan (main modifications) requires proposals for non-residential development in PTAL 4 to comply with the following requirements. require the following for nurseries:
- For 46 full time members of staff and 5 part time members of staff, 6 cycle spaces are required for staff (long stay) and 5 cycle spaces are required for short stay.
  - For 195 children, 24 spaces are required for long stay and 24 spaces are required for short stay.
98. 8no. Sheffield cycle racks containing 16no. cycle parking spaces and 25no. scooter spaces for children are provided. Whilst there is a shortfall in relation to the above requirements, it is nonetheless considered a reasonable level of provision, given the limited opportunity for additional cycle storage provision within the limited front garden area.

### Highways

99. The proposed development is wholly contained within the application property and does not fall on highway land. However, a Section 278 agreement for works surrounding the site is necessary to secure improvements around the site and fronting East Dulwich Grove. If consent is granted the developer must enter into a S278 agreement to complete the following works:
1. Creation of a new raised table/crossing at the proximate eastern side of this East Dulwich Grove/Matham Grove junction, reconstruction and raising of the gradient of the current zebra crossing at its western side plus reconstruction of the footway adjoining this site on East Dulwich Grove. Works to be completed prior to opening.
  2. Submit a travel plan affirming that this school would operate/maintain staggered arrival and departure of pupils and aspire to secure after the primary period of opening a minimum of Bronze standard membership of TfL's STARS (Sustainable Travel Active Responsible and Safe) scheme, for approval.
  3. Submit a scheme for the provision of 8 (eight) Sheffield cycle racks containing 16(sixteen) cycle parking spaces which must be enclosed in a shelter and 25 scooter spaces for children

## **Environmental matters**

### Air quality

100. The site is within an Air Quality Management Area. Poor air quality around nurseries has an adverse impact on young children's health. Saved policy 3.6

states that planning permission will not be granted for development that would lead to a reduction in air quality. P64 similarly require that development achieve or exceed air quality neutral standards and reduces exposure to and mitigate the effects of poor air quality.

101. The construction work related to this application is minor in scale, the proposal will not create any extensions, or result in wholesale demolition of buildings, as such it is not envisaged the proposal will result in adverse impact on air quality. Moreover, proposal includes additional soft landscaping and additional planting that will provide air quality benefits.
102. Air quality impacts are more likely to arrive from the change of use of the application property in relation to potential increase of cars making journeys via car and idling engines. This was raised as a concern by objectors through consultation comments. As noted above, officer's assessment of the scheme's transport statement and addendum have concluded that there would be a maximum potential of 40 car uses (7 staff and 33 children) which are not considered to have an adverse impact on air quality.
103. Cycle and scooter spaces are being provided to encourage sustainable travel. The applicant has also committed in their transport to implement measures to encourage users of the facility to adopt non car modes of travel by clients required to sign an agreement committing not to park on street in the vicinity of the site in contravention of local parking restrictions. The applicant's Family Club staff will monitor pick up and drop off activity and people seen breaking this agreement are issued with a warning. Repeat offenders could have their place at the nursery withdrawn.
104. These measures will be included in a travel plan that will be the subject of a pre-commencement condition, which will minimise traffic congestion, limiting pollution caused by car use and engine idling, especially during drop off and pick up times.

### **Energy and sustainability**

105. Strategic Policy 13 of Southwark's Core Strategy requires development to meet the highest possible environmental standards, to be designed and built to minimise greenhouse gas emissions, and to become more energy efficient. Strategic Policy 13 require refurbishments such as schools to achieve a BREEAM rating of 'very good' and Emerging Policy P68 require non-residential to achieve a BREEAM rating of 'Excellent' in non-domestic refurbishment for conversion, extension and change of use of non-residential floorspace over 500sqm; and reduce the risk of overheating, taking into account climate change predictions over the life time of the building.
106. Historic England states that listed buildings are exempt from compliance with the energy efficiency requirements of Part L of Building regulations to the extent that the requirements would "unacceptably alter the character or appearance of such buildings". Saved Southwark Plan Policy 3.17 Listed buildings requires that developments should preserve the building and its features of special architectural or historic interest

107. As the proposal is for a minor application the proposal is not required to provide a minimum of 40% reduction on building regulations and zero carbon (100%).

## **Other matters**

### Fire safety

108. Planning applications for specified high-rise residential buildings are required to be accompanied by a Fire Statement as legislated in The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021.
109. As the site is a non-residential the site is not required to provide a fire statement for this proposal.

## **Planning obligations (S.106 agreement)**

110. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
111. Following the adoption of Southwark's Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.
112. The Council is not seeking section 106 obligations other than the 278 agreement for highway works in the vicinity of the development.

## **Mayoral and borough community infrastructure levy (CIL)**

113. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport invests in London as a whole, primarily Crossrail. Southwark's CIL will provide for infrastructure that supports growth in Southwark.
114. This proposal is not CIL liable, the proposal does not include additional residential floorspace and the proposal is not a CIL development type with a

CIL rate.

## **Community involvement and engagement**

115. The current Statement of Community Involvement 2008 notes that there is an expectation for developers to consult on major developments prior to submitting their application.
116. The Agent did not undertake any consultation in terms of community involvement prior to submitting the application. However, this is not usually expected for minor applications such as this proposal.

## **Consultation responses from external and statutory consultees**

117. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.

Historic England

- No response

Sports England

- No response

## **Consultation responses from internal consultees**

118. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response:

Environmental Protection Team

- Advise compliance condition with noise impact assessment and proposed acoustic fence.
- Advise air quality management plan and travel plan.

Design and Conservation Team

- Development does not alter the general form of the buildings, but improves the activation and engagement with the streetscape with the proposed new main entrance and improved front landscaping.
- Following amendments and subject to conditions, the alterations associated with the new use sufficiently preserves the special interest of the historic buildings.

Transport Planning Policy

- Parking survey shows displaced vehicles can be offset elsewhere within the vicinity of the site.
- Advise that further details of cycle parking and a Construction Environmental Management Plan (CEMP) are required.

Urban Forester

- Advise hard and soft landscaping condition.

## **Community impact and equalities assessment**

119. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
120. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
121. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
    - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
    - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
    - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
122. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

123. 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.
124. This application has the legitimate aim of day care and nursery facilities and refurbishment works to the existing building. 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.

### **Positive and proactive statement**

125. 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.
126. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

### Positive and proactive engagement: summary table

Was the pre-application service used for this application?	NO
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	NO

### CONCLUSION

127. It is therefore recommended that planning permission be granted, subject to conditions, the timely completion of a unilateral agreement for highway works, and that Listed Building Consent be granted, subject to conditions.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2120-33 Application file: 20/AP/3460 & 20/AP/3461 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 0254 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received.

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Richard Craig, Team Leader Yvonne Sampoh, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	2 November 2021	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		3 November 2021

**FIRST RECOMMENDATION**  
**Planning Permission 20/AP/3460**

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.

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<b>Applicant</b>	NSS IV (Investments) LLP and N Family Club	<b>Reg. Number</b>	20/AP/3460
<b>Application Type</b>	Minor application	<b>Case Number</b>	2120-33
<b>Recommendation</b>			

**Draft of Decision Notice**

**for the following development:**

Change of use of the Former Dulwich Constitutional Club (Sui Generis) into a Children's Day Nursery (Class E) with exterior alterations to the existing listed building and associated works (20/AP/3460) and for LISTED BUILDING CONSENT (20/AP/3461) Interior and exterior alterations to the existing listed building, landscaping and associated works related to the change of use

33 East Dulwich Grove London Southwark SE22 8PW

**In accordance with application received on 25 November 2020 and Applicant's Drawing Nos.:**

Existing Plans

Proposed Plans

Elevations - Proposed PROPOSED ELEVATION PLANS received 25/11/2020

Floor Plans - Proposed SK1000 PROPOSED BASEMENT TO THIRD FLOOR PLANS received 25/11/2020

Floor Plans - Proposed PROPOSED FLOOR PLANS received 25/11/2020

Plans - Proposed Proposed basement to third floor level incoming services, drainage and louvre requirements SK1000 Rev 03 received 12/07/2021

Plans - Proposed Proposed basement to third floor Access Control Requirements Rev 00 received 12/07/2021

Plans - Proposed Landscaping sketch received 12/07/2021

Plans - Proposed Landscaping zoning plan received 12/07/2021

Plans - Proposed Basement demolition plan PO31 received 12/07/2021

Plans - Proposed First floor demolition plan P033 received 12/07/2021

Plans - Proposed Ground floor demolition plan PO32 received 12/07/2021



Plans - Proposed Second floor demolitikon plan PO34 received 12/07/2021  
 Plans - Proposed Third floor demolition plan received 12/07/2021  
 Plans - Proposed Front elevation demolition plan PO36 received 12/07/2021  
 Plans - Proposed Rear elevation demolition plan PO37 received 12/07/2021  
 Plans - Proposed West elevation demolition plan received 12/07/2021  
 Plans - Proposed Proposed basement plan P111 received 12/07/2021  
 Plans - Proposed Proposed ground floor plan P112 received 07/10/2021  
 Plans - Proposed Proposed first floor P113 received 12/07/2021  
 Plans - Proposed Proposed second flor P114 received 12/07/2021  
 Plans - Proposed Proposed third floor P115 received 12/07/2021  
 Plans - Proposed Proposed front elevation P116 received 12/07/2021  
 Plans - Proposed Proposed rear elevation P117 received 12/07/2021  
 Plans - Proposed Proposed west elevation P118 received 12/07/2021  
 Plans - Proposed Proposed section A-A P119 received 12/07/2021

#### Other Documents

Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Design and access statement DESIGN & ACCESS STATEMENT received 25/11/2020  
 Heritage statement HERITAGE STATEMENT received 25/11/2020

#### **Time limit for implementing this permission and the approved plans**

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.

#### **Permission is subject to the following Grade Condition(s)**

3. HARD AND SOFT LANDSCAPING

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, available rooting space, tree pits, 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 equivalent stem girth 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: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and conservation) and 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

**Permission is subject to the following Pre-Occupation Condition(s)**

**4. TRAVEL PLAN AND DETAILED TRANSPORT METHODS SURVEY**

a) Before the first occupation of the building hereby permitted commences, the applicant shall submit in writing and obtain the written approval of the Local Planning Authority to a Travel Plan setting out the proposed measures to be taken to encourage the use of modes of transport other than the car by all users of the building, including staff and visitors.

b) At the start of the second year of operation of the approved Travel Plan, a detailed survey showing the methods of transport used by all those users of the building to and from the site and how this compares with the proposed measures and any additional measures to be taken to encourage the use of public transport, walking and cycling to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order that the use of non-car based travel is encouraged in accordance

with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T2 (Healthy streets) of the London Plan (2021); Strategic Policy 2 (Sustainable Transport) of The Core Strategy (2011); and Saved Policies 5.2 (Transport Impacts), 5.3 (Walking and Cycling) and 5.6 (Car Parking) of the Southwark Plan (2007).

**Permission is subject to the following Compliance Condition(s)**

5. Prior to the commencement of use, full particulars of all plant and details of a scheme for the ventilation of the premises to an appropriate outlet level, including details of sound attenuation for any necessary plant and the standard of dilution expected, has been submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given.

**Reason**

In order to ensure that that the ventilation ducting and ancillary equipment will not result in an odour, fume or noise nuisance and will not detract from the appearance of the building in the interests of amenity in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy SI 1 (Air quality) of the London Plan (2021); Strategic Policy 13 (High Environmental Standards) of The Core Strategy (2011); and Saved Policy 3.2 (Protection of Amenity) and 3.6 (Air Quality) of The Southwark Plan (2007).

6. Acoustic fence around outdoor play area; non-standard  
An close boarded acoustic fence height 2.6 metres (north and west boundaries) and 2.3 metres (east and south boundaries) shall be constructed and thereafter maintained in accordance with and as shown on figure 8 of 'Acoustic assessment of a proposed nursery 33 East Dulwich Grove, East Dulwich, London' (ACA Acoustics) report reference 200807-R001B, dated 11th November 2020, submitted in support of this application.

