

Planning Sub-Committee A

Tuesday 15 November 2022

6.30 pm

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

Membership

Councillor Kath Whittam (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor John Batteson
Councillor Natasha Ennin
Councillor Ketzia Harper
Councillor Adam Hood
Councillor Richard Livingstone

Reserves

Councillor Maggie Browning
Councillor Gavin Edwards
Councillor Jason Ochere
Councillor Chloe Tomlinson

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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

Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 4 November 2022



Planning Sub-Committee A

Tuesday 15 November 2022

6.30 pm

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

Order of Business

Item No.	Title	Page No.
1.	INTRODUCTION AND WELCOME	
2.	APOLOGIES	
3.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	MINUTES	1 - 5
	To approve as a correct record the minutes of the meeting held on 21 September 2022.	
7.	DEVELOPMENT MANAGEMENT ITEMS	6 - 9

Item No.	Title	Page No.
7.1.	LAND AT 1A DOG KENNEL HILL, SOUTHWARK, LONDON SE22 8AA	10 - 61
7.2.	97 PECKHAM ROAD LONDON SOUTHWARK SE15 5LJ	62 - 104
7.3.	CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON, SOUTHWARK SE21 7EX	105 - 124

Date: 4 November 2022

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.”

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 sub-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 three 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 sub-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 three-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 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: gerald.gohler@southwark.gov.uk



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Wednesday 21 September 2022 at 6.30 pm at Ground Floor Meeting Room GO2 - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Kath Whittam (Chair)
Councillor John Batteson
Councillor Natasha Ennin
Councillor Ketzia Harper
Councillor Adam Hood
Councillor Richard Livingstone

OTHER MEMBERS PRESENT: Councillor Victor Chamberlain
Councillor Esme Hicks
Councillor Sarah King

OFFICER SUPPORT: Dennis Sangweme (Head of Development Management)
Margaret Foley (Senior Planning Lawyer)
Catherine Jeater (Team Leader, Design and Conservation)
Sonia Watson (Team Leader, Major Applications Team)
Zaib Khan (Senior Planner)
Abbie McGovern (Planning Officer)
Gerald Gohler (Constitutional Officer)

1. INTRODUCTION AND WELCOME

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

2. APOLOGIES

There were apologies for absence from Councillor Jane Salmon (Vice-Chair).

3. **CONFIRMATION OF VOTING MEMBERS**

Those members present were confirmed as voting members of the sub-committee.

4. **DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS**

There were none.

5. **ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT**

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

- Members' pack
- Addendum report relating to items 7.1 and 7.2.

6. **MINUTES**

RESOLVED:

That the minutes of the meeting held on the 5 July 2022 be approved as a correct record and signed by the chair.

7. **DEVELOPMENT MANAGEMENT ITEMS**

Members noted the development management report.

RESOLVED:

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the agenda be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they can be clearly specified.

7.1 SEAVINGTON HOUSE, CHAMPION HILL, SOUTHWARK LONDON

Planning application number: 22/AP/0174

Report: see pages 10 to 60 of the agenda pack and pages 1 to 8 of the addendum report.

PROPOSAL

Demolition of 16 garages and 10 bedsits and redevelopment of the site for the construction of 5 terraced three storey houses and a 19 unit four storey block of flats providing a total 24 new homes at 100% social rent.

The sub-committee heard the officer's introduction to the report and addendum report.

Members of the sub-committee asked questions of the officers.

An objector addressed the meeting and responded to questions from members of the sub-committee.

Representatives of the applicant addressed the meeting and responded to questions from members of the sub-committee.

There were no supporters living within 100 metres of the application site who wished to speak.

Councillors Sarah King and Esme Hicks addressed the sub-committee in their capacity as ward councillors, and responded to questions from members of the sub-committee.

Members of the sub-committee further debated the application and asked questions of officers.

A motion to approve the planning application was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That planning permission be granted, subject to:
 - a) The conditions as set out in the report and addendum report; and
 - b) The completion of a unilateral undertaking.
2. That in the event that a legal agreement is not signed by 21 December 2022 the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 110 of the report.

7.2 MARLBOROUGH PLAYGROUND, 11- 25 UNION STREET, SOUTHWARK LONDON SE1 1SD

Planning application number: 22/AP/2071

Report: see pages 61 to 101 of the agenda pack and pages 8 to 11 of the addendum report.

PROPOSAL

Redevelopment of site for the construction of two storey Cafe (Use Class E.b) with ancillary facilities, erection of roof apparatus (PV panels and plant), renewal of existing game areas, provision of cycle parking and associated landscaping for outdoor games, viewing terraces and planting and associated highway works with pedestrian ramp access.

The sub-committee heard the officer's introduction to the report and addendum report.

Members of the sub-committee asked questions of the officers.

The objectors present addressed the meeting and responded to questions from members of the sub-committee.

The applicant addressed the meeting and responded to questions from members of the sub-committee.

A supporter living within 100 metres of the application site addressed the meeting.

Councillor Victor Chamberlain addressed the sub-committee in his capacity as a ward councillor and responded to questions from members of the sub-committee.

Members of the sub-committee further debated the application and asked questions of officers.

A motion to approve the planning application was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That planning permission be granted subject to the conditions in the report, the completion of a S106 legal agreement and an additional condition requiring an operational management plan to be submitted after consultation with residents.

2. That in the event that a legal agreement is not signed by 31 March 2023 the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 78 of the report.

The meeting ended at 9.05 pm.

CHAIR:

DATED:

Item No. 7.	Classification: Open	Date: 15 November 2022	Meeting Name: Planning Sub-Committee A
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning committee and planning sub-committees. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning sub-committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Levelling Up, Housing and Communities 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 director of planning and growth is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the sub-committee and issued under the signature of the director of planning and growth shall constitute a planning permission. Any additional conditions required by the sub-committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning sub-committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of law and governance, and which is satisfactory to the director of planning and growth. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of law and governance. 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.

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 the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.
16. The National Planning Policy Framework (NPPF), as amended in July 2021, is a relevant material consideration and should be taken into account in any decision-making.
17. Section 143 of the Localism Act 2011 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.
18. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, 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."

19. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning sub-committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

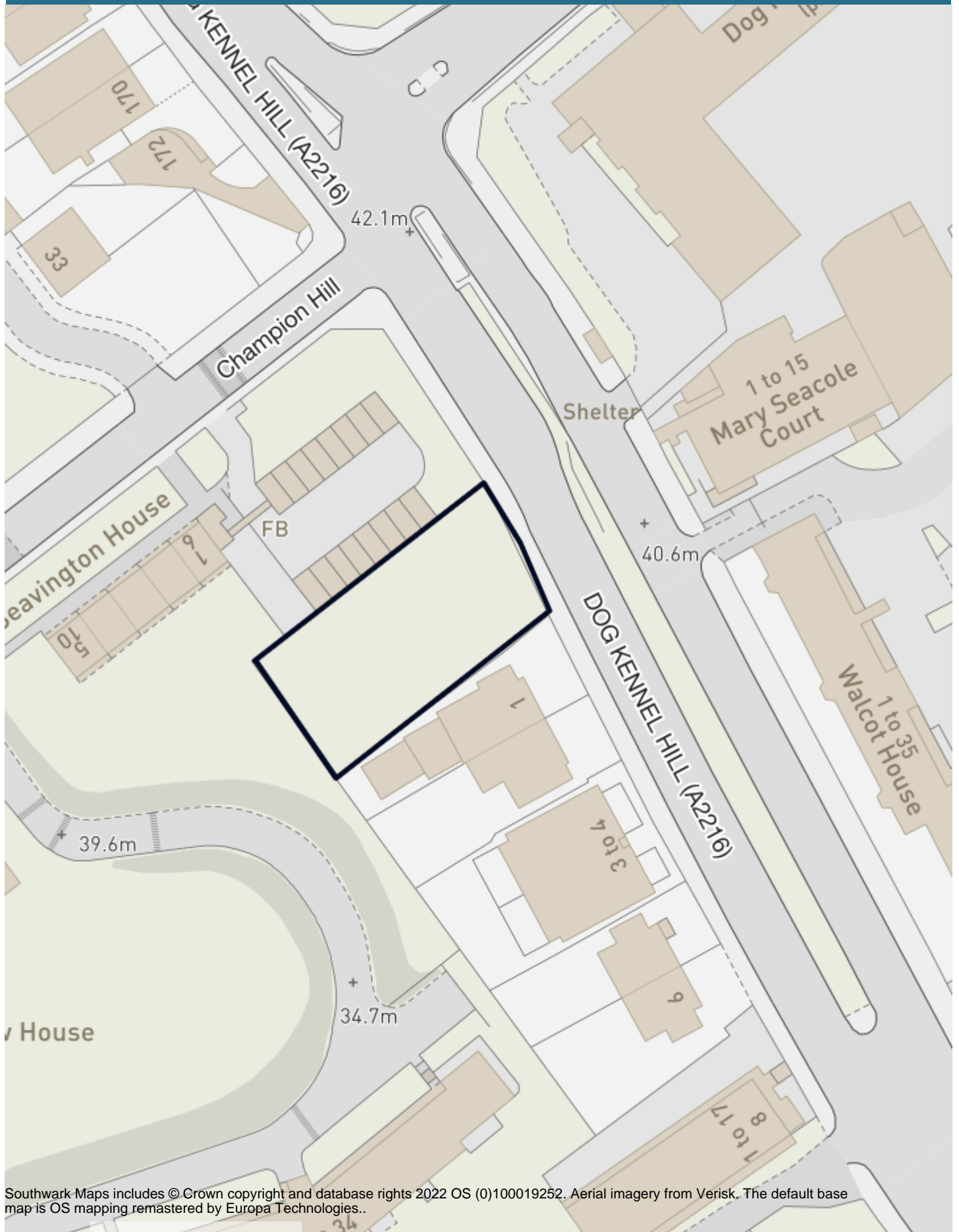
APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services		
Report Author	Gerald Gohler, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)		
Version	Final		
Dated	3 November 2022		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Director of Law and Governance	Yes	Yes	
Director of Planning and Growth	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		4 November 2022	

Agenda Item 7.1



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1-Nov-2022

Contents

Contents	1
Site location and description	3
Details of proposal	5
Consultation responses from members of the public and local groups	6
Planning history of the site, and adjoining or nearby sites	6
KEY ISSUES FOR CONSIDERATION	6
Summary of main issues.....	6
Legal context	7
Planning policy.....	7
Assessment.....	7
Principle of the proposed development in terms of land use.....	7
Dwelling mix and wheelchair accessible housing	9
Quality of residential accommodation	9
Design, layout and heritage assets	10
Landscaping and trees.....	12
Outdoor amenity space, children's play space and public open space	12
Impact of proposed development on amenity of adjoining occupiers and surrounding area.....	13
Transport and highways.....	18
Noise and vibration	19
Energy and sustainability	19
Ecology and biodiversity	20
Air quality	21
Flood risk	21
Fire safety	21
Planning obligations (S.106 undertaking)	22
Consultation responses from internal and divisional consultees.....	24
Consultation responses from external consultees.....	24
Community impact and equalities assessment	25
Human rights implications.....	26
Positive and proactive statement	26
Positive and proactive engagement: summary table.....	26

CONCLUSION	27
BACKGROUND DOCUMENTS	27
APPENDICES.....	27
AUDIT TRAIL.....	28

Item No. 7.1	Classification: Open	Date: 15 November 2022	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application for: Full Planning Application 20/AP/0359 Address: LAND AT 1A DOG KENNEL HILL, SOUTHWARK, LONDON SE22 8AA Proposal: Erection of a six storey building comprising 31 self-contained residential units (Use Class C3) (14 x 1-bed, 12 x 2-bed and 5 x 4-bed), hard and soft landscaping, communal amenity space, secure cycle storage, and other associated works.		
Ward(s) or groups affected:	Champion Hill		
From:	Director of Planning and Growth		
Application Start Date 27/03/2020		PPA Expiry Date 31/11/2022	
Earliest Decision Date 07/05/2020			

RECOMMENDATIONS

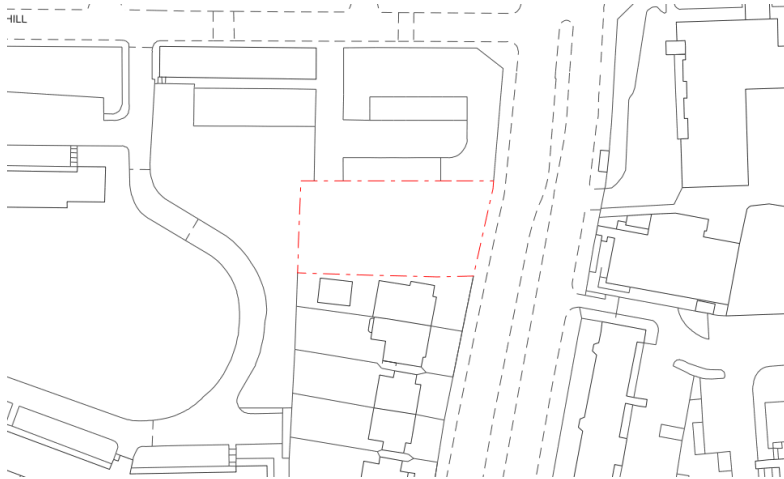
1. That planning permission be granted subject to the conditions set out in this report and the completion of a S106 legal agreement.
2. That in the event that a legal agreement is not signed by 15 March 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 90 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site at 1A Dog Kennel Hill is a parcel of 739 sq. m. land on the western side of Dog Kennel Hill, close to the junction between Dog Kennel Hill and Champion Hill. A large detached 1950's house occupied part of the site until it was demolished in 2009.

Site location plan



4. The surrounding area is predominantly residential in land use, with the exception of Dog Kennel Hill Primary School located on the east side of Dog Kennel Hill. The Champion Hill Estate sits to the west of the site which is characterised by five storey residential buildings. The wider surrounding area is characterised by two to five storey residential buildings.
5. The application site benefits from a planning permission (10/AP/1891) which has been implemented, for the erection of a five storey building, including a basement car park, to provide 9 x 3 bedroom houses, private amenity space and hard and soft landscaping. This permission has been subject to variations. Prior to this, planning permission was granted at appeal (05/AP/2192) for the demolition of the existing house and the erection of a four storey residential building comprising 12 units (10 x 2 bedroom and 2 x 3 bedroom).
6. More recently, a planning application (17/AP/4097) was dismissed at appeal for the construction of a six storey building to provide 22 new homes, with associated private and communal amenity space. The appeal was dismissed as the appellant had not sufficiently demonstrated that the maximum reasonable amount of affordable housing would be provided within the proposed development.
7. Seavington House, immediately to the north of the site, currently comprises a two storey residential building and garages. Planning permission (22/AP/1074) was granted for demolition of the existing buildings and the construction of five terraced three storey houses and a 19 unit four storey building providing a total of 24 new council homes at 100% social rent.
8. The site is subject to the following designations:
 - East Dulwich Area Vision Boundary
 - Air Quality Management Area
 - Central Southwark Critical Drainage Area
 - Urban Zone

Photographs of existing site



9. The site does not contain any listed buildings and is not in a conservation area. The Camberwell Grove Conservation Area is to the north east, across Champion Hill. The nearest listed building is Champion Cottage, Grade II listed, located to the west approximately 75 metres from the site, beyond Seavington House and across Champion Hill. Given the distance and intervening buildings, the proposed development would not affect the setting of the listed building. Dog Kennel Hill Park approximately 75 metres to the south is designated as Metropolitan Open Lane (MOL) and a Site of Importance for Nature Conservation (SINC).

Details of proposal

10. The proposed development is for the construction of a six storey building containing 31 residential flats with associated communal amenity space, hard and soft landscaping, cycle storage, and other associated works.
11. The proposed dwelling mix is for 14 x 1 bedroom flats, 12 x 2 bedroom flats and 5 x 4 bedroom flats and the development would provide 35% affordable housing on site.

Consultation responses from members of the public and local groups

12. Summarised below are the material planning consideration raised by members of the public.
13. Five objections and four neutral comments have been received relating to the following matters:
 - Out of character with surrounding area
 - Inappropriate massing
 - Height of the building
 - Too close to the site boundary
 - Daylight impacts
 - Lack of family housing
 - Quantity of affordable housing
 - Refuse storage arrangements
 - Impact on parking and public transport
 - Servicing
14. These matters are addressed in the relevant parts of this report.

Planning history of the site, and adjoining or nearby sites

15. 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

16. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use;
 - Affordable housing;
 - Dwelling mix and wheelchair accessible housing;
 - Density;
 - Quality of residential accommodation;
 - Design, layout, heritage assets and impact on Borough and London views;
 - Landscaping and trees;
 - Outdoor amenity space, children's playspace and public open space;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Transport and highways;
 - Energy and sustainability;
 - Ecology and biodiversity;
 - Planning obligations (S.106 undertaking or agreement);
 - Community impact and equalities assessment;

- Human rights.

17. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

18. 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 and the Southwark Plan 2022. 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.
19. 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

20. The statutory development plans for the borough comprise the London Plan 2021 and the Southwark Plan 2022. 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

21. The land use of the application site was previously established as residential and therefore the proposal to replace this with a more efficient residential development is considered acceptable.
22. Furthermore, the site already benefits from planning permission (10/AP/1891) for a residential scheme for 9 dwellinghouses. This planning permission has been implemented and is confirmed through a granted lawful development certificate (14/AP/2288).

Affordable housing

23. Policy P1 of the Southwark Plan 2022 states that the development that creates 10 or more homes must provide the maximum viable amount of social rented and

intermediate homes. The minimum should be 35%, subject to viability. This policy sets out that for affordable housing purposes a habitable room of up to 28sqm is counted as one habitable room, a room between 28.1-42sqm is counted as two habitable rooms and so on.

24. The tenure mix in terms of unit types is set out below:

Unit Type	Private	Social rented	Intermediate	Total
1 bed	14	0	0	14
2 bed	12	0	0	12
3 bed	0	0	0	0
4 bed	0	4	1	5
Total	26	4	1	31

25. The tenure mix per habitable room mix is set out below:

Tenure	No. of habitable rooms
Private	64
Intermediate	7
Social rent	28
Total	99

26. As set out, the proposed development would provide 35% affordable housing based on habitable rooms, equating to 35 habitable rooms out of a total 99 habitable rooms. The affordable homes would be the 5 x 4 bedroom duplex units across ground and first floors, providing family sized affordable housing. The tenure split within the affordable housing would be 80% social rent (5 units) and 20% intermediate (1 unit), in accordance with planning policy.
27. It is recommended that the S106 agreement includes clauses to monitor the provision of affordable housing, together with a monitoring fee of £132.35 per unit. This would ensure that the provision of the affordable homes can be monitored and they remain affordable in perpetuity. The clauses would require the developer to provide plans showing the location of the social rented and intermediate homes, to ensure the exact location of these homes are identified and can be monitored by the council. An early and late stage review mechanism would also be included.
28. The developer would be required to notify the council at several stages throughout the development, including at practical completion, to ensure that the Council can check that the provision of the affordable homes is as approved. The developer would be required to provide the council with as-built plans of the development identifying the address and tenure of each unit. The developer would also be required to allow the council access to the development with reasonable notice in order to verify the submitted plans.

Dwelling mix and wheelchair accessible housing

29. The proposed dwelling mix is set out below:

Unit size	No. of social rented units
1 bedroom	14 (45.16%)
2 bedroom	12 (38.71%)
4 bedroom	5 (16.13%)
All units	31

30. 54% of homes would have 2 or more bedrooms and 16% of the homes would be family sized homes with 4 bedrooms. Policy P2 of the Southwark Plan 2022 requires major developments to provide a minimum of 60% of homes with two or more bedrooms. The application site falls within the urban zone which requires major developments to provide a minimum of 25% family sized homes, though just 75 metres from the suburban zone which requires major developments to provide a minimum of 20% family sized homes. Whilst the proposed development does not meet minimum housing mix requirements as set out by planning policy, with a 6% shortfall in homes with two or more bedrooms and a 9% shortfall in homes with family sized homes, an on balance approach should be taken given other benefits of the scheme. The development would deliver 31 new homes, including 35% affordable housing within family sized units, which is a significant improvement on the implemented scheme (10/AP/1891) which would deliver only 9 new homes and no affordable housing. The creation of family sized affordable housing is a significant benefit of the scheme and this outweighs the slight shortfall in meeting housing policy mix requirements.
31. There are no wheelchair accessible units proposed on site due to the level changes on the site and the inability to provide onsite wheelchair accessible car parking. As such, the shortfall of 9.9 habitable rooms (10% of 99 habitable rooms on site) would be offset via a financial contribution of £99,000. This is to be secured via S106 legal agreement.

Quality of residential accommodation

32. The development would provide 31 new homes within the proposed building. These homes are arranged with the 5 x 4 bedroom units as duplexes across ground and first floors, with additional one bedroom flats on each floor. Second to fifth floors include a mix of the one and two bedroom flats proposed. All dwellings would meet, or exceed, the Nationally Described Space Standards in terms of GIA, and in terms of individual room sizes. All of the homes would be dual aspect.
33. Communal amenity space of 153.5 sq. m. is proposed to the rear of the building and every home would have access to private amenity space. The 4 bedroom duplex units across ground and first floor would benefit from 20 sq. m. private gardens and the one bedroom ground floor flat would benefit from an 18 sq. m. private garden, whilst the one and two bedroom flats on the upper floors would benefit from balconies ranging from 6 sq. m. to 9 sq. m.

34. The proposed development complies with Policy P15 of the Southwark Plan 2022 which states that flatted developments must provide 50 sq. m. of communal amenity space per residential block. The policy also requires flatted developments to provide 10 sq. m. of private amenity space for units containing three or more bedrooms and for smaller units, however where this cannot be provided the shortfall should be added to communal amenity space requirements. As set out above, the proposed development would provide sufficient private amenity space for the four bedroom homes at 20 sq. m. each. Where there are some minor shortfalls in private amenity space for the one and two bedroom units, this equates to 48 sq. m. and would be offset within the communal amenity space which is beyond the minimum 50 sq. m. requirement at 153.5 sq. m.
35. Overall the proposed development would provide a high quality of both internal and external accommodation for future occupiers.