**Reason**

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with Strategic Policy 13 High Environmental Standards of the Core Strategy 2011, Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007), and the National Planning Policy Framework 2021.

7. Notwithstanding the provisions in the Town and Country Planning (Use Classes) Order 1987 and any associated provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (including any amendment or re-enactment of those Orders), the change of use shall not include E(b) Sale of food and drink for consumption (mostly) on the premises.

In order to prevent noise from a potential extractor flue and odour impacts without consideration of an acoustics and odour assement in accordance with

the National Planning Policy Framework 2021, Saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13 'High environmental standards' of the Core Strategy (2011)

## 8. PROVISION OF REFUSE STORAGE

Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the dwellings/premises.

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 Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Strategic Policy 13 (High Environmental Standards) of the Core Strategy (2011); and Saved Policies 3.2 (Protection of Amenity) and 3.7 (Waste Reduction) of The Southwark Plan (2007).

## 9. PROVISION OF CYCLE STORAGE

Before the first occupation of the building/extension, the cycle storage facilities as shown on the drawings hereby approved shall be provided and made available to the users of the development.

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: Chapter 9 (Promoting Sustainable Transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); Strategic Policy 2 (Sustainable Transport) of the Core Strategy (2011); and Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan (2007).

10 The applicant shall enter into a S278 highways agreement with the highways authority to complete the following works:

1. Creation of a new raised table/crossing at the proximate eastern side of this East Dulwich Grove/Matham Grove junction, reconstruction and raising of the gradient of the current zebra crossing at its western side plus reconstruction of the footway adjoining this site on East Dulwich Grove. Works to be completed prior to opening.
2. Submit a travel plan affirming that this school would operate/maintain staggered arrival and departure of pupils and aspire to secure after the primary period of opening a minimum of Bronze standard membership of TfL's STARS (Sustainable Travel Active Responsible and Safe) scheme, for approval.
3. Submit a scheme for the provision of 8 (eight) Sheffield cycle racks containing 16(sixteen) cycle parking spaces which must be enclosed in a shelter and 25 scooter spaces for children.

#### Reason

To ensure that the development enhances the street scene of the area, is of high quality design and has good access arrangements in accordance with Chapters 9 (Promoting sustainable transport) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021), Policies D4 (delivering good design) and T2 (Healthy streets) of the London Plan (2021); Strategic Policies 2 (Sustainable Transport) and 12 (Design and Conservation) of the Core Strategy (2011) and Saved Policies 3.12 (Quality in design), 3.13 (Urban design), 5.2 (Transport impacts) and 5.3 (Walking and cycling) of the Southwark Plan (2007).

#### **Informative**

#### LISTED BUILDING CONSENT

Planning permission does not provides consent to carry out works to the listed building. Separate listed building consent would be required for any physical works/alterations to the listed building associated with this change of use.

## SECOND RECOMMENDATION

### Listed Building Consent 20/AP/3461

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.

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<b>Applicant</b>	NSS IV (Investments) LLP and N Family Club	<b>Reg. Number</b>	20/AP/3461
<b>Application Type Recommendation</b>	Minor application	<b>Case Number</b>	2120-33

#### Draft of Decision Notice

#### for the following development:

Change of use of the Former Dulwich Constitutional Club (Sui Generis) into a Children's Day Nursery (Class E) with exterior alterations to the existing listed building and associated works (20/AP/3460) and for LISTED BUILDING CONSENT (20/AP/3461) Interior and exterior alterations to the existing listed building, landscaping and associated works related to the change of use

33 East Dulwich Grove London Southwark SE22 8PW

#### In accordance with application received on 25 November 2020 and Applicant's Drawing Nos.:

Reference no./Plan or document name/Rev.	Received on:
Proposed basement Plans - Proposed (Rev: 112 - P111)	15.06.2021
Proposed ground floor Plans - Proposed (Rev: 112 - P112)	15.06.2021
Proposed first floor Plans - Proposed (Rev: 112 - P113)	15.06.2021
Proposed second floor Plans - Proposed (Rev: 112 - P114)	15.06.2021
Proposed third floor Plans - Proposed (Rev: 112 - P115)	15.06.2021
Proposed front elevation Plans - Proposed (Rev: 112 - P116)	15.06.2021
Proposed rear elevation Plans - Proposed (Rev: 112 - P117)	15.06.2021
Proposed west elevation Plans - Proposed (Rev: 112 - P118)	15.06.2021
Proposed section A-A Plans - Proposed (Rev: 112 - P119)	15.06.2021
Proposed section B-B Plans - Proposed (Rev: 112 - P120)	15.06.2021
Proposed section C-C Plans - Proposed (Rev: 112 - P121)	15.06.2021

Proposed demolition at basement Plans - Proposed (Rev: 112 - P031)	12.07.2021
Proposed demolition at ground floor Plans - Proposed (Rev: 112 - P032)	12.07.2021
Proposed demolition at first floor Plans - Proposed (Rev: 112 - P033)	12.07.2021
Proposed demolition at second floor Plans - Proposed (Rev: 112 - P034)	12.07.2021
Proposed demolition at third floor Plans - Proposed (Rev: 112 - P035)	12.07.2021
Proposed demolition at front elevation Plans - Proposed (Rev: 112 - P036)	12.07.2021
Proposed demolition at rear elevation Plans - Proposed (Rev: 112 - P037)	12.07.2021
Proposed demolition at west elevation Plans - Proposed (Rev: 112 - P038)	12.07.2021

**Listed building consent is granted is subject to the following condition(s)**

**1. STANDARD TIME LIMIT - LB CONSENT**

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.

**2. MATERIALS TO MATCH EXISTING**

All new internal and 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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); 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).

**3. SPECIFICATION OF RAINWATER GOODS AND PIPEWORK**

All repairs to rainwater goods and new pipework runs are to be in cast iron and to match existing historic profiles and details. No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be fixed on the external faces of the building except where indicated otherwise on the drawings hereby approved or unless approved by this Local Planning Authority in writing before commencement of the works on site.

Reason:

In order to ensure that the materials and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policies D4 (Delivering good design) and HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of the Southwark Plan (2007).

#### 4. SCHEDULE OF CONDITION AND SCHEDULE OF WORKS

Prior to commencement of relevant works, the applicant shall submit a Schedule of Condition of existing windows and doors and Schedule of Works for their repair to the Local Planning Authority for approval in writing.

All existing doors, windows, shutter boxes and window cases, are to be retained, repaired and refurbished (including remaining single glazed), except where indicated otherwise on the drawings hereby approved or unless approved by this Local Planning Authority in writing before commencement of the works on site. 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: Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of the Southwark Plan (2007).

#### 5. LB METHOD STATEMENT SCHEDULE OF WORKS TO MEMORIAL

Prior to commencement of the relevant works to the former house, no.33, a Method Statement(s) and Schedule of Works for the careful removal, storage, any restoration work, and the relocation of the war memorial within the main reception (west hall) 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.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC 1 (Heritage conservation and growth) of the London



Plan (2021); 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).

## 6. LB METHOD STATEMENT SCHEDULE OF WORKS TO HOUSE

Prior to commencement of the relevant works, detailed drawings and a written report providing a room by room schedule (inc hallway and staircases) for internal works to the former house, no.33, shall be submitted to and approved in writing by the Local Planning Authority. The schedule must provide:

- a) Elevation, plan and reflected ceiling showing the retention and reinstatement of historic fabric, including chimney pieces, window shutters and staircases
- b) New joinery details, including new internal doors, architraves, skirtings, picture rails
- c) New plasterwork detailing
- d) New air-conditioning equipment and lighting

The development shall not be carried out otherwise than in accordance with any such approval given. The existing decorative plaster cornices must be retained and protected during the course of the works. The details of the remaining cornices recorded used to create new sections. Repairs to the ceiling must be undertaken in lath and plaster, the use of plasterboard is not permitted.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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. LB METHOD STATEMENT FLOORBOARDS

Prior to commencement of the relevant works, a Schedule of Works and detailed drawings (at a scale of 1:5 or 1:10) of floor strengthening, fire protection, sound deadening and insulation works 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. All existing floorboards are to be reused where feasible and the location of replacement boards to be agreed prior to removal.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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).

## 8. LB DETAIL CONDITION SURVEY EXTERIOR

Prior to commencement of the relevant works, a detailed condition survey of the exterior of the building, including marked up photographs indicating the defective render, stucco, brick and stonework and a Specification and Schedule of Works of the proposed repairs to the elevations of the building, 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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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).

## 9. LB SCHEDULE OF MECHANICAL AND ELECTRICAL INSTALLATION WORKS

Prior to commencement of the relevant works, a Schedule of Works and detailed drawings (at a scale of 1:50) of the proposed mechanical and electrical installation works 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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); Strategic Policy 12 (Design and Conservation) of The Core Strategy (2011) and Saved Policy 3.17 (Listed Buildings) of The Southwark Plan (2007).

## 10. SAMPLE MATERIALS REQUIRED

The following samples shall be made available on site for inspection by the Local Planning Authority, and approval in writing obtained prior to the commencement of the relevant works; the development shall not be carried out otherwise than in accordance with any such approval given.

- i) Brick for the repairs
- ii) Natural roofing slate for repairs
- iii) Stucco repairs and repainting
- iv) External brickwork and stonework cleaning, including written method for cleaning.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of The Southwark Plan (2007).

## 11. WINDOWS AND DOORS SUBMIT DETAILS

Shop drawings (scale 1:2 or 1:5) for all new fenestration, rooflights and doors, internal and external, shall be submitted to this Local Planning Authority and approved in writing prior to the commencement of the relevant works; the development shall not be carried out otherwise than in accordance with any such approval given.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of The Southwark Plan (2007).

## 12. SHOP DRAWINGS SUBMIT DETAILS

Shop drawings at a scale (1:2 or 1:5) of the following 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.

- (a) Replacement stairs and new ramp to the main entrance to the former house, no.33.
- (b) New railings, gate and staircase to reinstated basement lightwell of the former house, no.33. Railings and gate are to be cast/wrought iron or steel and painted black, and retained as such.
- (c) New fanlight above the entrance door to the former house, no.33 in an appropriate, tradition style.
- (d) Replacement internal stair and handrail at ground floor level from central hall to former house.
- (e) New wc/ bathroom within rear principal room at ground floor of former house, no.33. Structure is to be designed as a 'pod structure' within room.
- (f) New partition walls within 1<sup>st</sup> floor of central hall (former billiards room), including junction details with existing roof soffit. Upper section of new wall is to be glazed to maintain transparency and continuous view of roof soffit
- (g) Replacement roof lanterns within roof of central hall.
- (h) New entrance doors and opening to reception within west hall.
- (i) Any new railings, gate and staircase to existing basement lightwell to the rear of the west hall. Railings and gate are to be cast/wrought iron or steel and painted black, and retained as such.
- (j) Scooter and bike storage within the front courtyard space.

- (k) Shelter structure providing covered play space within rear garden.
- (l) New fenestration
- (m) New rooflights, excluding roof lanterns (see g)
- (n) New internal and external doors, excluding main reception (see h).

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of The Southwark Plan (2007).

### 13.LB METHOD STATEMENT SCHEDULE OF WORKS TO STAGE

Prior to commencement of the relevant works, detailed drawings and a written report for works to the proscenium arch within the west hall shall be submitted to and approved in writing by the Local Planning Authority. The schedule must provide plans, sections and elevations confirmed its restoration and preservation in situ and/or exposure; the development shall not be carried out otherwise than in accordance with any such approval given.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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).

### 14. SIGNAGE

Prior to commencement of the relevant works, details of signage, including any proposed stonework or lettering to be located on the front (street-facing) facades of the buildings shall be submitted to and agreed in writing by the Local Planning Authority.

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 Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); 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) and 3.17 (Listed Buildings) of The Southwark Plan (2007).

**Informative****LISTED BUILDING CONSENT**

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.

## Planning policy

### National Planning Policy Framework (the framework)

The revised National Planning Policy Framework ('NPPF') was published on 20 July 2021, which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. Paragraph 218 states that the policies in the Framework are material considerations, which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 7 Ensuring the vitality of town centres
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment.

### The London Plan 2021

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D8 Public realm
- Policy D12 Fire safety
- Policy D14 Noise
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions

- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling Policy
- T6.5 Non-residential disabled persons parking
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the plan and planning obligations.

## **Core Strategy 2011**

The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

- Strategic Policy 1 Sustainable development
- Strategic Policy 2 Sustainable transport
- Strategic Policy 10 Jobs and businesses
- Strategic Policy 11 Open spaces and wildlife
- Strategic Policy 12 Design and conservation
- Strategic Policy 13 High environmental standards.

## **Southwark Plan 2007 (saved policies)**

In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

The relevant policies in the Plan are:

- Policy 1.1 Access to employment opportunities
- Policy 2.5 Planning obligations
- Policy 3.2 Protection of amenity
- Policy 3.3 Sustainability assessment
- Policy 3.4 Energy efficiency
- Policy 3.6 Air quality
- Policy 3.7 Waste reduction
- Policy 3.9 Water
- Policy 3.11 Efficient use of land
- Policy 3.12 Quality in design
- Policy 3.13 Urban design
- Policy 3.14 Designing out crime
- Policy 3.15 Conservation of the historic environment
- Policy 3.17 Listed Buildings
- Policy 3.18 Setting of listed buildings, conservation areas and world heritage

sites

- Policy 5.2 Transport impacts
- Policy 5.3 Walking and cycling
- Policy 5.6 Car parking
- Policy 5.7 Parking standards for disabled people and the mobility impaired.

## **SPDs**

Of relevance in the consideration of this application are:

- 2015 Technical Update to the Residential Design Standards SPD (2011)
- Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015)
- Sustainable Design and Construction SPD (2008)
- Dulwich SPD 2013.

## **New Southwark Plan**

The New Southwark Plan is now at an advanced stage. The New Southwark Plan (NSP) was submitted to the Secretary of State in January 2020. The Examination in Public (EiP) for the NSP took place between February and April 2021. The Inspectors wrote a post hearings letter on 28 May 2021 and under Section 20(7)(c) of the Planning and Compulsory Purchase Act (2004) the Council asked the Inspectors to recommend Main Modifications to ensure the Plan is sound. The Council is consulting on the Main Modifications as recommended by the Inspectors from 6 August 2021 to 24 September 2021. The Inspectors will write a report once the consultation has concluded and they have had the opportunity to consider representations.

It is anticipated that the plan will be adopted later in 2021 and will replace the saved policies of the 2007 Southwark Plan, the 2011 Core Strategy, the Aylesbury Area Action Plan 2010, the Peckham and Nunhead Area Action Plan 2014 and the Canada Water Area Action Plan 2015. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

The Inspectors have heard all the evidence submitted at the Hearings and in previous stages of consultation. The Main Modifications comprise the changes to policies the Inspectors consider are needed to ensure the Plan is sound.



## APPENDIX 3

## Relevant planning history

Reference and Proposal	Status
<p><b>08/AP/0034</b>            33 East Dulwich Grove            Partial demolition of rear wall to rear, ground floor extension and rebuilding to address severe cracking and displacement of rendered brickwork following ground subsidence; associated internal and external decorations and crack repairs.</p>	<p>Dec:            GRANTED            Date:            31/03/2008</p>
<p><b>08/AP/1017</b>            33 East Dulwich Grove            Details of a structural report as required by condition 4 of planning permission dated 31/03/2008 LBS.REG:08-AP-0034 for partial demolition of rear wall to rear, ground floor extension and rebuilding to address severe cracking and displacement of rendered brick work following ground subsidence, associated internal and external decorations and crack repairs.(LISTED BUILDING APPLICATION)</p>	<p>Dec:            GRANTED            Date:            08/07/2008</p>
<p><b>03/AP/0210</b>            31 East Dulwich Grove London SE22 8PW            Details of cycle storage as required by condition 5 and refuse storage as required by condition 6 of planning permission dated 23/07/02 LBS Reg.0200034 for change of use from office to primary school for 36 pupils.</p>	<p>Dec:            GRANTED            Date:            27/10/2003</p>

## Consultation undertaken

**Site notice date:**

**Press notice date:** 15/07/2021

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 12/07/2021

### Internal services consulted

Transport Policy

Design and Conservation Team [Formal]

Environmental Protection

Flood Risk Management & Urban Drainage

Transport Policy

Transport Policy

Design and Conservation Team [Formal]

Environmental Protection

### Statutory and non-statutory organisations

Transport for London

Transport for London

### Neighbour and local groups consulted:

1 Tell Grove London Southwark  
 First Floor Flat 35 East Dulwich Grove  
 London  
 Ground Floor Flat 35 East Dulwich  
 Grove London

Second Floor Flat 35 East Dulwich  
 Grove London  
 31 East Dulwich Grove London  
 Southwark

### Re-consultation:

**APPENDIX 5****Consultation responses received****Internal services**

Transport Policy  
 Design and Conservation Team [Formal]  
 Environmental Protection  
 Transport Policy  
 Design and Conservation Team [Formal]

**Statutory and non-statutory organisations**

Transport for London

**Neighbour and local groups consulted:**

77 Ivanhoe road London Se58dj  
 66 Silvester Road East Dulwich SE22  
 9PE  
 22 Lordship Lane London SE22 8HN  
 84 Salters Hill London SE19 1EA  
 10 East Dulwich Grove East Dulwich  
 SE22 8PP  
 18 East Dulwich Grove London  
 SE228PP  
 64 Crawthow Grove London  
 64 Crawthow Grove East Dulwich SE22-  
 9AB  
 Flat 4, 36 east dulwich grove London  
 SE22 8PP  
 9 Tel Grove London SE22 8RH  
 167 Peckham Rye London UK SE15 3hz  
 Flat 11 Byron Court Lordship Lane  
 LONDON  
 Flat 4 Waldron House Brixton  
 53 Ashbourne Grove London SE22 8RN  
 Plough Homecraft 346-348 Lordship  
 Lane Dulwich  
 21a TINTAGEL CRESCENT LONDON  
 SE228HT  
 Unit 2, Church Lane Estate Church  
 Lane, Plummers Plain Horsham  
 31 East Dulwich Grove Dulwich London

Flat 5 36 East Dulwich Grove London  
 15 Elsie Road London Southwark  
 The Villa 54 - 56 Lyndhurst Grove  
 London  
 11 B East Dulwich Grove London  
 SE228PW  
 50 Altima Ct East Dulwich Road London  
 201 Lordship Lane East Dulwich London  
 88 Bushey Hill Road London SE5 8QJ  
 26 East Dulwich Grove London SE22  
 8PP  
 31 East Dulwich Grove London SE22  
 8PW  
 26 Matham Grove London SE22 8PN  
 28 Ashbourne Grove East Dulwich  
 23 Wood Vale London SE23 3DS  
 28A East Dulwich Grove London  
 19 Ashbourne Grove London SE22 8RN  
 84a East Dulwich Grove East Dulwich  
 209 East Dulwich Grove London SE22  
 8SY  
 295 Ivydale rd London SE153DZ  
 50 Ashbourne Grove London SE22 8RL  
 29 East Dulwich Grove East Dulwich  
 London  
 209 East Dulwich Grove London SE22  
 8SY

28 Ashbourne Grove East Dulwich  
 London  
 21 Crawthow Grove East Dulwich SE22  
 9AA  
 23 Woodwarde Road London SE22 8UN  
 26 Ashbourne Grove East dulwich  
 Se228rl  
 Crawthow London Se229ab  
 5 Tell Grove East Dulwich SE22 8RH  
 47a Amott Road London SE15 4HU  
 24 Elmbourne road London Sw178jr  
 49A East Dulwich Grove London SE22  
 8PR  
 19A East Dulwich Grove London SE22  
 8PW  
 71 Whateley Road London Se229de  
 693 Wandsworth Road Clapham Town  
 SW8 3JF  
 4 Matham Grove London SE22 8PN  
 21a Tyrrell Road London SE22 9NA  
 169 Eversleigh Road London SW11 5UY  
 4 Matham Grove London SE22 8PN  
 17 Elsie Road London Southwark  
  
 29 East Dulwich Grove London  
 Southwark  
  
 7 Derwent Grove London SE22 8DZ  
 115 Dulwich Village London SE21 7BJ  
 164 Hollydale Road London SE15 2TQ  
 120 Norwood High Street West Norwood  
 SE27 9NH  
 16 landcroft road London Se22 9lh  
 65 London W149pj  
 71 Ethnard Road London SE15 1SB  
 32 Abbotswood Rd London SE22 8DL  
 103a Crystal Palace Road London se22  
 9es  
 Flat 3 London SE20 7SR  
 Flat 12A Dearmer House Tulse Hill  
 London  
 33 EDG Nursery London SE228PW  
 35 Elsie Road London SE22 8DX  
 Flat 12 26 Dartmouth Road SE23 3XU  
 201 Lodshipship lanes East Dulwich  
 SE22 8HA  
 34 torr lane Plymouth PI3 5nz  
 47a Amott Road London SE15 4HU  
  
 45 Nutfield Road London SE22 9DG  
 157 Lordship Lane London  
 Flat 12 26 Dartmouth Road SE23 3XU  
 31 Adys Road London SE15 4DZ  
 96b Forest Hill Road London  
 28 Ashbourne Grove London SE22 8RL  
 29 Rye Court 214 Peckham Rye London  
 25 Playfield Crescent London Se228qr  
 14a Herne Hill Mansions Lambeth  
 London  
 18 Lausanne Road London SE152HU  
 Flat 1 Burgess House London  
 44 Amott Road London SE15 4JD  
 14 Frankfurt Road Herne Hill LONDON  
 119 B Blackstock Road London N4 2JW  
 1 Tell Grove London Southwark  
 100 Wood Vale London SE23 3ED  
 9 Tell Grove London SE22 8RH  
 29 Elsie Road East Dulwich SE22 8DX  
 3 Milo Rd London SE22 8LX  
 St Margaret Clitherow church 22 Dulwich  
 Wood Park Dulwich  
 40 Elsie Road London SE22 8DX  
 31 Matham Grove London SE22 8PN  
 Hazel Court Haydon Way London  
 15 frogley road East Dulwich SE22 9DF  
 24 Derwent Grove London Se22 8ea  
 40b Tarbert London SE22 8QB  
 31 East Dulwich Grove Dulwich London  
 35 Elsie Road London SE22 8DX  
 35 Chesterfield Grove London SE22  
 8RP  
 21A Tintagel Crescent London  
 Southwark  
 51A East Dulwich Grove London SE22  
 8PR  
 14 Angelina House Goldsmiths Road  
 Peckham  
 31 East Dulwich Grove London Se228pw  
 29 MOSSLEA ROAD Bromley BR2 9 PS  
 40b Tarbert Road London SE22 8QB  
 35 Melbourne Grove London SE22 8RG  
 18 zenoria street London Se22 8hp  
 12A Dearmer House Tulse Hill London  
 47a Oakhurst Grove London SE229AH  
 14, Williamson Court 163a Peckham Rye  
 London  
 172a Barry Road London SE220JW