Design, layout and heritage assets

36. The proposed development is a single block of residential units which would sit perpendicular to Dog Kennel Hill, with the long elevations facing north/south and the side elevation with an access staircase facing the street. The proposed building envelope, being the height, scale and massing, is the same as the previous application (17/AP/4097) on the site. Whilst the application was refused on appeal, there were no issues with the design of the scheme. The height, scale and massing is very similar to that of the consented scheme (10/AP/1891), though with an additional storey of accommodation achieved through alterations to the site levels. The proposed development is also similar in terms of scale, massing and orientation to an existing block of flats at 8 Dog Kennel Hill. The extant scheme and 8 Dog Kennel Hill form a strong precedent for application site in terms of the proposed massing and the relationship to the street of any proposed development.

Proposed massing



37. The proposed 'set in' ground and first floor of the development expresses the change between duplex apartments and single flats above. The vertical emphasis by arrangement of the fenestration, with contrasting lower levels in reddish/brown brick, separated from the upper levels in a buff stock brick, breaks down the appearance of the longer elevations. The upper most storey with its varied roofline adds interest in the short and wider views of the block.

Proposed south east elevation



38. The application site is approximately 25m from the boundary of Camberwell Grove Conservation Area to the north. Setting is defined by the National Planning Policy Framework (NPPF) glossary as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral".
39. Camberwell Grove Conservation Area is a planned area of 19th century suburban expansion characterised by large terrace and villa houses set back from the street with mature gardens and the Maudsely Hospital Campus. Grove Lane forms an historic thoroughfare within the conservation area, and is partially lined with Georgian and Victorian terraces which form an integral part of the significance of the conservation area. The properties closest to the site in the conservation area are Karen Court and 179 Grove Lane, both 20th century developments not typical of the wider character of the conservation area. These are set back from the street and partially shielded from the development by planting and separated physically from the site by the junction with Dog Kennel Hill. The age, architectural style and general detail of these closest blocks, plus their experience over a busy junction, contributes in a neutral manner to the significance of the conservation area. The wider setting of the conservation area is mixed; the primary school and apartment block developments at Seavington House, Mary Seacole House, Langford Green, Walcot House are 20th century medium to large apartment blocks or buildings in landscaped gardens. This latter development pattern is change from the close knit character of the terraces and villas in the Camberwell Grove conservation area. The conservation area is experienced in a limited manner from the site and on the approach from Dog Kennel Hill. This wider area,

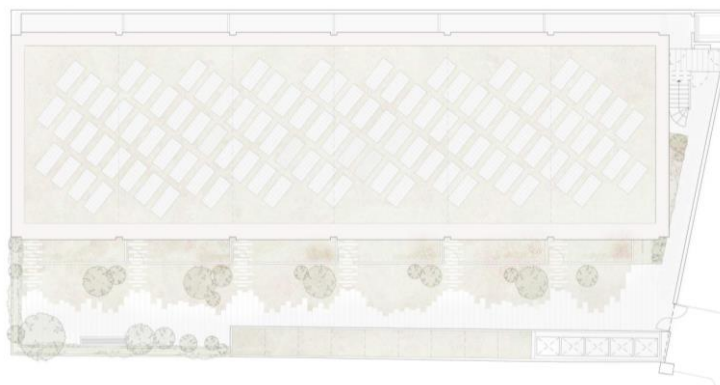
has a neutral impact on the significance of the conservation area.

40. The proposed development of a large residential block up to five storeys in this area outside the conservation area would be in keeping with prevailing wider neighbourhood character and would not harm the significance of the conservation area by development within its setting. While it would be experienced within the setting of the conservation area when traveling along Dog Kennel Hill, by virtue of being similar development pattern and scale of the neighbourhood outside the conservation area, would not cause harm to the significance of the conservation area as a 19th century suburban development pattern.
41. Conditions have been recommended for details of material samples, details of bicycle and refuse storage and hard and soft landscaping to be submitted to ensure a high quality design.

Landscaping and trees

42. The proposed development does not involve the removal of any trees. Conditions have been recommended for the retained trees on or adjoining the site to be protected in accordance with the recommendations as set out in the Arboricultural Method Statement and for details of the completed schedule of site supervision and monitoring to be submitted to and approved in writing by the Local Planning Authority.
43. The proposed development includes private gardens and communal amenity space to the rear. The overall landscaping strategy includes amenity grassland covering 104 sq. m., flower rich perennial planting and hedges, and new trees covering 25 sq. m. An intensive green roof is also proposed.

Proposed roof / landscape plan



44. Conditions have been recommended for full details of a hard and soft landscaping plan and a biodiversity green roof.

Outdoor amenity space, children's play space and public open space

45. The proposed development would provide 153.5 sq. m. of communal amenity space, which is sufficient to exceed the minimum 50 sq. m. requirement and offset

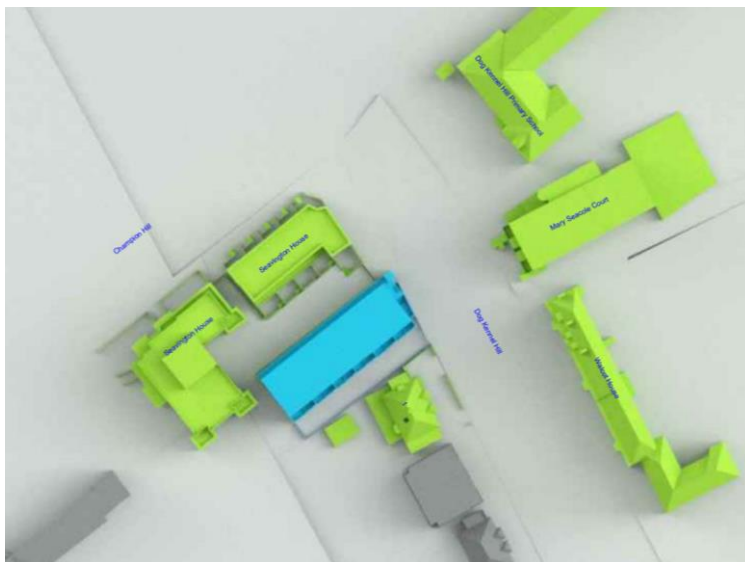
the shortfall in the private amenity spaces of the one and two bedroom homes. This would provide useable outdoor amenity space for future occupiers of the development.

46. As determined by the GLA calculator, the expected child yield of the development is 15.9 and therefore 159.2 sq. m. of playspace should be provided. The external space on the site needs to be used for amenity space which is a priority over onsite playspace. Given the long and narrow nature of the external space and the need for rear gardens, onsite playspace would be inappropriate. In accordance with Southwark's Section 106 and CIL SPD, a financial contribution would be secured to contribute to improving playspace elsewhere in the surrounding area of the development site. This is charged at £151 per square metre and therefore equates to £24,039.20. There are playspaces within the vicinity of the site that are to be improved, including on Champion Hill Estate and the Dog Kennel Hill Adventure Playground.

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

47. The nearest residential buildings to the application site are Mary Seacole Court to the north east, Walcot House to the east, 1 and 2 Dog Kennel Hill to the south and Seavington House to the south west. Seavington House currently comprises a two storey residential block of bedsits which has tenants on short term temporary leases. The site will be redeveloped to provide 24 social homes within two separate blocks (planning permission 22/AP/0174). Dog Kennel Hill Primary School is also located to the north east.

Proposed scheme in context (including 22/AP/0174)



Site plan with distances



Privacy, outlook and sense of enclosure

48. Mary Seacole Court is located over 24 metres across the public highway of Dog Kennel Hill from the proposed development and therefore complies with the minimum 12 metre separation distance at the front of a building as set out in the 2015 Technical Update to the Residential Design Standards SPD 2011, so as to prevent unnecessary problems of overlooking.
49. 1 Dog Kennel Hill to the south is located just under 6 metres from the proposed development. There are four windows within 1 Dog Kennel Hill fronting the application site. These are two small ground floors windows which appear to serve non-habitable rooms. The further windows on this elevation are at first and second floors and likely serve bedrooms. It is acknowledged that there would be some level of overlooking and privacy impacts given the 6 metre separation distance, however this relationship has already been established with the consented scheme on site. There would be boundary treatments between the properties for the communal and amenity spaces which would mitigate this at ground level. A condition has been recommended for full details of boundary treatments to be submitted.
50. The separation distance at ground floor between the proposed development and the existing Seavington House is approximately 11.6 metres. The separation distance at ground floor between the rear of the terraces within the planning permission (22/AP/0174) at Seavington House and 1A Dog Kennel Hill is approximately 13 metres. All homes within the redevelopment scheme at Seavington House are dual aspect giving occupiers various options for outlook.
51. The proposed development would have open plan kitchen / living / dining rooms at ground floor which are dual aspect rooms with substantial outlook to the rear over the private and communal amenity spaces. The terraces within Seavington House are to contain living rooms at the rear, fronting the application site. As these are principal living spaces, a condition has been recommended for details of the boundary treatment to be submitted to ensure any potential overlooking is

mitigated. The same condition has also been attached to the planning permission for Seavington House (22/AP/0174).

52. The bedrooms of the duplex units are proposed at first floor and front doors, bedrooms and open plan living / kitchen / dining rooms are proposed on all upper floors. The open plan spaces have been arranged with kitchens in the middle dining rooms fronting Seavington House, which are likely to be used less than the end with living spaces. Bedrooms are proposed on all the upper floors of the consented scheme at Seavington House. Due to a set back within the scheme at Seavington House, the separation distance would be approximately 14.47 metres.
53. There would be some level of overlooking between the proposed development on the application site and Seavington House. As set out, at ground floor this would be mitigated by private and communal gardens and boundary treatments. Outlook at ground floor would not be unacceptable given the internal layout of the proposals and the fact that all units would be dual aspect. By arranging the internal layout with front doors, bedrooms and dining spaces fronting Seavington House on the upper floors it mitigates overlooking between principal living spaces, and rooms that would likely be used at the same time. On balance, the proposed development follows the footprint and envelope of the consented scheme on the application site and has been designed with an appropriate internal layout. As such, it would not give rise to unacceptable impacts in terms of privacy, outlook and sense of enclosure.

Daylight and sunlight

54. A daylight and sunlight assessment has been submitted which considers the impacts of the proposed development on the neighbouring residential properties at Mary Seacole Court, Walcot House, 1 and 2 Dog Kennel Hill and the consented scheme at Seavington House. The existing Seavington House, which contains temporary accommodation, will be demolished and therefore has not been assessed. Although not a residential property, impacts on Dog Kennel Hill Primary School are assessed.
55. BRE Guidelines state that the impact on the Vertical Sky Component (VSC) value of a window is considered acceptable if the VSC value is higher than 27% or if it is no less than 0.8 times its former value (20%). BRE Guidelines also state that in terms of Daylight Distribution (DD) a reduction of 0.8 times may be deemed to adversely affect daylight.
56. The assessment finds that Mary Seacole Court, Walcot House, 2 Dog Kennel Hill and Dog Kennel Hill Primary School would all comply with BRE Guidelines and there would be no unacceptable impact in terms of daylight and sunlight as a result of the proposed development.