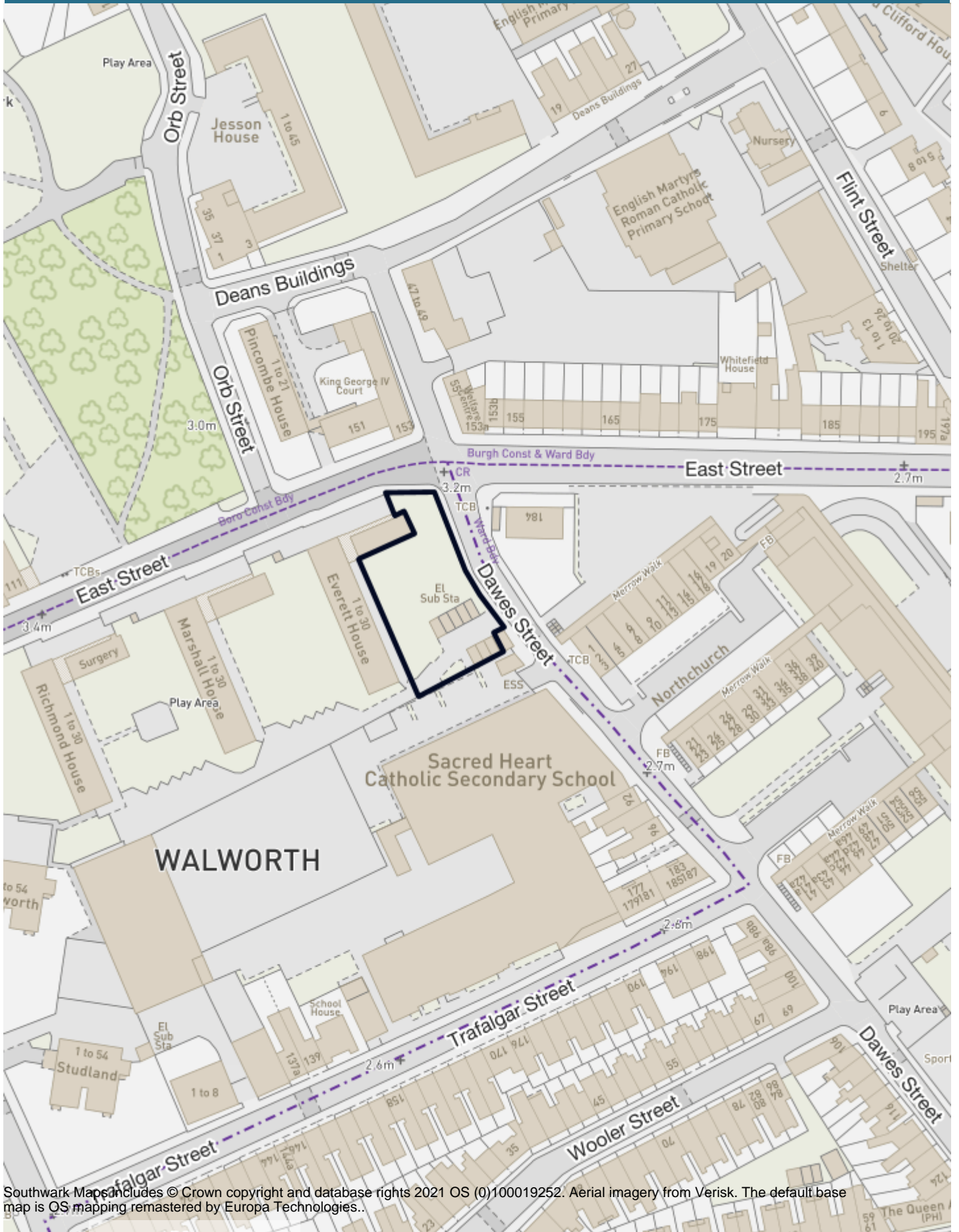
198, Croxted Road London SE21 8NW  
81 East Dulwich Grove LONDON SE22  
8PU  
112 Landcroft Road London  
32 Adys Road London SE15 4DZ  
Hazel Court Haydon Way London  
26 Matham Grove London SE228PN  
243 Crystal Palace Road London  
28 Grove Vale London SE5 8DH  
29 Matham Grove London SE22 8PN  
42 East Dulwich Grove London SE22  
8PW  
Fairhill Cottage, Warners Hill Cookham  
Dean Maidenhead  
457c Lordship Lane East Dulwich  
London  
9 Tell Grove London Southwark  
22 Dulwich Wood Park Dulwich SE19  
1HL  
1 Great Spilmans London SE22 8SZ  
13 Bassano Street East Dulwich London  
172a Barry Road Dulwich SE220JW  
13 Tell Grove London Southwark  
30 Ashbourne Grove London SE22 8RL  
201 Lordship Lane Dulwich London  
47A East Dulwich Grove London SE22  
8PR  
3 Acacia Grove West Dulwich London  
24 Matham Grove East Dulwich SE22  
8PN



# Agenda Item 6.2



21AP3140 -Richmond House Kingston Estate, East Street, SE17 2DU



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<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 16 November 2021	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application for: Full Planning Application 21/AP/3140  <b>Address:</b> RICHMOND HOUSE, KINGSTON ESTATE, EAST STREET, SE17 2DU  <b>Proposal:</b> Construction of 4 storey building to provide 8 social rented dwellings (3 x 1 bedroom units and 5 x 2 bedroom units) with associated cycle parking, refuse storage and landscaping		
<b>Ward(s) or groups affected:</b>	North Walworth		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b> 02/09/2021		<b>PPA Expiry Date</b> 17/12/2021	
<b>Earliest Decision Date</b> 06/10/2021			

## RECOMMENDATION

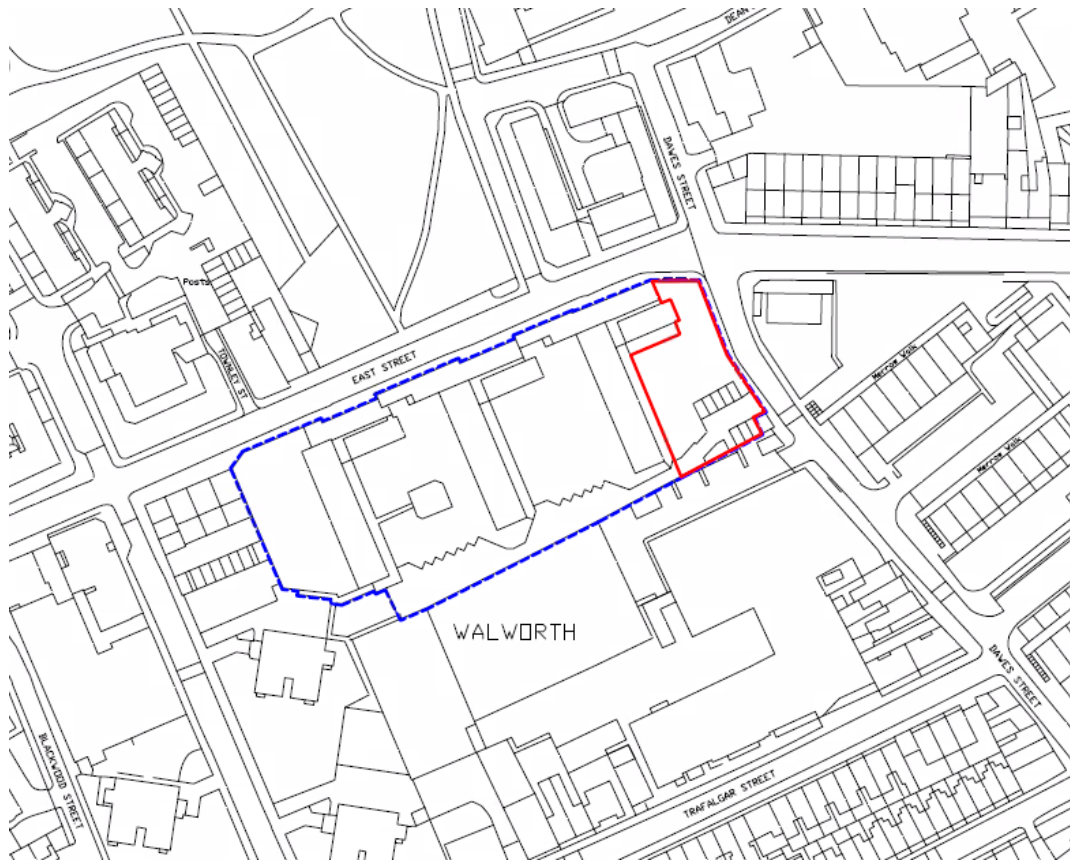
1. That planning permission is granted, subject to the conditions as set out in the report and the completion of a Unilateral Undertaking.
2. That in the event that a legal agreement is not signed by 16 May 2022 the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 74 of this report.

## BACKGROUND INFORMATION

### Site location and description

3. The site is housing amenity land and a garage site to the east of the Kingston Estate, bound by Dawes Street to the east and an estate road to the south. The site contains a substation and 8 garages with access to the estate road to the south, and green open space.

4.



Site location plan

5.



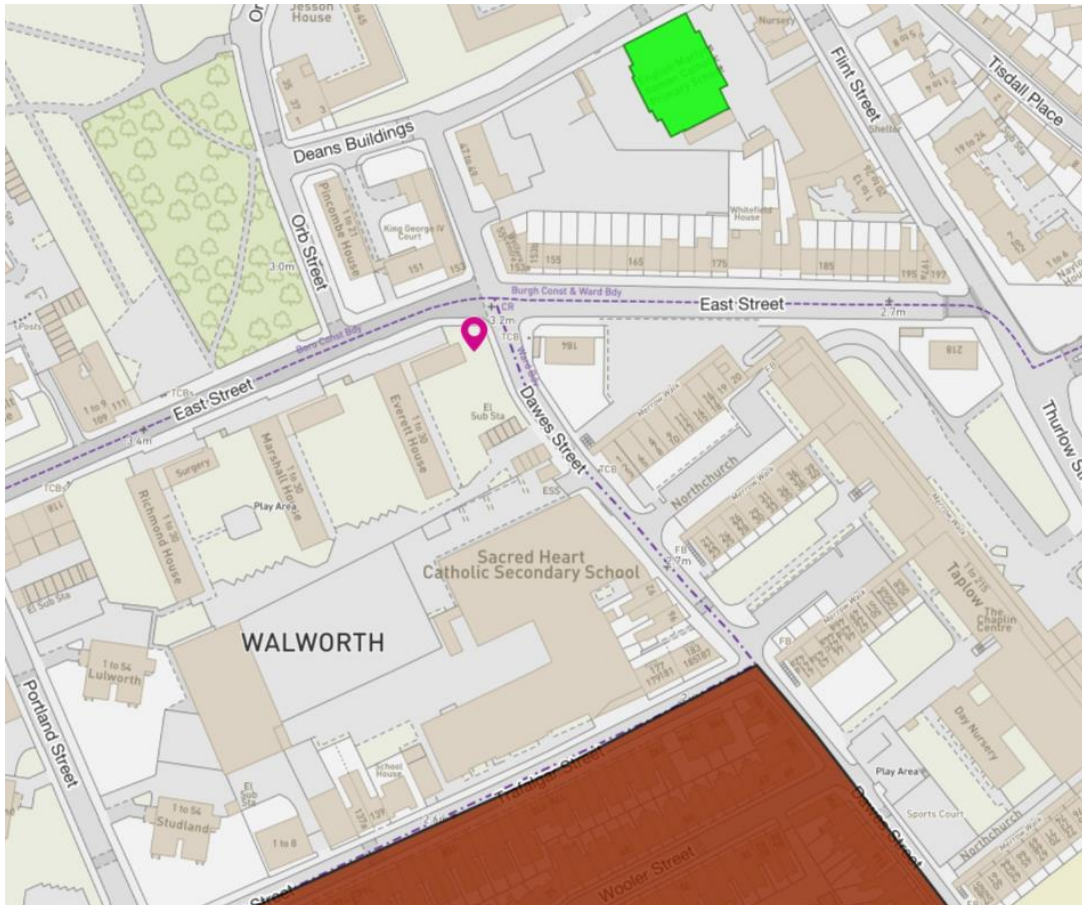
Aerial view

6. The wider Kingston Estate is bound by East Street to the north. It contains 89 residential units within 3 L-shaped blocks, and with green open space between the blocks.
7. The site is subject to the following designations:
- Public Transport Accessibility Level (PTAL) 4
  - South East Walworth Controlled Parking Zone (CPZ)

- Walworth Designated Neighbourhood Area
- Air Quality Management Area
- Aylesbury Action Area
- Flood Zones 2 and 3
- Urban Density Zone

8. The nearest listed building is the English Martyrs RC Primary School on Dean's Buildings 85m to the north east, and the nearest conservation area is the Liverpool Grove Conservation Area around 100m to the south from Trafalgar Street.

9.



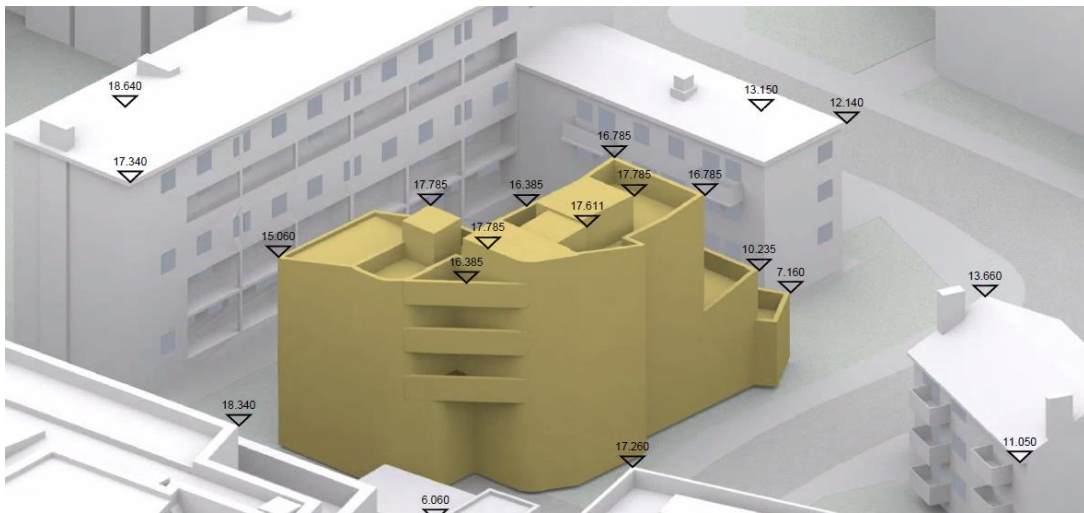
Heritage assets

10. The surrounding area is predominantly residential in land use and there are retail and commercial units along East Street to the north, and Walworth Road further to the west. The South Bank University Academy, an education facility, is directly to the south of the site.

### Details of proposal

11. The proposal is for the redevelopment of the site, including the demolition of the existing substation and garages, and the construction of a 4 storey building on the corner of Daves Street and the estate road to provide 8 new social rented council homes. The 4 storey building would step down to 2 storeys and 1 storey to the north close to the junction of Daves Street and East Street.

12.



Modelled view

13. The new homes would all be provided at social rent and would form part of the Council's New Homes Delivery Programme which seeks to deliver 11,000 new homes by 2043.
14. The proposal would include duplexes across ground and first floors, and flats above. Cycle storage is proposed at ground floor and a separate refuse storage area is proposed across the estate road, with visitor cycle storage. The estate road would remain as existing and none of the car parking off of the estate road would be affected by the proposal.

### **Comments from members of the public and local groups**

15. 44 comments have been received, of which 40 are in objection and 4 are in support. Summarised below are the material planning consideration raised by members of the public.
16. Principle of development:
- Density / overcrowding
17. Design quality and site layout:
- Scale
18. Quality of accommodation
- Dwelling mix
19. Neighbour amenity impacts:
- Privacy impacts
  - Loss of daylight and sunlight
20. Transport, parking, highways, deliveries and servicing matters:
- Emergency vehicle access
  - Impact on parking
21. Environmental impact during the construction phase:
- Pollution

- Noise
22. Trees and landscaping:
- Loss of green space
  - Loss of trees
  - Loss of allotment
  - Impact on wildlife
23. Other matters:
- Impact on flooding
  - CO2 emissions
24. These matters are addressed in the relevant parts of this report.

### **Planning history of the site, and adjoining or nearby sites**

25. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 3.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

26. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
  - Density
  - Quality of residential accommodation
  - Design, layout and heritage assets
  - Landscaping and trees
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - Transport and highways
  - Ecology and biodiversity
  - Water resources and flood risk and,
  - Planning obligations (Unilateral undertaking).
27. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

28. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan (2021), the Core Strategy (2011), and the Saved Southwark Plan (2007). Section 72 of the Planning

(Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

29. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

### **Planning policy**

30. The statutory development plans for the Borough comprise the London Plan (2021), Southwark Core Strategy (2011), and saved policies from the Southwark Plan (2007 - July). The National Planning Policy Framework (2021) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

## **ASSESSMENT**

### **Principle of the proposed development in terms of land use**

31. The proposal is for the construction of a residential development (Use Class C3) of 8 new homes on the Kingston Estate. The existing site contains open space and garages. The site is not protected open space as defined by the Southwark Plan (Metropolitan Open Space, Borough Open Land or Other Open Space) and is Housing Amenity Land which forms part of the wider Kingston Estate. The principle of the development, in land use terms, for new housing is acceptable.

- 32.



Site photographs

## Density

33. The site is 1040 sq. m. (0.104 hectares) in total area and the proposed development would provide 29 habitable rooms. The proposed density of the development would therefore be 279 habitable rooms per hectare, which falls within the 200 to 700 habitable rooms per hectare density range considered appropriate for the Urban Zone in the 2015 Technical Update to the Residential Design Standards SPD 2011.

## Tenure mix and dwelling mix

34. The 8 homes proposed would all be for social rent which is wholly supported. The proposed dwelling mix is for 3 x 1 bedroom dwellings and 5 x 2 bedroom dwellings.

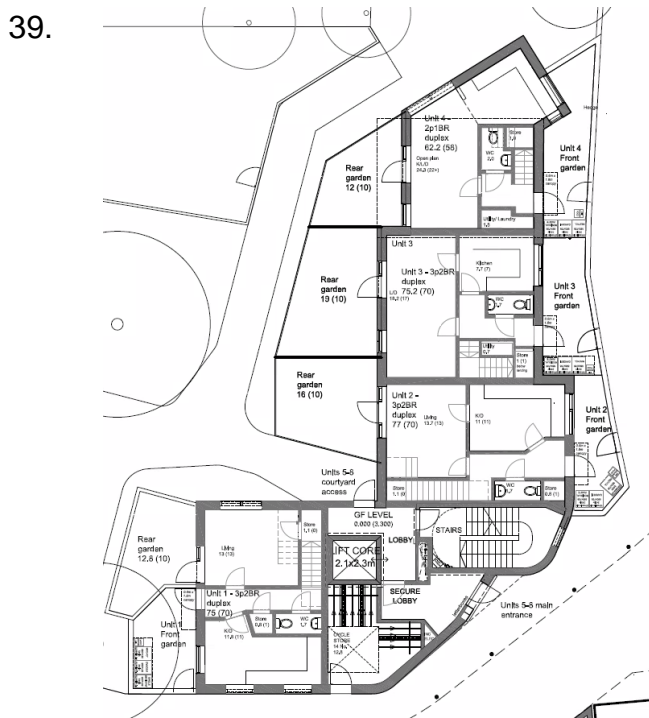
Unit size	No. of social rented units
1-bedroom	3 (37.5%)
2-bedroom	5 (62.5%)
All units	8

## Quality of residential accommodation

35. The proposed development would provide 8 dwellings. 3 x 2 bedroom duplexes and 1 x 1 bedroom duplex are proposed across ground and first floors. 1 x 1 bedroom flat and 1 x 2 bedroom flat are proposed at both second and third floors.
36. The proposed duplexes and flats would all meet, or exceed, minimum space standards as set out in the 2015 Technical Update to the Residential Design Standards SPD 2011 in terms of both overall Gross Internal Area (GIA) and individual room sizes.
37. All of the flats would be at least dual aspect, with all habitable rooms benefitting from vertical windows for outlook. BRE guidance recommends that the Average Daylight Factor (ADF) for a proposed development should meet a minimum of 2% for kitchens, 1.5% for living rooms and 1% for bedrooms. Of the 28 habitable rooms proposed, 24 would comply with BRE guidance in terms of ADF. The 4 rooms that fail include a ground floor kitchen diner which would experience an ADF of 1.55%, at first floor a kitchen which would experience an ADF of 1.78% and a kitchen diner which would experience an ADF of 1.41%, and at second floor a living room that would experience an ADF of 1.46%. These are not significantly below BRE recommendations. The assessment has also considered the daylight distribution of the rooms, of which all those that fail in terms of ADF comply, with the exception of the ground floor kitchen diner. This would experience a daylight distribution of

78.02% which is only marginally below the 80% BRE guidance. Overall the proposed flats, which would all be at least dual aspect, would provide good levels of daylight and sunlight for future occupiers.

38. The duplex units across ground and first floors would benefit from both private front and rear gardens, with the rear gardens alone ranging from 12 to 19 sq. m. One of the duplexes would also benefit from an 11 sq. m. first floor terrace. The flats on the upper floors would all have access to either 10.3 sq. m. or 11 sq. m. balconies. The private amenity space provision complies with the 2015 Technical Update to the Residential Design Standards SPD 2011 of 10 sq. m. per flat. The development would not provide any new communal amenity space, however it would involve extensive landscaping and wider estate improvements that would benefit existing residents of the estate and future residents of the proposed building.



Proposed ground floor plan

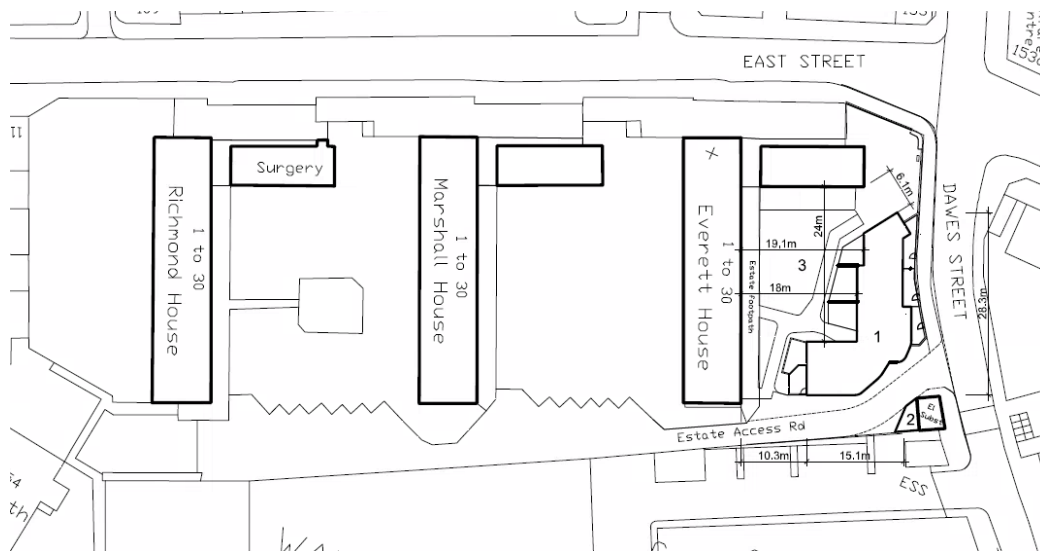
40. A condition has been recommended to ensure that the proposed dwellings are designed to appropriate internal noise levels.

### Design, layout and heritage assets

41. The building is designed in an L shape with the longest wing parallel to Dawes Street, and the return wing towards the estate access road, as shown in the block plan below. The L shape is reflective of the urban design of the wider Kingston Estate. It is also a natural and logical arrangement forming a courtyard area to the west of Everett House.



42.



Proposed estate block plan

43. The building line to the south aligns with the flank wall of Everett House onto the estate access road. It then follows the line of Daves Street establishing a natural frontage onto the street and ensuring good sized front and rear private gardens to the ground floor duplexes. This layout is achieved through the re-planting of existing trees which are located close to Daves Street.
44. The buildings on the Kingston Estate sit at 5 storeys in height. The height of the proposed building steps up from one storey to 2 storeys, and finally to 4 storeys at the corner of Daves Street and the estate access road. The height and massing reflects the prevailing height and massing of buildings on the estate, and within the wider area. In this regard the building appropriately responds to the context, optimising the site without being overly dominant.

45.



Visual of the step up in height

46.