1 Dog Kennel Hill

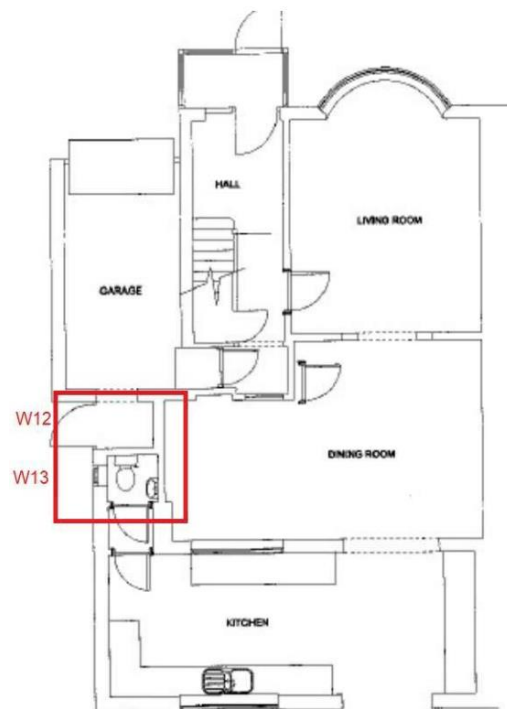
57. The VSC results for windows and the DD results for rooms within 1 Dog Kennel Hill are set out in the table below:

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	41%+
21	17	81%	1	1	2

Daylight Distribution (DD)					
Room			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	41%+
10	9	90%	0	1	0

58. 17 out of 21 windows would comply with BRE Guidelines in terms of VSC within 1 Dog Kennel Hill, equating to 81% compliance. Of the four that fail to comply with BRE Guidelines, two are at ground floor and are shown on the plan below as 'W12' and 'W13'. The windows appear to serve a WC and hallway and are therefore not habitable rooms. The principal living space would comply with BRE Guidelines. The two affected windows are north facing with very low existing VSC values at 4.78 and 8.35, which would experience reductions to 2.72 and 4.85 respectively. These are at 0.57 times and 0.58 their former value. The room would also fail to comply with BRE Guidelines in terms of Daylight Distribution, at 0.6 times the former value. Given that the existing VSC values are already very low and the room is not a principal living space these impacts are not considered to be inappropriate.

Existing ground floor plan – 1 Dog Kennel Hill



59. One north facing window would be affected at first floor. It is reasonable to assume that this room serves a bedroom. The existing VSC value would reduce from 13.02 to 8.61, which is very low in the first instance given that it is north facing. The room is served by another window that would comply with BRE Guidelines in terms of VSC and the overall Daylight Distribution of the room would comply with BRE

Guidelines. One north facing window would be affected at second floor. It is again reasonable to assume that this room serves a bedroom. The VSC value would be 0.77 times its former value, which is not significantly below BRE Guidelines of 0.8, and the Daylight Distribution of the room would comply with BRE Guidelines.

60. Overall, the assessment against BRE Guidelines for 1 Dog Kennel Hill shows that there would be some noticeable impacts on one room that fails to comply with VSC and DD levels. These are north facing windows which serve non-habitable spaces. No other rooms would experience unacceptable impacts as a result of the proposed development.

Seavington House

61. The VSC results for windows and the DD results for rooms within the scheme currently pending consideration at Seavington House are set out in the table below:

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	41%+
109	101	93%	6	1	1
Daylight Distribution (DD)					
Room			Loss		
Total	Pass	BRE Compliant	20-30%	31-40%	41%+
39	36	94%	2	0	1

62. The results show that 101 out of 109 windows would comply with BRE Guidelines, equating to 93% compliance. Of the eight windows that fail, six would experience reductions only slightly beyond the level at which it is deemed daylight would be adversely affected.
63. At ground floor, one window within a living / kitchen / diner would fail to comply with BRE Guidelines. The existing VSC value is very low at 0.69 and would reduce to 0.48, 0.7 times its former value. The room is served by five further windows that would not be affected as a result of the proposed development. The Daylight Distribution of the room would comply with BRE Guidelines.
64. Three windows within a kitchen / diner at ground floor would experience VSC values at 0.79, 0.79 and 0.76 times their former values. These reductions are not significantly beyond BRE Guidelines. The VSC values would also remain reasonably high at 15.78, 16.10 and 16.47 respectively. The overall Daylight Distribution of the room would comply with BRE Guidelines.
65. At first floor, one window within a living / kitchen / diner would experience a VSC value at 0.71 times its former value, reducing from 0.75 to 0.53. This is a very low VSC value in the first instance. The room is served by five other windows that would comply with BRE Guidelines and the overall Daylight Distribution of the room would also comply.

66. At second floor, a total of three windows would fail to comply with BRE Guidelines. One window serves a living / kitchen / diner and has a very low existing VSC value of 0.87, this would reduce to 0.66 times its former value. The room is served by 5 other windows which would remain unaffected and the Daylight Distribution of the room would comply with BRE Guidelines. The further two windows that would not comply with BRE Guidelines serve a living / diner and again have very low existing VSC values. The VSC values would be at 0.58 and 0.74 times their former value with the proposed development in place, though the overall room would comply with BRE Guidelines in terms of Daylight Distribution.
67. Whilst the VSC values of all the windows within the rooms would comply with BRE Guidelines, three rooms would be affected in terms of Daylight Distribution as a result of the proposed development. These are all living / dining rooms at ground floor.

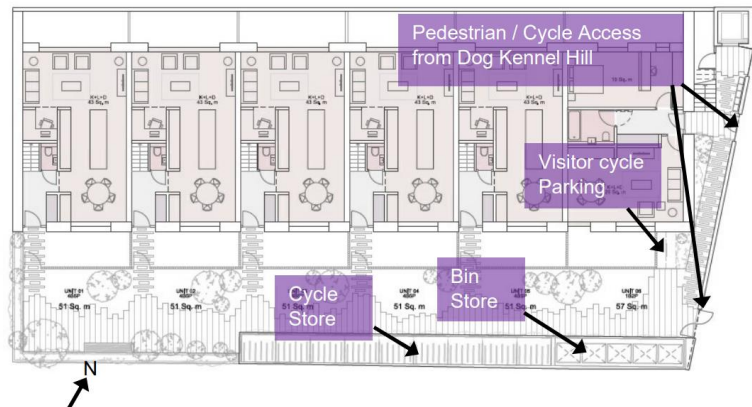
Summary

68. All neighbouring properties would comply with BRE Guidelines in terms of daylight and sunlight, with the exception of 1 Dog Kennel Hill and Seavington House. The results of the assessment have been fully considered and the proposed development would not result in unacceptable impacts on daylight and sunlight levels received by these properties. The only adverse impacts to 1 Dog Kennel Hill would be to non-habitable spaces as the habitable bedrooms affected in terms of VSC would comply in terms of Daylight Distribution. 93% of windows within Seavington House would comply with BRE Guidelines in terms of VSC and 94% of rooms would comply in terms of Daylight Distribution. The impacts on the amenity of neighbouring occupiers would not be unacceptable as a result of the proposed development.

Transport and highways

69. The proposed development would be car free, with no designated car parking on site. Future occupiers would be restricted from obtaining parking permits within the Dog Kennel Hill Controlled Parking Zone (CPZ) which would be secured via Section 106 agreement. The application site has a PTAL rating of 5 which represents 'good' accessibility.
70. As the proposed development would be car free, pedestrian and cycle access would be from Dog Kennel Hill, as shown below. The site would also be serviced from Dog Kennel Hill.

Site layout and access



71. Cycle storage would be provided to the south of the site, accessed from the communal amenity space, and would be both secure and covered. A total of 56 long-stay cycle parking spaces are proposed and one short-stay cycle parking space, in accordance with minimum planning policy requirements. A condition has been recommended for the cycle storage to be provided in line with the submitted plans.
72. Refuse storage would be provided adjacent to the cycle storage which would be appropriate for access by future occupiers and for collection from Dog Kennel Hill. The storage has been designed to store 5 x 1100L wheeled Eurobins. A condition has been recommended for full details of the refuse storage to be submitted.
73. 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. Section 278 highways works would be secured via Section 106 legal agreement.

Noise and vibration

74. A Noise Assessment has been submitted which undertook continuous noise monitoring for the site and provides acoustic performance specifications to ensure that acceptable internal noise criteria are met.
75. Conditions have been recommended for appropriate internal noise levels to be met, for habitable rooms sharing party walls with other dwellings to be constructed in order to provide reasonable resistance to the transmission of sound, and for the rated sound level from any plant to not exceed the background sound level at the nearest noise sensitive premises.

Energy and sustainability

76. Policy P70 of the Southwark Plan 2022 requires development to minimise carbon emissions on site in accordance with the energy hierarchy 'Be Lean, Be Clean and Be Green'. Major residential development should reduce carbon emissions

on site 100% over Building Regulations Part L, and any shortfall must be secured off site through planning obligations or as a financial contribution.

'Be Lean'

77. 'Be Lean' requires development to use less energy and manage demand during operation. The heat loss from the dwellings are to be reduced by increasing the levels of insulation in the building fabric and natural ventilation is maintained for the dwellings, with the exception of kitchens and bathrooms that have very low specific fan powers. The proposed development includes energy efficient lighting throughout and smart energy metres to enable future occupiers to review their energy consumption. This would achieve a 9.26% reduction over Part L.

'Be Clean'

78. 'Be Clean' expects development to exploit local energy resources and supply energy efficiently and cleanly. There are no existing district heating networks that the proposed development could connect to. Due to the nature and limited size of the proposed residential scheme there is not a constant demand for heat, and therefore Combined Heat and Power (CHP) on site would not be feasible.

'Be Green'

79. 'Be Green' seeks to maximise opportunities for renewable energy by producing, storing and using renewable energy on site. Various options for the integration of renewable energy on site have been considered within the submitted energy statement. Ground Source Heat Pumps (GSHPs) extract heat from the ground to provide space heating and hot water, however would require approximately 37 boreholes across the site and would only provide a 21.8% reduction over Part L. Air Source Heat Pumps (ASHPs) extract heat from air using a condenser unit and transfers it through pipework to an internal unit that produces heating and hot water. This would require a significant number of external condenser units which would have design quality, space and noise impacts. It would only achieve a 16.8% reduction over Part L. Biomass is inappropriate on the site given space and access requirements, and a 31 sq. m. solar thermal array would only provide a 9.9% reduction over Part L. As such, the proposed development would include Photovoltaic Panels (PVs) in order to 'Be Green'. This includes 96 panels at roof level and would achieve a 67.7% carbon reduction over Part L.
80. The proposed development would achieve a 76.96% carbon reduction over Part L 2013 regulations, comprising 9.25% 'Be Lean' and 67.7% 'Be Green'. In order to achieve zero carbon as required by planning policy, 10.22 tonnes of carbon would need to be offset. A financial contribution payment of £95 per tonne, totalling £29,127, is to be secured via a Section 106 legal agreement. In accordance with the 'Be Seen' requirement of the London Plan 2021 and Southwark Plan 2022, the energy performance would also be monitored as part of the legal agreement.

Ecology and biodiversity

81. The application site currently offers limited ecological value. The proposed development would improve biodiversity on site and incorporate ecological features. The Urban Greening Factor of the proposed development would be 0.49

which exceeds the 0.4 minimum target score for a residential development as set out in the London Plan.