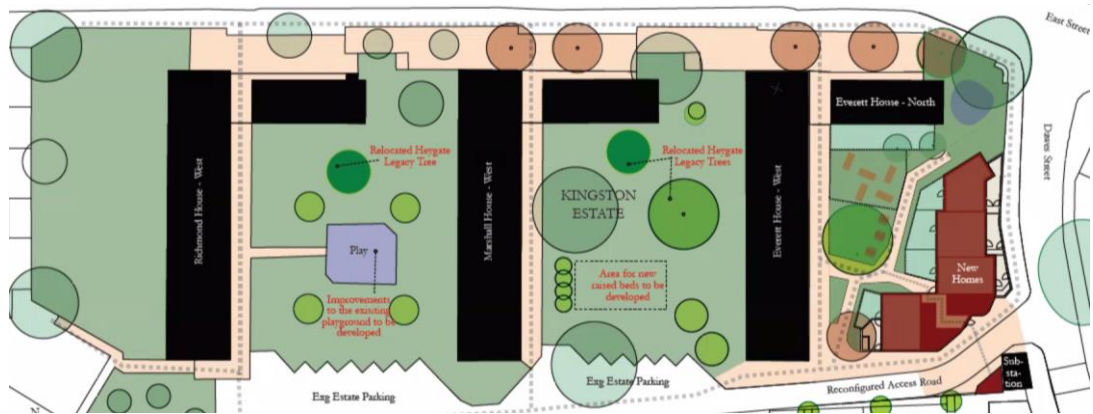
Visual from the corner of Dawes Street and the estate access road

47. The detailed design of the building is reflective of the estate architecture and appears highly articulate with a sweeping curve at the corner. It includes a variety of window types and arrangements to add architectural interest to the façades and a curved detail to the corner of the building providing a legible main entrance. A condition has been recommended for full details of materials to be submitted.
48. The building, due to its modest scale, and distance from the nearest listed building and Liverpool Grove Conservation Area, as well as the scale of intervening buildings, would not affect the heritage assets or their settings.

### **Landscaping and trees**

49. New soft landscaping is proposed surrounding the building, with new planting, and natural play to the corner of East Street and Dawes Street. Pedestrian walkways are proposed to promote activity and increase permeability through the estate. New brick paving is proposed to the south of the building, providing a buffer to the existing estate road. Wider estate improvements include the relocation of trees from the site and improvements to the existing playspace. The existing site includes an allotment; as part of the landscaping works raised beds would be provided to the west of Everett House.

50.



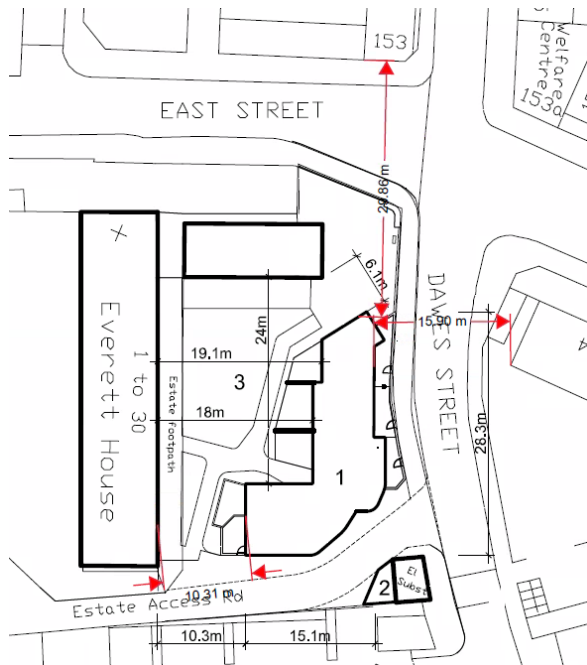
### Landscaping

51. The site contains soft landscaping and 9 trees. The proposal involves the relocation of 3 trees from the site to the wider estate, and the removal of one tree which would be replaced. Category B and C semi-mature London plane trees (T3 and T4) are not suitable for retention within close proximity to the building and due to their maturity and recent planting approximately 5 years ago are appropriate for relocation to a more suitable area. Similarly, a Category C Juneberry (T5) was planted approximately 5 years ago and due to construction purposes would be relocated to a more suitable area. One Category C cherry plum tree (T2) requires removal for installation of a below ground storage tank to reduce surface water drainage, however a replacement tree would be planted in a similar location. All other trees on site would be retained.
52. Conditions have been recommended for details of on-site planting and tree protection.

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

53. The nearest buildings to the site are shown on the block plan below. The nearest residential properties include Everett House to the west, 153 East Street to the north and 184 East Street to the east.

54.



Separation distances

### Privacy, outlook and sense of enclosure

55. The longest wing of the L shaped building would run parallel to Everett House, creating separation distances at a minimum of 18m. Whilst this is slightly below the 21m recommended separation distance set out in the 2015 Technical Update to the Residential Design Standards SPD 2011, it complies with the Mayor's guidance on distances. The building has been designed to create an appropriate layout of the site and the distance separation would not result in unacceptable overlooking. The building then steps out to the south creating a separation distance of just 10m. Other than at ground floor, whereby the doors and windows face a fenced rear garden, no windows are proposed on the upper floor of this elevation avoiding any direct overlooking. The separation distance of the shorter south wing to the north wing of Everett House would be 24m which exceeds the suggested 21m separation distance and would not cause overlooking impacts. The northern most part of the building is at an angle to the north wing of Everett House therefore avoiding direct overlooking.
56. The separation distance to 153 East Street across East Street is around 30m, which far exceeds minimum recommendations of 12m across a public highway as set out in the 2015 Technical Update to the Residential Design Standards SPD 2011. The separation distance to 184 East Street across Daves Street is around 16m which again exceeds policy requirements.
57. There are no residential properties directly to the south of the site.

### Daylight, sunlight and overshadowing

58. A Daylight and Sunlight Assessment has been submitted which considers the impact of the proposed development on Everett House, King George IV Court, 153a East Street, 184 East Street and 1 to 3 Northchurch.

59. The results show the Vertical Sky Component (VSC); the impact on VSC, in line with BRE guidance, is considered acceptable if the VSC value of a window is higher than 27%, or if it is no less than 0.8 times its former value (20%). The results also show the percentage loss of No Sky Line (NSL) within rooms whereby BRE guidance notes that a reduction of 0.8 times may be deemed to adversely affect the daylight distribution of a room.
60. All of the neighbouring properties, with the exception of Everett House, comply with BRE guidance in terms of the VSC value of windows and the daylight distribution of rooms. Dwellings within King George IV Court, 153a East Street, 184 East Street and 1 to 3 Northchurch therefore would not experience any daylight and sunlight impacts as a result of the proposed development.

*Everett House*

61.

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	40%+
74	53	72%	10	6	5
No Sky Line (NSL)					
Room			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	40%+
65	61	95%	2	0	2

62. 72% of windows within Everett House would comply with BRE guidance in terms of VSC as a result of the proposed development. The majority of those that fail would experience losses of 20-30% which would not be significantly beyond BRE guidance of reductions below 20% not causing noticeable impacts. 6 windows would experience losses of 31-40% and 5 would experience losses of 40%+. When considering the daylight distribution of the rooms that fail to meet BRE guidance in terms of VSC, only 4 would fail to meet BRE guidance. The 4 rooms that fail to meet BRE guidance are kitchens at ground floor, which are not principal living spaces. 2 of these rooms would experience reductions only slightly higher than BRE guidance at 22.68% and 22.12%. The further 2 rooms that would experience impacts would have slightly more significant reductions of 40.38% and 41.70%. Notwithstanding this, all of the kitchens would retain VSC values of 20.3% to 21.5% which are not unacceptable levels. Overall, 95% of rooms would comply with BRE guidance in terms of daylight distribution. The impact on daylight levels received by neighbouring occupiers would not be significant.
63. 64 out of the 65 rooms assessed in Everett House would meet BRE guidance in terms of Annual Probable Sunlight Hours (APSH), whilst just one room would fail to meet BRE guidance experiencing a percentage loss of 32%.

Summary

64. The development would not give rise to any significant direct overlooking or

privacy impacts due to the proposed site layout. The overall daylight impacts of the development would not be unacceptable, with only 5% of rooms within Everett House failing to meet BRE guidance in terms of daylight distribution. The rooms that fail to meet BRE guidance are kitchens which would still retain VSC values of over 20%. All other rooms would not experience noticeable impacts.

## **Transport and highways**

65. The site benefits from a Public Transport Accessibility Level (PTAL) rating of 4 with easy access to bus services and within walking distance of Elephant and Castle station. The development would not result in any changes to the existing car parking on the estate, though a new access would be provided onto the existing estate road. Full details have been provided showing vehicle tracking and visibility splays. The site is located in a Controlled Parking Zone (CPZ) and future occupiers would be restricted from obtaining parking permits.
66. Proposed plans show the provision of 14 cycle parking spaces for future occupiers within an internal cycle store at ground floor. These would be a mix of single and double racks and would be weatherproof, secure and easily accessible for future occupiers. This provision complies with planning policy requirements. A further 2 visitor cycle parking racks are also proposed externally. A condition has been recommended for the cycle storage facilities to be provided in accordance with the submitted plans.
67. Refuse storage would be provided within the front gardens of the ground and first floor duplex units and in a separate communal storage area across the estate road. The storage provides space for recycling, general waste, food waste and bulky items. A condition has been recommended for the refuse facilities to be provided in accordance with the submitted plans.
68. A condition has been recommended for a Construction Environmental Management Plan (CEMP) to be submitted to ensure the impacts of construction works are mitigated with regard to the local highway network and neighbouring occupiers.

## **Ecology and biodiversity**

69. The submitted Preliminary Ecological Appraisal (PEA) identifies that the site contains hardstanding, buildings, amenity grassland, raised beds and a mixture of trees. The appraisal also found no evidence of bats on site.
70. The development would provide biodiversity net gain on the building and through landscape around the estate. Conditions have been recommended for details of 12 integral swift bricks to be submitted, for details of green roofs to be submitted and for an ecological management plan to be submitted.

## **Ground conditions and contamination**

71. The submitted Preliminary Investigation Report there is a moderate to low risk for contamination to be present on the site due to widespread demolition and bomb damage. A further Phase 2 Report found asbestos, metallic and organic contamination that requires remediation. A condition has been recommended for a remediation strategy and validation testing to be carried out and submitted.

### Water resources and flood risk

72. The application site is located in Flood Zones 2 and 3 and is protected by the River Thames tidal defences for events up to the 0.1% Annual Exceedance Probability (AEP). A detailed drainage strategy has been provided demonstrating that surface water on the site would be appropriately managed. A Sustainable Drainage System (SuDs) maintenance guide has been submitted which details the proposed techniques including rainwater harvesting, pervious pavements, geocellular/modular systems, silt traps and catchpits, and flow control devices.

### Other matters

73.	<b>London Plan D12 (A) fire safety requirement</b>	<b>Information submitted</b>
	1) Identify suitably positioned unobstructed outside space: a) for fire appliances to be positioned on b) appropriate for use as an evacuation assembly point	Public highway access is sufficient for positioning of fire appliances Nearby pedestrianised landscaped areas can be used for evacuation assembly points
	2) Are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures	Each flat to be constructed as its own fire compartment and provided with fire detection and alarm systems, which are standalone systems Provision of a residential sprinkler system
	3) Are constructed in an appropriate way to minimise the risk of fire spread	Insulation used to be non-combustible
	4) Provide suitable and convenient means of escape, and associated evacuation strategy for all building users	Provision of an evacuation alert system for use by the fire service for manually alerting individual or multiple floors to evacuate should the need arise during firefighting operations.
	5) Develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in	'Stay put' evacuation strategy whereby only the unit of fire origin will be signalled to evacuate in the first instance
	6) Provide suitable access and equipment for firefighting which is appropriate for the size and use of the	Identifies primary access into the building on the corner of Dawes Street and the estate access road

development	Public highway provides suitable access route for firefighting vehicles
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### Planning obligations (Unilateral undertaking)

74.	Planning obligation	Mitigation	Applicant's position
<b>Housing, Viability and Amenity Space</b>			
	Affordable housing provision	100% social rented	Agreed
<b>Transport and Highways</b>			
	Parking permit restriction	Removal of all parking permit rights except blue badge permits	Agreed
<b>Other</b>			
	Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

75. The planning obligations agreed would satisfactorily mitigate against the adverse impacts of the proposed development.