82. The proposed development includes the provision of an intensive biodiversity roof, flower-rich perennial planting and hedges, amenity grassland and the planting of trees.
83. Conditions have been recommended for full details of a biodiversity roof, three swift bricks and two bat tubes to be submitted.

Air quality

84. An Air Quality Assessment has been submitted which finds that the impact of dust soiling can be reduced to negligible through appropriate mitigation measures. The mitigation measures reflect each stage of the construction process. A condition has been recommended for the development to achieve full compliance with the mitigation measures set out in the assessment. Based on the assessment results, there is no requirement for building mitigation. The proposed development would be air quality neutral.

Flood risk

85. The application site is not located in a flood risk zone, though it is located within Central Southwark Critical Drainage Area. The submitted Flood Risk Assessment sets out mitigation measures to reduce flood risk, including Sustainable Drainage Systems (SuDS) storage with a restricted discharge system and resilient and resistant building construction techniques. A condition has been recommended for the proposed development to be built in accordance with the measures set out in the Flood Risk Assessment.

Fire safety

86. Fire safety details have been submitted in accordance with Policy D12 of the London Plan 2021. The fire strategy includes the implementation of a stay-put evacuation strategy and the design ensures that a fire would be contained within the flat of origin. A fire detection and alarm system is proposed. All proposed flats open onto an external walkway, leading to the staircase. There is a relatively small risk of an open walkway becoming smoke-logged and therefore there are unlimited travel distances. The wall separating flats from the open walkway would be constructed to be 30 minute fire resistant and the walking surface and balustrade of the walkway would be imperforate to protect from the effects of smoke and heat. The internal layout of the flats and internal linings are in accordance with the relevant Building Regulation requirements. Construction materials would be fire resistant.
87. Fire vehicle access would be via Champion Hill and would be 9.5m from the proposed dry fire main inlet within the common stairs, which complies with the minimum 18m requirement.

Planning obligations (S.106 undertaking)

88.	Planning obligation	Mitigation	Applicant's position
Housing, Viability and Amenity Space			
	Affordable housing provision	35% affordable housing to be provided on site	Agreed
	Affordable housing monitoring clauses and fee	£132.35 monitoring fee per dwelling Monitoring of the units to ensure they remain affordable in perpetuity	Agreed
	Affordable housing review mechanism	Early and late stage review mechanism	Agreed
	Wheelchair accessible housing	£99,000 financial contribution	Agreed
	Children's playspace	£24,039.20 financial contribution	Agreed
Transport and Highways			
	Parking permit restriction	Removal of all parking permit rights in CPZ except blue badge permits	Agreed
	S278 Works	<ul style="list-style-type: none"> Repave the footway including new kerbing fronting the development on Dog Kennel Hill using materials in accordance with Southwark's Streetscape Design Manual (granite kerbs and precast concrete slabs). Reinstate redundant southern crossover as footway using materials in accordance with Southwark's 	Agreed

	Streetscape Design Manual. <ul style="list-style-type: none"> Reinstate redundant northern crossover as footway and provide dropped kerbs for refuse bin collection using materials in accordance with Southwark's Streetscape Design Manual. 	
Energy, Sustainability and the Environment		
Carbon offset fund	Off-set contribution of £29,127	Agreed
'Be Seen'	Monitoring, reporting and verifying of energy performance	Agreed
Other		
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

89. The planning obligations agreed would satisfactorily mitigate against the adverse impacts of the proposed development.
90. In the event that a satisfactory legal agreement has not been entered into by 15 March 2023 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, Policy IP3 (Community Infrastructure Levy (CIL) and Section 106 Planning Obligations) of the Southwark Plan 2022 and Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015).

Consultation responses from internal and divisional consultees

91. Summarised below are the material planning considerations raised by internal and divisional consultees.
92. Design and Conservation Team:
 - Previous applications on the site and 8 Dog Kennel Hill set strong precedents for the design of the scheme
 - Advise conditions for details of materials, refuse and cycle storage and landscaping
93. Ecologist:
 - Advise conditions for a biodiverse roof, 3 Swift bricks and 2 bat tubes
94. Urban Forester:
 - Advise conditions for arboricultural monitoring and hard and soft landscaping
95. Highways Development Management:
 - Request S278 highways works to be included within the proposed development
96. Environmental Protection Team:
 - Advise conditions for the proposed development to comply with internal noise levels, party wall sound transmission requirements and for any plant to not exceed the Background sound level
 - Advise a Construction Environmental Management Plan (CEMP) condition
97. Transport Planning Policy:
 - Request details of cycle parking and advise a Construction Environmental Management Plan (CEMP) condition

Consultation responses from external consultees

98. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.
99. Metropolitan Police:
 - The development is suitable to achieve Secured by Design (SbD) accreditation
 - Advise conditions for details of security measures to be submitted and for confirmation that door and window products meet SbD standards

100. Thames Water:

- No objection
- Advise a condition for a piling method statement to be submitted

Community impact and equalities assessment

101. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.

102. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

103. 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.

104. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

105. The proposed development would make use of a vacant plot of land to provide 31 new homes, including 5 x 4 bedroom new affordable homes, within one building. This would create a mixed and balanced community, with varying tenures and unit sizes. Communal amenity space and shared walkways are included within the proposed development to promote social interaction. The proposed development would be fully Part M4(2) compliant and a financial contribution would be secured via Section 106 legal agreement for offsite wheelchair accessible housing.

Human rights implications

106. 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.
107. 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

108. 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.
109. 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 officer submit their recommendation in advance of the statutory determination date?	NO

CONCLUSION

110. The proposed development would provide 31 new homes, including 5 x 4 bedroom affordable homes. The proposed development would fall slightly short of planning policy requirements in terms of housing mix, however the scheme would be a significant improvement on the consented scheme on site as it would make a more efficient use of the land to provide additional residential dwellings and affordable housing. The height, scale, massing and detailed design of the proposed building is consistent with previous applications on the site and would not adversely impact on the amenity of neighbouring occupiers. On balance, it is recommended that the application is approved, subject to conditions and completion of a Section 106 legal agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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: 020 7525 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

Lead Officer	Stephen Platts, Director of Planning and Growth		
Report Author	Abbie McGovern, Planning Officer		
Version	Final		
Dated	26 October 2022		
Key Decision	No		
Consultation with Other Officers / Directorates / Cabinet Member			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Date final report sent to Constitutional Team		2 November 2022	

APPENDIX 1**Recommendation**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr John Smart	Reg. Number	20/AP/0359
	Land Edition / Urban Eye		
Application Type	Major application		
Recommendation		Case Number	2134-1A

Draft of Decision Notice**for the following development:**

Erection of a six-storey building comprising 31 self-contained residential units (Use Class C3) (14 x 1-bed, 12 x 2-bed and 5 x 4-bed), hard and soft landscaping, communal amenity space, secure cycle storage, and other associated works.

Land At 1A Dog Kennel Hill London Southwark

In accordance with application received on 20 February 2020 and Applicant's Drawing Nos.:

Proposed Plans

PROPOSED NORTH EAST ELEVATION 106-P 210-P6 received 25/10/2022

PROPOSED SOUTH EAST ELEVATION PLAN 106-P 211-P6 received 25/10/2022

PROPOSED NORTH EAST ELEVATION IN CONTEXT 106 P 200-P6 received 25/10/2022

PROPOSED SOUTH WEST ELEVATION PLAN IN CONTEXT 106-P 202-P6
received 25/10/2022

PROPOSED LOCATION PLAN 106 001-P6 received 25/10/2022

PROPOSED GROUND FLOOR PLAN 106-P 099-P6 received 25/10/2022

PROPOSED LANDSCAPE PLAN 106-P 080-P6 received 25/10/2022

PROPOSED SOUTH WEST ELEVATION PLAN 106-P 212-P6 received 25/10/2022

PROPOSED NORTH WEST ELEVATION PLAN 106-P 213-P6 received 25/10/2022

PROPOSED ROOF PLAN 106-P 105-P6 received 25/10/2022

PROPOSED FIFTH FLOOR 106-P 104-P6 received 25/10/2022

PROPOSED SECOND FLOOR PLAN 106- P 101- P6 received 25/10/2022

PROPOSED FIRST FLOOR PLAN 106- P 100-P6 received 25/10/2022

PROPOSED FOURTH FLOOR PLAN 106- P 103-P6 received 25/10/2022

PROPOSED THIRD FLOOR PLAN 106 P 102-P6 received 25/10/2022

PROPOSED SECTION A A 106-P 300 P6 received 25/10/2022

BIKE STORAGE 106/P505/P1 received 02/04/2020

Time limit for implementing this permission and the approved plans

3. 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

4. No development shall take place 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 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, Policy T7 (Deliveries, servicing and construction) of the London Plan 2021 and Policies P50 (Highways impacts) and P56 (Protection of amenity) of the Southwark Plan 2022.

Permission is subject to the following Grade Conditions

5. Prior to any above grade works details of the external facing materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority and 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 Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework 2021, Policy D4 (Delivering good design) of the London Plan 2021 and Policies P13 (Design of Places) and P14 (Design Quality) of the Southwark Plan 2022.

6. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, 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.

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with 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 and Policies P13 (Design of Places), P14 (Design Quality), P56 (Protection of Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

7. Before any above grade work hereby authorised begins, details of the biodiversity 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 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.

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; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan 2022.

8.
 - a) Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall be in line with the standards set out by 'Secured by Design'.
 - b) Prior to the first occupation of the units hereby consented, confirmation that door and window products that meet the standard recommended by Secure by Design for that building has been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with the National Planning Policy Framework 2021, Policy D11 (Safety, security and resilience to emergency) of the London Plan 2021 and Policies P13 (Design of places), P14 (Design quality) and Policy P16 (Designing out crime) of the Southwark Plan 2022.

9. Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In the interests of visual and residential amenity in accordance with the National Planning Policy Framework 2021, Policy D4 (Delivery good design)

of the London Plan 2021 and Policies P13 (Design of places), P14 (Design Quality), P15 (Residential design) and P56 (Protection of amenity) of the Southwark Plan 2022.

Permission is subject to the following Pre-Occupation Conditions

10. Before the first occupation of the development hereby permitted begins, details of the arrangements for the storing of domestic refuse shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved refuse storage facilities shall be provided and made available for use by the occupiers of the development and the facilities 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 and Policy P53 (Cycling) of the Southwark Plan 2022.

11. Prior to occupation of the development hereby permitted, details of 3 Swift bricks and 2 bat tubes shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the exact location, specification and design of the habitats. The tubes and 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 nesting tubes and 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 the National Planning Policy Framework 2021, Policy G6 (Biodiversity and access to nature) of the London Plan 2021 and Policies P56 (Protection of amenity), P57 (Open space), P58 (Open water space), P59 (Green infrastructure), P60 (Bioiversity), P66 (Reducing noise pollution and enhancing soundscapes) and P69 (Sustainable standards) of the Southwark Plan 2022.

Permission is subject to the following Compliance Conditions

12. Before the first occupation of the building hereby permitted, the cycle 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. 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 Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework 2021, Policy T5 (Cycling) of the London Plan 2021 and Policy P53 (Cycling) of the Southwark Plan 2022.