76. In the event that a satisfactory legal agreement has not been entered into by 16 May 2022 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a legal agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of development through projects or contributions in accordance with Policy DF1 (Delivery of the London Plan and Planning Obligations) of the London Plan 2021, Strategic Policy 14 (Delivery and implementation) of the Core Strategy 2011, Saved Policy 2.5 (Planning obligations) of the Southwark Plan 2007 and Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015).

### Consultation responses from internal and divisional consultees

77. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.



78. Environmental Protection Team:
- Advise conditions for residential internal noise, plant noise, Construction Environmental Management Plan (CEMP) and land contamination
79. Design and Conservation Team:
- Support the proposed design
  - Recommend conditions for materials
80. Ecologist:
- Development would provide biodiversity net gain
  - Advise conditions for swift nesting bricks, a green roof and ecological management plan
81. Transport Planning Policy:
- Satisfied with cycle parking and refuse storage details
82. Urban Forester:
- Advise conditions for replacement planting and tree protection measures

### **Community impact and equalities assessment**

83. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
84. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
85. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
    - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
    - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
    - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

3. The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
86. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

87. 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.
88. This application has the legitimate aim of providing social rented housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **Positive and proactive statement**

89. 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.
90. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

### **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case	NO

officer submit their recommendation in advance of the statutory determination date?	
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## CONCLUSION

91. The proposed development would develop housing amenity land which is not protected by planning policy to provide 8 social rented council homes. The proposed dwellings would be of a high quality, both internally and externally. The height, scale, massing and detailed design of the proposed building are appropriate within the context of the site and would not adversely impact on the amenity of neighbouring occupiers.
92. It is therefore recommended that the application is approved, subject to conditions and completion of a legal agreement.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: H1022 Application file: 21/AP/3140 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 0254 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

**AUDIT TRAIL**

<b>Lead Officer</b>	Stephen Platts, Director of Growth and Planning	
<b>Report Author</b>	Abbie McGovern, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	3 November 2021	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		3 November 2021

## 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.

<b>Applicant</b>	Southwark Council	<b>Reg. Number</b>	21/AP/3140
<b>Application Type Recommendation</b>	Local Authority Development	<b>Case Number</b>	H1022

### Draft of Decision Notice

#### for the following development:

Construction of 4 storey building to provide 8 social rented dwellings (3 x 1 bedroom units and 5 x 2 bedroom units) with associated cycle parking, refuse storage and landscaping

Richmond House Kingston Estate East Street London Southwark

#### **In accordance with application received on 2 September 2021 and Applicant's Drawing Nos.:**

##### Proposed Plans

PROPOSED ESTATE BLOCK PLAN 0444 KN P-010 received 02/09/2021

PROPOSED SITE BLOCK PLAN 0444 KN P-011 received 02/09/2021

PROPOSED LANDSCAPE 0444 KN P-012 received 02/09/2021

PROPOSED PLANTING AND ECOLOGY PLAN 0444 KN P-013 received 02/09/2021

PROPOSED GROUND AND FIRST FLOOR PLANS 0444 KN P-014 received 02/09/2021

PROPOSED THIRD FLOOR AND ROOF PLAN 0444 KN P-015 received 02/09/2021

PROPOSED CONTEXT ELEVATIONS 0444 KN P-020 received 02/09/2021

PROPOSED BLOCK PLAN 0444 KN P-021 received 02/09/2021

PROPOSED ELEVATIONS 0444 KN P-022 received 02/09/2021

PROPOSED DETAILED SECTION AND ELEVATIONS 0444 KN P-023 received 02/09/2021

PROPOSED CROSS SECTION 0444 KN P-024 received 02/09/2021

##### Other Documents

Daylight/Sunlight assessment received 02/09/2021

Design and access statement received 02/09/2021

Energy statement received 02/09/2021

Flood risk assessment received 02/09/2021  
 Noise impact assessment received 02/09/2021  
 Land contamination assessment received 02/09/2021  
 Arboricultural statement received 02/09/2021

### **Time limit for implementing this permission and the approved plans**

1. The development hereby permitted shall be carried out in accordance with the following plans:

PROPOSED ESTATE BLOCK PLAN 0444 KN P-010 received 02/09/2021  
 PROPOSED SITE BLOCK PLAN 0444 KN P-011 received 02/09/2021  
 PROPOSED LANDSCAPE 0444 KN P-012 received 02/09/2021  
 PROPOSED PLANTING AND ECOLOGY PLAN 0444 KN P-013 received 02/09/2021  
 PROPOSED GROUND AND FIRST FLOOR PLANS 0444 KN P-014 received 02/09/2021  
 PROPOSED THIRD FLOOR AND ROOF PLAN 0444 KN P-015 received 02/09/2021  
 PROPOSED CONTEXT ELEVATIONS 0444 KN P-020 received 02/09/2021  
 PROPOSED BLOCK PLAN 0444 KN P-021 received 02/09/2021  
 PROPOSED ELEVATIONS 0444 KN P-022 received 02/09/2021  
 PROPOSED DETAILED SECTION AND ELEVATIONS 0444 KN P-023 received 02/09/2021  
 PROPOSED CROSS SECTION 0444 KN P-024 received 02/09/2021

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.

### **Permission is subject to the following Pre-Commencements Condition(s)**

3. No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each

phase of development including consideration of all environmental impacts and the identified remedial measures.

- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework 2021, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

4. a) Contamination was found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.
- b) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to

and approved in writing by the Local Planning Authority.

c) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-b above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework 2021, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

5. 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 2021, Policies G1 (Green infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021, Strategic Policies 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity), 3.12 (Quality in design), 3.13 (Urban design) and Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

**Permission is subject to the following Grade Condition(s)**

6. Prior to above grade works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times.

All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season, unless the local planning authority gives its written consent to any variation.

Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with the National Planning Policy Framework 2021, Policies G1 (Green infrastructure), G5 (Urban greening) and G7 (Trees and woodlands) of the London Plan 2021, Strategic Policies 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Core

Strategy 2011 and Saved Policies 3.2 (Protection of amenity), 3.12 (Quality in design), 3.13 (Urban design) and Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

7. Before any above grade work hereby authorised begins, details of the biodiversity green roof shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roof shall be:

- biodiversity based with extensive substrate base (depth 80-150mm)
- laid out in accordance with agreed plans and
- planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green roof and Southwark Council agreeing the submitted plans, and once the green roof is completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2021, Policies G1 (Green infrastructure), G5 (Urban greening) and G6 (Biodiversity and access to nature) of the London Plan 2021, Strategic Policy 11 (Design and Conservation) of the Core Strategy 2011 and Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

8. Before any above grade work hereby authorised begins, details of swift nesting bricks shall be submitted to and approved in writing by the Local Planning Authority.

No less than 12 nesting bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The swift nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 the National Planning Policy Framework 2021, Policy G6 (Biodiversity and access to nature) of the London Plan 2021 and Strategic Policy 11 (Open spaces and wildlife) of the Core Strategy 2011.

9. Before any above grade work hereby authorised begins, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (roof, ecological features and estate landscaping), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

Reason:

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework 2021, Strategic Policies 11 (Open spaces and wildlife), 12 (Design and conservation) and 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity), 3.12 (Quality in design) 3.13 (Urban design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

10. Prior to above grade works commencing, samples of all external facing materials to be used in the carrying out of this permission shall be presented on site 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 2021, Policy D4 (Delivering good design) of the London Plan 2021, 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.

**Permission is subject to the following Compliance Condition(s)**

11. 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 and Dining rooms- 35dB 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 the National Planning Policy Framework 2021, 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.

12. Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the Ground and First Floor Plans DWG 0444 KN PL 014 Rev 00 hereby approved and shall be made available for use by the occupiers of the dwellings.

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 2021, Policy D4 (Delivering good design) of the London Plan 2021, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity) and 3.7 (Waste reduction) of the Southwark Plan 2007

13. Before the first occupation of the building hereby permitted, the cycle storage arrangements shall be provided as detailed on drawing Ground and First Floor Plans DWG 0444 KN PL 014 Rev 00 hereby approved and shall be made available for use by the occupiers of the dwellings.

The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework 2021, Policy T5 (Cycling) of the London Plan 2021, Strategic Policy 2 (Sustainable transport) of the Core Strategy 2011 and Saved Policy 5.3 (Walking and cycling) of the Southwark Plan 2007.

14. The Rated sound level from any plant, together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the

purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019.

Suitable acoustic treatments shall be used to ensure compliance with the above standard. A validation test shall be carried out and the results submitted to the Local Planning Authority for approval in writing to demonstrate compliance with the above standard. Once approved the plant and any acoustic treatments shall be permanently maintained thereafter.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2021, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

## Planning policy

### National Planning Policy Framework (the framework)

The revised National Planning Policy Framework ('NPPF') was published on 20 July 2021 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. Paragraph 218 states that the policies in the Framework are material considerations, which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

- Chapter 2 Achieving sustainable development
- Chapter 5 Delivering a sufficient supply of homes
- Chapter 8 Promoting healthy and safe communities
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

### The London Plan 2021

On 2 March 2021, the Mayor of London published the London Plan 2021. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. The relevant policies are:

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D8 Public realm
- Policy D12 Fire safety
- Policy D14 Noise
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands

- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the plan and planning obligations

### **Core Strategy 2011**

The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

- Strategic Policy 1 Sustainable development
- Strategic Policy 2 Sustainable transport
- Strategic Policy 5 Providing new homes
- Strategic Policy 6 Homes for people on different incomes
- Strategic Policy 11 Open spaces and wildlife
- Strategic Policy 12 Design and conservation
- Strategic Policy 13 High environmental standards

### **Southwark Plan 2007 (saved policies)**

In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

- Policy 3.2 Protection of amenity
- Policy 3.7 Waste reduction
- 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 4.1 Density
- Policy 4.2 Quality of residential accommodation
- Policy 4.3 Mix of dwellings
- Policy 5.2 Transport impacts
- Policy 5.3 Walking and cycling

### **SPDs**

Of relevance in the consideration of this application are:

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

- Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015)
- Sustainable Design and Construction SPD (2008)

### **New Southwark Plan**

The New Southwark Plan is now at an advanced stage. The New Southwark Plan (NSP) was submitted to the Secretary of State in January 2020. The Examination in Public (EiP) for the NSP took place between February and April 2021. The Inspectors wrote a post hearings letter on 28 May 2021 and under Section 20(7)(c) of the Planning and Compulsory Purchase Act (2004) the Council asked the Inspectors to recommend Main Modifications to ensure the Plan is sound. The Council is consulting on the Main Modifications as recommended by the Inspectors from 6 August 2021 to 24 September 2021. The Inspectors will write a report once the consultation has concluded and they have had the opportunity to consider representations.

It is anticipated that the plan will be adopted later in 2021 and will replace the saved policies of the 2007 Southwark Plan, the 2011 Core Strategy, the Aylesbury Area Action Plan 2010, the Peckham and Nunhead Area Action Plan 2014 and the Canada Water Area Action Plan 2015. Paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

The Inspectors have heard all the evidence submitted at the Hearings and in previous stages of consultation. The Main Modifications comprise the changes to policies the Inspectors consider are needed to ensure the Plan is sound.



**APPENDIX 3****Relevant planning history**

<b>Reference and Proposal</b>	<b>Status</b>
<b>19/EQ/0100</b> Pre-application advice for the construction of a 4 storey building to provide eight social-rented residential units (5x 2-bedroom units and 3x 1-bedroom units) with associated cycle parking, landscaping refuse storage and site access.	Pre-Application Enquiry Closed 11/06/2021

## Consultation undertaken

**Site notice date:** n/a.

**Press notice date:** n/a.

**Case officer site visit date:** 27/10/2021

**Neighbour consultation letters sent:** 08/09/2021

### Internal services consulted

Design and Conservation Team [Formal]  
 Environmental Protection  
 Highways Development and Management  
 Flood Risk Management & Urban Drainage  
 Transport Policy  
 Urban Forester  
 Waste Management  
 Ecology

### Neighbour and local groups consulted:

Flat 25 Richmond House Kingston Estate East Street	Street
Flat A 167 East Street London	Flat 7 King George Iv Court Dawes Street
Flat F 184 East Street London	2 Northchurch Dawes Street London
Flat 3 153A East Street London	Flat 5 Everett House Kingston Estate East Street
55A Dawes Street London Southwark	Flat 23 Everett House Kingston Estate East Street
Flat 9 Marshall House Kingston Estate East Street	Flat 18 Everett House Kingston Estate East Street
Flat 13 Marshall House Kingston Estate East Street	Flat 13 Everett House Kingston Estate East Street
Flat 1 Richmond House Kingston Estate East Street	Flat 11 Everett House Kingston Estate East Street
Flat 4 153A East Street London	Flat 8 Richmond House Kingston Estate East Street
Flat 3 Pincombe House Rodney Estate Orb Street	Flat 24 Richmond House Kingston Estate East Street
Flat 29 Marshall House Kingston Estate East Street	Flat 4 King George Iv Court Dawes Street
10 Northchurch Dawes Street London	Flat 24 Everett House Kingston Estate East Street
Flat 23 Richmond House Kingston Estate East Street	Flat 1 153A East Street London
Flat 17 Everett House Kingston Estate East Street	153B East Street London Southwark
Flat 15 Richmond House Kingston Estate East Street	Flat 10 Everett House Kingston Estate East Street
157 East Street London Southwark	
Flat 2 King George Iv Court Dawes	

Flat 8 Marshall House Kingston Estate  
 East Street  
 Flat 19 Richmond House Kingston  
 Estate East Street  
 Flat 27 Everett House Kingston Estate  
 East Street  
 Flat 17 Richmond House Kingston  
 Estate East Street  
 Flat 5 King George Iv Court Dawes  
 Street  
 8 Northchurch Dawes Street London  
 Flat 9 Pincombe House Rodney Estate  
 Orb Street  
 Flat 4 Pincombe House Rodney Estate  
 Orb Street  
 Flat 20 Pincombe House Rodney Estate  
 Orb Street  
 Flat 28 Everett House Kingston Estate  
 East Street  
 Flat 2 Marshall House Kingston Estate  
 East Street  
 Flat 4 Richmond House Kingston Estate  
 East Street  
 Flat 3 King George Iv Court Dawes  
 Street  
 Ground Floor 55 Dawes Street London  
 Flat 13 Pincombe House Rodney Estate  
 Orb Street  
 Flat 19 Marshall House Kingston Estate  
 East Street  
 3 Northchurch Dawes Street London  
 Flat 30 Richmond House Kingston  
 Estate East Street  
 Flat 28 Richmond House Kingston  
 Estate East Street  
 Flat 8 Pincombe House Rodney Estate  
 Orb Street  
 Flat 16 Pincombe House Rodney Estate  
 Orb Street  
 1-2 Richmond House Kingston Estate  
 East Street London  
 4 Northchurch Dawes Street London  
 Flat 20 Marshall House Kingston Estate  
 East Street  
 Flat 16 Marshall House Kingston Estate  
 East Street  
 153 East Street London Southwark  
 13 Northchurch Dawes Street London  
 Flat 26 Richmond House Kingston  
 Estate East Street  
 Flat 25 Everett House Kingston Estate  
 East Street  
 Flat 22 Everett House Kingston Estate  
 East Street  
 Flat 12 Richmond House Kingston  
 Estate East Street  
 Flat 3 153 East Street London  
 5 Northchurch Dawes Street London  
 7 Northchurch Dawes Street London  
 Flat 21 Pincombe House Rodney Estate  
 Orb Street  
 Flat 30 Everett House Kingston Estate  
 East Street  
 Flat 2 Everett House Kingston Estate  
 East Street  
 Flat 7 Marshall House Kingston Estate  
 East Street  
 Flat 5 Marshall House Kingston Estate  
 East Street  
 Flat 26 Marshall House Kingston Estate  
 East Street  
 Flat 11 Richmond House Kingston  
 Estate East Street  
 165 East Street London Southwark  
 Barrow Store 2 Northchurch Dawes  
 Street  
 Flat 3 Richmond House Kingston Estate  
 East Street  
 Flat 4 Marshall House Kingston Estate  
 East Street  
 Flat 24 Marshall House Kingston Estate  
 East Street  
 Flat 18 Marshall House Kingston Estate  
 East Street  
 Flat 14 Marshall House Kingston Estate  
 East Street  
 Flat 29 Everett House Kingston Estate  
 East Street  
 175 East Street London Southwark  
 Flat 7 Pincombe House Rodney Estate  
 Orb Street  
 Flat 15 Pincombe House Rodney Estate  
 Orb Street  
 Flat 10 Pincombe House Rodney Estate  
 Orb Street  
 Flat 1 Pincombe House Rodney Estate

Orb Street  
 Flat 14 Everett House Kingston Estate  
 East Street  
 Flat 30 Marshall House Kingston Estate  
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 Flat 17 Marshall House Kingston Estate  
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 Flat 22 Richmond House Kingston  
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 Flat 14 Richmond House Kingston  
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 Flat D 184 East Street London  
 Flat 9 King George Iv Court Dawes  
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 Flat 21 Everett House Kingston Estate  
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 Flat 2 Pincombe House Rodney Estate  
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 155 East Street London Southwark  
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 Flat 19 Everett House Kingston Estate  
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 Flat 8 King George Iv Court Dawes  
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 171 East Street London Southwark  
 9 Northchurch Dawes Street London  
 Flat 19 Pincombe House Rodney Estate  
 Orb Street  
 Flat 18 Richmond House Kingston  
 Estate East Street  
 Flat 13 Richmond House Kingston  
 Estate East Street  
 Flat 6 King George Iv Court Dawes  
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 Flat 1 King George Iv Court Dawes  
 Street  
 169 East Street London Southwark  
 14 Northchurch Dawes Street London  
 Flat 26 Everett House Kingston Estate  
 East Street  
 Flat 28 Marshall House Kingston Estate  
 East Street  
 Flat 12 Marshall House Kingston Estate  
 East Street  
 Flat 10 Marshall House Kingston Estate  
 East Street  
 Flat 6 Richmond House Kingston Estate  
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 Flat 29 Richmond House Kingston  
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 Flat 27 Richmond House Kingston  
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 Flat 2 153 East Street London  
 Flat 1 Everett House Kingston Estate  
 East Street  
 Flat 14 Pincombe House Rodney Estate  
 Orb Street  
 55B Dawes Street London Southwark  
 Flat 6 Pincombe House Rodney Estate  
 Orb Street  
 Flat 11 Pincombe House Rodney Estate  
 Orb Street  
 Flat 15 Everett House Kingston Estate  
 East Street  
 Flat 12 Everett House Kingston Estate  
 East Street  
 Flat 1 Marshall House Kingston Estate  
 East Street  
 Flat 9 Richmond House Kingston Estate  
 East Street  
 Flat 7 Richmond House Kingston Estate  
 East Street  
 Flat 6 Everett House Kingston Estate  
 East Street  
 Flat E 184 East Street London  
 18 Northchurch Dawes Street London  
 12 Northchurch Dawes Street London  
 Flat 12 Pincombe House Rodney Estate  
 Orb Street  
 Flat 8 Everett House Kingston Estate  
 East Street  
 Flat 7 Everett House Kingston Estate  
 East Street  
 Flat 3 Everett House Kingston Estate  
 East Street  
 Flat 16 Everett House Kingston Estate  
 East Street  
 Flat 23 Marshall House Kingston Estate  
 East Street  
 Flat 21 Marshall House Kingston Estate  
 East Street

Flat A 184 East Street London	20 Northchurch Dawes Street London
Flat 4 153 East Street London	15 Northchurch Dawes Street London
Flat 1 153 East Street London	Flat 2 153A East Street London
173 East Street London Southwark	Flat 9 Everett House Kingston Estate
161 East Street London Southwark	East Street
Units 1 And 2 Northchurch Dawes Street	Flat 5 Pincombe House Rodney Estate
11 Northchurch Dawes Street London	Orb Street
Flat 22 Marshall House Kingston Estate	163 East Street London Southwark
East Street	6 Northchurch Dawes Street London
Flat 18 Pincombe House Rodney Estate	Flat 27 Marshall House Kingston Estate
Orb Street	East Street
Estate Workshop Pincombe House	16 Northchurch Dawes Street London
Rodney Estate Orb Street	Flat B 184 East Street London
Flat 6 Marshall House Kingston Estate	Flat 10 Richmond House Kingston
East Street	Estate East Street
Flat 11 Marshall House Kingston Estate	167 East Street London Southwark
East Street	159 East Street London Southwark
19 Northchurch Dawes Street London	17 Northchurch Dawes Street London
Flat 5 Richmond House Kingston Estate	Flat 17 Pincombe House Rodney Estate
East Street	Orb Street
Flat 21 Richmond House Kingston	Flat 3 Marshall House Kingston Estate
Estate East Street	East Street
Flat 4 Everett House Kingston Estate	Flat 25 Marshall House Kingston Estate
East Street	East Street
Flat 20 Everett House Kingston Estate	Flat 15 Marshall House Kingston Estate
East Street	East Street
Flat A 175 East Street London	Flat B 175 East Street London

## Consultation responses received

### Internal services

Environmental Protection  
 Highways Development and Management  
 Transport Policy  
 Urban Forester  
 Ecology

### Neighbour and local groups consulted:

10 Richmond House East Street London  
 359 Wendover House Thurlow Street  
 London  
 18 Everett House East Street London  
 15 Everett House East Street London  
 28 Marshall House East Street London  
 12b Therapia Road London SE220SE  
 3 Hurley Crescent London SE16 6AL  
 Flat 9, Penrose House Penrose Street  
 London  
 Flat 40 Priory Court 1 Cheltenham Road  
 London  
 177 Cator Street Ground floor flat  
 London  
 18 Marshall House East Street London  
 Flat 2, 46d Bird in Bush Rd London  
 SE15 6RW  
 11 Dunstons Road East Dulwich London  
 22 Everett House East Street London  
 Flat 149, Taplow Thurlow Street London  
 24 Marshall House East Street London  
 4 Everett House East Street London  
 87 Balfour street london SE17 1PB  
 12 Wordsworth Road Bermondsey  
 Se15tx  
 7 Marshall House Kingston Est East St  
 24 Everett House East Street London  
 24 Pullens London SE17 3SJ  
 25 Richmond House East St. Walworth  
 29 Innis House East Street London  
 4 Staunton House Tatum Street London  
 27 Marshall House East Street London  
 11 Richmond House East Street London

26 Richmond House East Street London  
 15 Richmond House East Street London  
 60G Honor Oak Road Forest Hill London  
 Flat 53, Woodsford London SE17 2TN  
 30 Marshall House East Street London  
 25 Everett House East Street London  
 13 Marshall House East Street London  
 102 Brandon Street London  
 Flat 306, 83 Crampton Street London  
 SE17 3BT  
 Flat 2, Emperor Apartments, 3 Scena  
 Way London  
 14 Richmond House East Street London  
 14 Marshall House East Street London  
 19 Richmond House East Street London  
 29 Marshall House East Street London  
 43 Phelp Street London SE17 2PL  
 128 Benhill Road Camberwell SE5 7LZ  
 25 Richmond House East Street London



**PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2021-22**

**NOTE:** Original held by Constitutional Team all amendments/queries to Beverley Olamijulo Email address: Beverley.olamijulo@southwark.gov.uk

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Councillor Adele Morris (Vice-Chair)	1	Environmental Protection Team	email
Councillor Maggie Browning	1		
Councillor Sunil Chopra	1		
Councillor Richard Leeming	1	Communications	By
Councillor Jane Salmon	email	Louise Neilan, media manager	email
Councillor Martin Seaton	email		
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Councillor Anood Al-Samerai		<b>Dated:</b> 8 November 2021	
Councillor Peter Babudu			
Councillor Paul Fleming			
Councillor Renata Hamvas			
Councillor Victoria Olisa			
<b>Officers</b>			
Constitutional Officer, Hub 2, Level 2, Tooley Street	7		
Planning Team - Philippa Brown / Affie Demetriou - Hub 2 Level 5, Tooley St.	By email		
Margaret Foley, Legal Services Hub 2, Level 2, Tooley Street	1		