13. The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment & SUDS Strategy for Planning (Focus on Residual surface water flood risk) 17-3509 prepared by Syntegra Consulting dated November 2017.

Reason:

To ensure the development is designed safely in reference to flood risk in accordance with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework 2021, Policy SI 12 (Flood risk management) of the London Plan 2021 and Policy P68 (Reducing flood risk) of the Southwark Plan 2022.

14. Prior to occupation this development shall achieve full compliance with the air quality assessment mitigation measures as detailed in Air Quality Assessment AQ0146 prepared by GEM Air Quality Ltd dated February 2020.

Reason:

To protect future occupiers from poor external air quality in accordance with the National Planning Policy Framework 2021, Policy SI 1 (Improving air quality) of the London Plan 2021 and Policy P65 (Improving air quality) of the Southwark Plan 2022.

15. 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 L Aeq 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:

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; Policies D6 (Housing quality and standards) and D14 (Noise) of the London Plan 2021; and, Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan 2022.

16. The habitable rooms within the development sharing a party wall, floor/ceiling element with rooms from other apartments shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement on the Building Regulations standard set out in Approved Document E – Resistance to the passage of sound (2003 Edition incorporating 2004, 2010, 2013 and 2015 amendments)

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, Policies D6 (Housing quality and standards) and D14 (Noise) of the London Plan 2021 and Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan 2022.

Permission is subject to the following Special Conditions

17. 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 (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement (Indigo ref

14290/A2_AMS). 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; 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, Policy G7 (Trees and Woodlands) of the London Plan 2021 and Policies P13 (Design of Places), P14 (Design Quality), P56 (Protection of Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

18. 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.

Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter.

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; Policies D6 (Housing quality and standards) and D14

(Noise) of the London Plan 2021; and, Policy P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan 2022.

19. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures

20. a) All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

b) The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in tree protection condition shall be submitted for approval in writing by the Local Planning Authority within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained project or pre-appointed tree specialist.

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, Policy G7 (Trees and Woodlands) of the London Plan 2021 and Policies P13 (Design of Places), P14 (Design Quality), P56 (Protection of

Amenity), P57 (Open Space), P60 (Biodiversity) and P61 (Trees) of the Southwark Plan 2022.

Relevant 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 2 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 T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the plan and planning obligations

Southwark Plan 2022

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- Policy P1 Social rented and intermediate housing
- Policy P2 New family homes
- Policy P13 Design of places
- Policy P14 Design quality
- Policy P15 Residential design
- Policy P18 Efficient use of land
- Policy P50 Highways impacts
- Policy P53 Cycling
- Policy P56 Protection of amenity
- Policy P59 Green infrastructure
- Policy P60 Biodiversity
- Policy P61 Trees
- Policy P65 Improving air quality
- Policy P66 Reducing noise pollution and enhancing soundscapes
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy

SPDs

Of relevance in the consideration of this application are:

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

APPENDIX 3

Relevant planning history

Reference and proposal	Status
05/AP/2192 Demolition of existing house and erection of new residential building comprising 12 units, a mix of 10 x 2 Bed and 2 x 3 Bed, Private Apartments four storey building.	Planning appeal allowed
10/AP/1891 Erection of 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space, soft and hard landscaping and boundary treatment.	Granted
14/AP/2288 Initial groundworks to planning permission 10-AP-1891 dated 01/04/2011 for: Erection of 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space, soft and hard landscaping and boundary treatment	Certificate of lawful development granted
17/EQ/0052 Construction of a 6 storey building including basement bike store in order to provide 24 new dwellings and private and communal amenity space.	Pre-application enquiry closed
17/AP/4097 Construction of a 6 storey building including basement bike store in order to provide 22 new dwellings and private and communal amenity space.	Planning appeal dismissed
20/AP/0802 Non-material amendment of planning permission LBS reg no 10/AP/1891 for the erection of a 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space,	Not agreed

soft and hard landscaping and boundary treatment.	
<p>20/AP/2730</p> <p>Non material amendment to planning permission 10/AP/1891 dated 1st April 2011 for 'Erection of 5 storey building including basement car park to provide 9 x 3 bedroom houses, private amenity space, soft and hard landscaping and boundary treatment'. The proposed amendment is as follows: to change 9 x 3 double bedroom houses into 9 x 5 double bedroom houses and increased refuse and cycle store capacity.</p>	Agreed

Consultation undertaken

Site notice date: n/a

Press notice date: 16/04/2020

Case officer site visit date: 02/02/2022

Neighbour consultation letters sent: 09/04/2020

Internal services consulted:

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

Statutory and non-statutory organisations:

Thames Water
 Metropolitan Police Service

Neighbour and local groups consulted:

Flat 29 Wilton House East Dulwich
 Estate Albrighton Road

Flat 8 Appleshaw House Champion Hill
 Estate Champion Hill

Flat 21 Walcot House East Dulwich
 Estate Albrighton Road

Flat 3 Walcot House East Dulwich Estate
 Albrighton Road

Flat 15 Birdsall House Champion Hill

Apartment 16 8 Dog Kennel Hill London

Flat 37 Wilton House East Dulwich
 Estate Albrighton Road

Flat 35 Wilton House East Dulwich
Estate Albrighton Road

Flat 21 Wilton House East Dulwich
Estate Albrighton Road

Flat 19 Wilton House East Dulwich
Estate Albrighton Road

Flat 9 Appleshaw House Champion Hill
Estate Champion Hill

Flat 14 Wilton House East Dulwich
Estate Albrighton Road

Flat 31 Walcot House East Dulwich
Estate Albrighton Road

Flat 17 Walcot House East Dulwich
Estate Albrighton Road

Flat 6 Walcot House East Dulwich Estate
Albrighton Road

Flat 13 Appleshaw House Champion Hill
Estate Champion Hill

Flat 22 Birdsall House Champion Hill

Flat 20 Birdsall House Champion Hill
42 Langford Green London Southwark

Flat 7 Seavington House Champion Hill

Apartment 9 8 Dog Kennel Hill London

Apartment 3 8 Dog Kennel Hill London

Flat 18 Walcot House East Dulwich
Estate Albrighton Road

Flat 18 Wilton House East Dulwich
Estate Albrighton Road

Flat 7 Walcot House East Dulwich Estate
Albrighton Road

Flat 29 Appleshaw House Champion Hill
Estate Champion Hill

Flat 19 Appleshaw House Champion Hill
Estate Champion Hill

Flat 21 Birdsall House Champion Hill

Apartment 5 8 Dog Kennel Hill London

Flat 17 Wilton House East Dulwich
Estate Albrighton Road

Flat 10 Wilton House East Dulwich
Estate Albrighton Road

Flat 38 Appleshaw House Champion Hill
Estate Champion Hill

Flat 2 Appleshaw House Champion Hill
Estate Champion Hill

Flat 7 Birdsall House Champion Hill

Flat 25 Birdsall House Champion Hill

35 Langford Green London Southwark

23 Langford Green London Southwark

Flat 18A Wilton House East Dulwich
Estate Albrighton Road

Apartment 18 8 Dog Kennel Hill London

Apartment 6 8 Dog Kennel Hill London

Flat 3 Mary Seacole Court Dog Kennel
Hill

Flat 7 Wilton House East Dulwich Estate
Albrighton Road

Flat 5 Birdsall House Champion Hill

Flat 22 Wilton House East Dulwich
Estate Albrighton Road

Flat 6 Appleshaw House Champion Hill
Estate Champion Hill

Flat 28 Walcot House East Dulwich
Estate Albrighton Road

Flat 26 Walcot House East Dulwich
Estate Albrighton Road

Flat 16 Walcot House East Dulwich
Estate Albrighton Road

Flat 32 Appleshaw House Champion Hill
Estate Champion Hill

Flat 8 Birdsall House Champion Hill

Flat 11 Mary Seacole Court Dog Kennel
Hill

Flat 4 Mary Seacole Court Dog Kennel Hill

Flat 2 Mary Seacole Court Dog Kennel Hill

Flat 23 Wilton House East Dulwich Estate Albrighton Road

Flat 34 Walcot House East Dulwich Estate Albrighton Road

Flat 9 Walcot House East Dulwich Estate Albrighton Road

Flat 36 Appleshaw House Champion Hill Estate Champion Hill

Flat 11 Appleshaw House Champion Hill Estate Champion Hill

Flat 1 Appleshaw House Champion Hill Estate Champion Hill

Flat 26 Birdsall House Champion Hill

40 Langford Green London Southwark

38 Langford Green London Southwark

26 Langford Green London Southwark

47 Champion Hill London Southwark

Flat 9 Seavington House Champion Hill

Flat 11 Karen Court Grove Lane

Apartment 13 8 Dog Kennel Hill London

Apartment 12 8 Dog Kennel Hill London

Apartment 10 8 Dog Kennel Hill London

Flat 10 Mary Seacole Court Dog Kennel Hill

Flat 8 Mary Seacole Court Dog Kennel Hill

Flat 6 Seavington House Champion Hill

Flat 39 Wilton House East Dulwich Estate Albrighton Road

Flat 1 Walcot House East Dulwich Estate Albrighton Road

56

Flat 15 Wilton House East Dulwich Estate Albrighton Road

Flat 33 Walcot House East Dulwich Estate Albrighton Road

Flat 27 Walcot House East Dulwich Estate Albrighton Road

Flat 25 Walcot House East Dulwich Estate Albrighton Road

Flat 21 Appleshaw House Champion Hill Estate Champion Hill

Flat 4 Birdsall House Champion Hill

Flat 32 Birdsall House Champion Hill

Flat 30 Birdsall House Champion Hill

Flat 3 Birdsall House Champion Hill

6 Langford Green London Southwark

44 Langford Green London Southwark

29 Langford Green London Southwark

Flat 4 Karen Court Grove Lane

Flat 19 Birdsall House Champion Hill

Flat 2 Wilton House East Dulwich Estate Albrighton Road

Flat 10 Walcot House East Dulwich Estate Albrighton Road

Flat 5 Walcot House East Dulwich Estate Albrighton Road

Flat 35 Appleshaw House Champion Hill Estate Champion Hill

Flat 10 Appleshaw House Champion Hill Estate Champion Hill

Flat 29 Birdsall House Champion Hill

Flat 27 Birdsall House Champion Hill

Ground Floor Flat 170 Grove Lane London

Flat 22 Walcot House East Dulwich Estate Albrighton Road

Flat 42 Appleshaw House Champion Hill
Estate Champion Hill

Flat 4 Appleshaw House Champion Hill
Estate Champion Hill

Flat 31 Appleshaw House Champion Hill
Estate Champion Hill

Flat 11 Birdsall House Champion Hill

Flat 2 Seavington House Champion Hill

Flat 7 Karen Court Grove Lane

Flat 5 Mary Seacole Court Dog Kennel
Hill

Flat 25 Wilton House East Dulwich
Estate Albrighton Road

Flat 6 Mary Seacole Court Dog Kennel
Hill

Flat 27 Wilton House East Dulwich
Estate Albrighton Road

Flat 24 Wilton House East Dulwich
Estate Albrighton Road

Flat 13 Wilton House East Dulwich
Estate Albrighton Road

Flat 9 Wilton House East Dulwich Estate
Albrighton Road

Flat 35 Walcot House East Dulwich
Estate Albrighton Road

Flat 37 Appleshaw House Champion Hill
Estate Champion Hill

Flat 23 Walcot House East Dulwich
Estate Albrighton Road

Flat 6 Birdsall House Champion Hill

Flat 34 Birdsall House Champion Hill

Flat 12 Birdsall House Champion Hill

Flat 1 Birdsall House Champion Hill

Flat 8 Karen Court Grove Lane

Apartment 11 8 Dog Kennel Hill London

Apartment 2 8 Dog Kennel Hill London

Flat 14 Mary Seacole Court Dog Kennel
Hill

Flat 9 Mary Seacole Court Dog Kennel
Hill

Flat 7 Mary Seacole Court Dog Kennel
Hill

Flat 1 172 Grove Lane London

Flat 33 Wilton House East Dulwich
Estate Albrighton Road

Flat 30 Wilton House East Dulwich
Estate Albrighton Road

Flat 7 Appleshaw House Champion Hill
Estate Champion Hill

Flat 1 Wilton House East Dulwich Estate
Albrighton Road

Flat 29 Walcot House East Dulwich
Estate Albrighton Road

Flat 15 Walcot House East Dulwich
Estate Albrighton Road

Flat 13 Walcot House East Dulwich
Estate Albrighton Road

Flat 44 Appleshaw House Champion Hill
Estate Champion Hill

Flat 33 Appleshaw House Champion Hill
Estate Champion Hill

Flat 28 Appleshaw House Champion Hill
Estate Champion Hill

Flat 17 Appleshaw House Champion Hill
Estate Champion Hill

Flat 9 Birdsall House Champion Hill

Flat 18 Birdsall House Champion Hill

Flat 14 Birdsall House Champion Hill

Flat 13 Birdsall House Champion Hill

36 Langford Green London Southwark

24 Langford Green London Southwark

164 Grove Lane London Southwark

Flat 6 Karen Court Grove Lane

Flat 3 Karen Court Grove Lane
 Flat 12 Karen Court Grove Lane
 Flat 1 Karen Court Grove Lane
 Flat 20A Walcot House East Dulwich
 Estate Albrighton Road
 Apartment 17 8 Dog Kennel Hill London
 Apartment 4 8 Dog Kennel Hill London
 Flat 1 Mary Seacole Court Dog Kennel
 Hill
 Flat 2 172 Grove Lane London
 Flat 24 Walcot House East Dulwich
 Estate Albrighton Road
 1-2 The Parade Dog Kennel Hill London
 Flat 8A Birdsall House Champion Hill
 Flat 2 Karen Court Grove Lane
 Apartment 15 8 Dog Kennel Hill London
 Apartment 7 8 Dog Kennel Hill London
 1 Dog Kennel Hill London Southwark
 3 The Parade Dog Kennel Hill London
 Apartment 14 8 Dog Kennel Hill London
 Flat 38 Wilton House East Dulwich
 Estate Albrighton Road
 166 Grove Lane London Southwark
 25 Langford Green London Southwark
 Flat 8A Appleshaw House Champion Hill
 Estate Champion Hill
 28 Langford Green London Southwark
 Flat 12 Mary Seacole Court Dog Kennel
 Hill
 Flat 15 Mary Seacole Court Dog Kennel
 Hill
 Flat 13 Mary Seacole Court Dog Kennel
 Hill
 Flat 10 Seavington House Champion Hill
 Flat 9 Karen Court Grove Lane

58

Flat 3 Seavington House Champion Hill
 Flat 5 Seavington House Champion Hill
 Flat 1 Seavington House Champion Hill
 Flat 8 Seavington House Champion Hill
 5 Langford Green London Southwark
 34 Langford Green London Southwark
 37 Langford Green London Southwark
 30 Langford Green London Southwark
 3 Dog Kennel Hill London Southwark
 6 Dog Kennel Hill London Southwark
 5 Dog Kennel Hill London Southwark
 2 Dog Kennel Hill London Southwark
 Flat 20 Wilton House East Dulwich
 Estate Albrighton Road
 Flat 40 Appleshaw House Champion Hill
 Estate Champion Hill
 Flat 20 Appleshaw House Champion Hill
 Estate Champion Hill
 Flat 31 Wilton House East Dulwich
 Estate Albrighton Road
 Flat 6 Wilton House East Dulwich Estate
 Albrighton Road
 Flat 30 Walcot House East Dulwich
 Estate Albrighton Road
 Flat 10 Karen Court Grove Lane
 Apartment 19 8 Dog Kennel Hill London
 Flat 12 Wilton House East Dulwich
 Estate Albrighton Road
 Flat 33 Birdsall House Champion Hill
 Flat 26 Wilton House East Dulwich
 Estate Albrighton Road
 Flat 25 Appleshaw House Champion Hill
 Estate Champion Hill
 Flat 16 Birdsall House Champion Hill
 27 Langford Green London Southwark

Flat 30 Appleshaw House Champion Hill
Estate Champion Hill

Flat 24 Birdsall House Champion Hill

4 Dog Kennel Hill London Southwark

Flat 12 Appleshaw House Champion Hill
Estate Champion Hill

Flat 12 Walcot House East Dulwich
Estate Albrighton Road

31 Langford Green London Southwark

Flat 32 Walcot House East Dulwich
Estate Albrighton Road

Flat 43 Appleshaw House Champion Hill
Estate Champion Hill

Flat 17 Birdsall House Champion Hill

Apartment 8 8 Dog Kennel Hill London

Flat 32 Wilton House East Dulwich
Estate Albrighton Road

Flat 28 Wilton House East Dulwich
Estate Albrighton Road

Flat 8 Wilton House East Dulwich Estate
Albrighton Road

Flat 20 Walcot House East Dulwich
Estate Albrighton Road

Flat 11 Walcot House East Dulwich
Estate Albrighton Road

Flat 4 Walcot House East Dulwich Estate
Albrighton Road

Flat 34 Appleshaw House Champion Hill
Estate Champion Hill

Flat 18 Appleshaw House Champion Hill
Estate Champion Hill

Flat 28 Birdsall House Champion Hill

39 Langford Green London Southwark

33 Langford Green London Southwark

Flat 4 Seavington House Champion Hill

Apartment 1 8 Dog Kennel Hill London

First Floor Flat 170 Grove Lane London

Flat 36 Wilton House East Dulwich
Estate Albrighton Road

Flat 34 Wilton House East Dulwich
Estate Albrighton Road

Flat 16 Wilton House East Dulwich
Estate Albrighton Road

Flat 11 Wilton House East Dulwich
Estate Albrighton Road

Flat 4 Wilton House East Dulwich Estate
Albrighton Road

Flat 39 Appleshaw House Champion Hill
Estate Champion Hill

Flat 19 Walcot House East Dulwich
Estate Albrighton Road

Flat 14 Walcot House East Dulwich
Estate Albrighton Road

Flat 27 Appleshaw House Champion Hill
Estate Champion Hill

Flat 24 Appleshaw House Champion Hill
Estate Champion Hill

Flat 22 Appleshaw House Champion Hill
Estate Champion Hill

Flat 16 Appleshaw House Champion Hill
Estate Champion Hill

Flat 14 Appleshaw House Champion Hill
Estate Champion Hill

Flat 31 Birdsall House Champion Hill

Flat 2 Birdsall House Champion Hill

Flat 5 Karen Court Grove Lane

Flat 5 Appleshaw House Champion Hill
Estate Champion Hill

Flat 5 Wilton House East Dulwich Estate
Albrighton Road

Flat 3 Wilton House East Dulwich Estate
Albrighton Road

Flat 8 Walcot House East Dulwich Estate
Albrighton Road

Flat 2 Walcot House East Dulwich Estate
Albrighton Road

Flat 41 Appleshaw House Champion Hill
Estate Champion Hill

Flat 3 Appleshaw House Champion Hill
Estate Champion Hill

Flat 26 Appleshaw House Champion Hill
Estate Champion Hill

Flat 15 Appleshaw House Champion Hill
Estate Champion Hill

Flat 23 Birdsall House Champion Hill

Flat 10 Birdsall House Champion Hill

32 Langford Green London Southwark

3 Langford Green London Southwark

2 Langford Green London Southwark

168 Grove Lane London Southwark

Flat 23 Appleshaw House Champion Hill
Estate Champion Hill

Consultation responses received

Internal services:

Design and Conservation Team
Transport Policy
Environmental Protection
Highways Development and Management
Urban Forester
Ecology
Design and Conservation Team

Statutory and non-statutory organisations:

Thames Water
Metropolitan Police Service

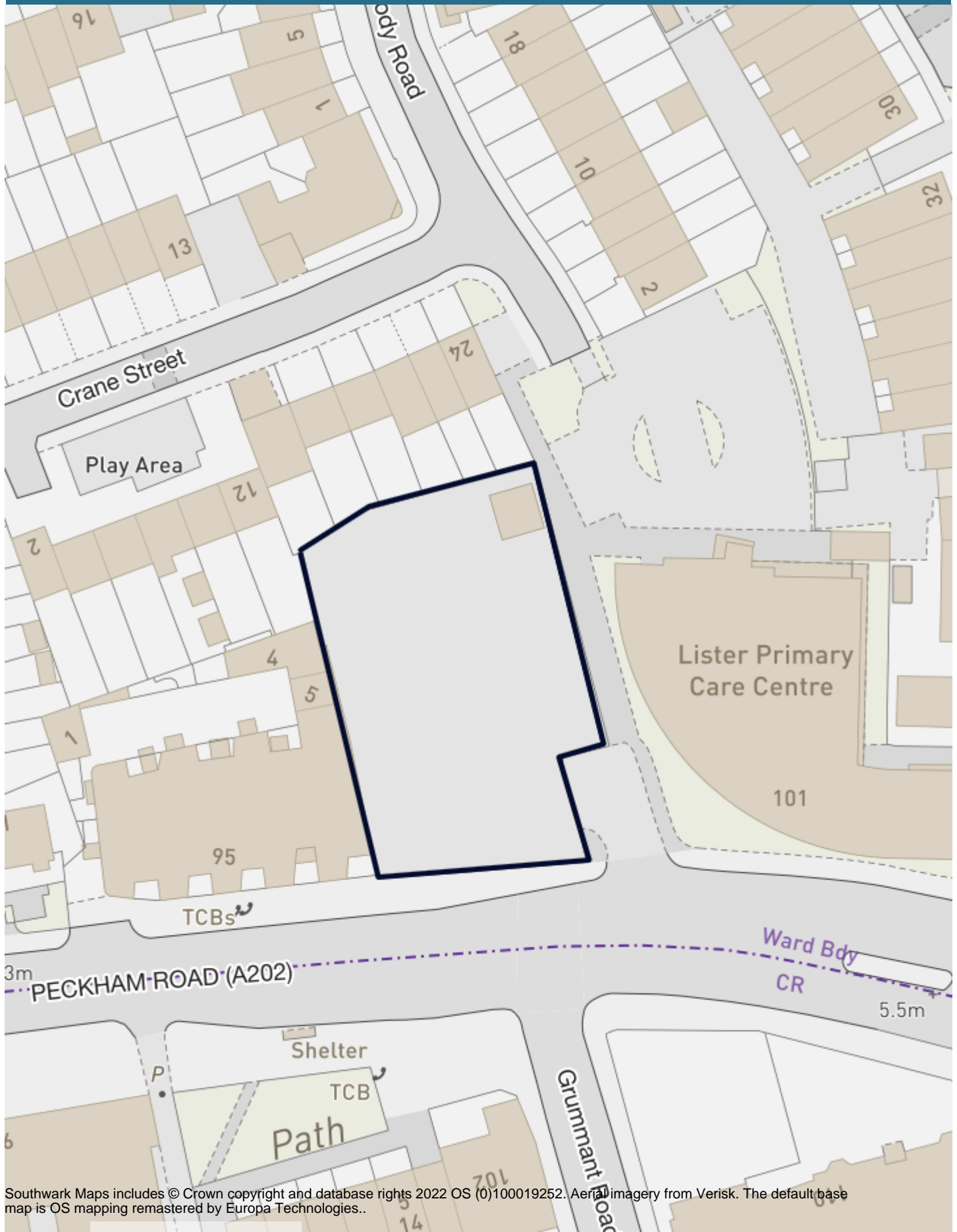
Neighbour and local groups consulted:

5 Wilton House London SE228AE
Flat 20A Walcot House East Dulwich Estate LONDON
Apartment 10 8 Dog Kennel Hill London
1 Dog Kennel Hill London Southwark
Flat 13 Mary Seacole Court Dog Kennel Hill
32 Birdsall House Champion Hill Champion Hill Estate
Flat 4 Karen Court Grove Lane London
36 Appleshaw House London SE5 8DW
Apartment 4, 8 Dog Kennel Hill London SE22 8AA

Agenda Item 7.2



21/AP/4445 - 97 Peckham Road, London, SE15 5LJ



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2-Nov-2022

Contents

Contents	1
EXECUTIVE SUMMARY	2
BACKGROUND INFORMATION	3
Relevant site history	3
Site location and description	3
Details of proposal.....	4
Planning history of the site, and adjoining or nearby sites.....	6
KEY ISSUES FOR CONSIDERATION	7
Summary of main issues	7
Legal context.....	7
Planning policy	7
ASSESSMENT	8
Principle of the proposed development in terms of land use	8
Fire Safety Regulations	8
Policy D12 (B) of the London Plan (2021)	8
Design and layout.....	9
Transport and Highways	10
Landscaping and trees	11
Impact of proposed development on amenity of adjoining occupiers and surrounding area	12
Noise and vibration.....	14
Energy and sustainability	14
Air quality	14
Ground conditions and contamination	14
Water resources and flood risk.....	15
Mayoral and borough community infrastructure levy (CIL)	15
Community impact and equalities assessment	16
Human rights implications	17
Positive and proactive statement.....	17
Positive and proactive engagement: summary table	18
CONCLUSION.....	18
BACKGROUND DOCUMENTS	18
APPENDICES.....	18
AUDIT TRAIL.....	19

Item No. 7.2	Classification: Open	Date: 15 November 2022	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 21/AP/4445 for: Full Planning Application Address: 97 PECKHAM ROAD LONDON SOUTHWARK SE15 5LJ Proposal: Construction of a new part 4, part 3, part 2 storey place of worship (F1 use class) with associated car parking and landscaping.		
Ward(s) or groups affected:	Peckham		
From:	Director of Planning and Growth		
Application Start Date: 07/01/2022		PPA Expiry Date: 15 January 2022	
Earliest Decision Date: 08/04/2022			

RECOMMENDATIONS

1. That planning permission be granted subject to the conditions set out in this report and the completion of a S106 legal agreement.
2. That in the event that a legal agreement is not signed by 15 January 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 66 of this report.

EXECUTIVE SUMMARY

3. The application is for the construction of a part 4, part 3, and part 2 storey place of worship totalling 1212sqm of F1 floorspace. It would have the capacity for a 615 seat auditorium and would include ancillary facilities such as office space (57.2sqm) and a 124sqm multi-functional room for Sunday School and community services. Considering that the site is located in an area of commercial, residential and community use the proposed community use is considered acceptable. In addition, the Southwark Plan supports the provision of community uses in the borough.
4. Travel plan initiatives are proposed to deal with the numbers of people attending the church including a minibus service. In addition, impact on neighbours in relation to daylight and sunlight, overshadowing and overlooking is minimal. It is therefore recommended that the application is approved subject to conditions.

BACKGROUND INFORMATION

Relevant site history

5. This site is subject to a number of recent planning permissions that are relevant to this application. Planning permission was granted for the use of the site as a place of worship on 13.11.2013 (13/AP/2259). Permission was granted in 2016 for a new place of worship on 10.06.2016 (16/AP/1661) which was not built out.
6. On 28.06.2018, a further application was approved (18/AP/0269) for the 'Construction of a new part 4, part 3, part 2 storey place of worship (D1 use class) with associated car parking and landscaping.' A Certificate of Lawfulness was granted on 01.09.2021 under 21/AP/2240 to confirm that 18/AP/0269 has started on site. Given that there is an extant permission on the site that could continue to be implemented, 18/AP/0269 is a material consideration when assessing this application. This application differs from the extant permission in terms of scale and massing. This proposal has a reduced footprint and is being proposed as an alternative to 18/AP/0269 due to concerns around the viability of delivering the larger scheme.

Site location and description

7. The site is located on the northern side of Peckham Road. It was formerly occupied by a workshop building (was use class B1(c), now E(g)(iii)). The building has been demolished in 2016 and the site is currently vacant.
8. In the immediate vicinity of the site is a six storey residential development to the west with two storey terraced housing to the north.
9. The site is located approximately 75m to the west of the Sceaux Gardens Conservation Area and approximately 145m to the east of the Rye Lane Conservation Area. There is one Grade II Listed building (Former Peckham fire station) on the southern side of Peckham Road approximately 95m from the site.
10. The following designations are relevant to the site:
 - Peckham and Nunhead Area Action Core
 - Air Quality Management Area
 - Critical Drainage Area



Site location plan

Details of proposal

11. The proposal would provide a part 4, part 3 and part 2 storey place of worship (Class F1(f)) totalling 1212sqm which would include a 615 seat capacity auditorium and a 120sqm flexible space to host Sunday School and community uses. The building would also include ancillary facilities such as offices, a kitchen, an audio-visual (AV) room and toilet facilities. The proposal also contains a 90sqm roof terrace accessed via the second floor.



View of the scheme looking north-west along Peckham Road

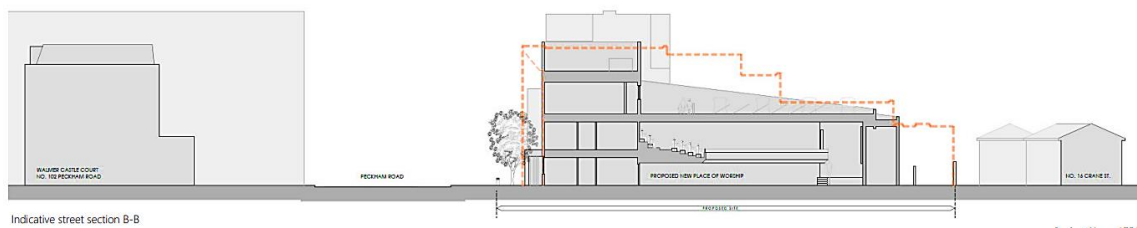


View of the proposed scheme from Moody Road including the pedestrian link on the east of the site



View of the scheme from Lister Medical Centre

12. Nine car parking spaces including two disabled bays and three fitted with active/passive electric vehicle charging points, two minibus parking bays are to be provided. Cycle parking is to be provided to the front of the site and in a secure cycle storage on the south-eastern part of the site. Vehicle access will remain to the front of the site.
13. A new boundary wall is to be erected on the eastern side of the site along Moody Road with a pedestrian gate to enhance the pedestrian route. The scheme is to be primarily finished in a smooth white finish concrete.
14. This scheme has a smaller building footprint than the previously consented 18/AP/0269. The previously consented scheme would have provided 1844sqm floorspace. At 1212sqm, this proposed scheme is approximately 34% smaller than the approved.



The orange outline demonstrates the massing of the previously consented scheme 18/AP/0269

Consultation responses from members of the public and local groups

15. The application has received 23 objections from members of the public. Summarised below are the material planning considerations raised by members of the public. These matters are addressed in the subsequent parts of this report.
16. The public was re-consulted from 28/07/2022 to account for an updated daylight and sunlight assessment and to address an error in the number of neighbourhood letters that were issued. In the first consultation, one site notice was put up to the front of the site on Peckham Road and neighbour letters were sent to those closest to the site on 18/01/2022. In the second consultation, two site notices were put up (one to the front of the site on Peckham Road and one on Moody Road) and letters were sent to those within 100m of the site who did not receive an original letter.
17. Objections:
 - New plans are almost double the height of the original proposal
 - Road highly congested and includes nearby schools and medical centre. The church will further contribute to this
 - Not enough parking
 - Too close to 102 Peckham Road and will result in a loss of privacy
 - No environmental report
 - Considering its size it should have a more demonstrable community benefit
 - Development is too high
 - Will result in noise nuisance
 - Development does not take into account the loss of light to neighbouring properties
 - Block light into 95 Peckham Road and overlook rooflights and windows
 - Consultation did not include 95 Peckham Road
 - Concern over use of the roof terrace
 - The roof terrace should be limited to certain hours
 - Risk of light pollution
 - The proposal does not do enough to activate Moody Road

Planning history of the site, and adjoining or nearby sites

18. 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

19. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use;
 - Fire safety regulations
 - Design and layout
 - Impact on the amenity of neighbours
 - Transport and highways
 - Landscaping and trees
 - Noise and vibration
 - Energy and sustainability
 - Air Quality
 - Ground conditions and contamination
 - Water resources and flood risk
 - Other matters
 - Mayoral and borough community infrastructure levy (CIL)
 - Consultation responses
 - Planning Obligations
 - Community impact, equalities assessment and human rights
20. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

21. 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 and the Southwark Plan 2022. 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.
22. 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

23. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. 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

24. The principle of the proposed place of worship/community use has been previously established through planning permissions 13/AP/2259, 16/AP/1661 and 18/AP/0269. 18/AP/0269 has started on site and is therefore an extant permission that must be given material consideration. Therefore, the principle of the land use is acceptable.
25. The site is also located in an area of residential, commercial and community uses. The Southwark Plan supports the provision of community facilities and it is therefore considered that the use is acceptable for the character of the area.

Fire Safety Regulations

Policy D12 (B) of the London Plan (2021)

26. Policy D12 (B) of the London Plan (2021) requires that all major developments must submit a fire statement. The fire statement should demonstrate how the proposals respond to and contain information on the requirements of both parts A and B of the London Plan Policy D12 on Fire Safety. This must be completed by a third-party, independent, suitably qualified person.

Summary of Information Contained in Fire Statement

In line with the London Plan, a Fire Statement prepared by Orion Fire Engineering has been submitted. The statement includes recommendations for a means of escape, reducing the risk of the spread of fire and access for emergency services including access to fire hydrants.

Assessment of Fire Safety Statement

The statement provides the criteria as set out by the London Plan and prepared by a qualified engineer. The statement acknowledges that what is recommended and set out in the statement should be considered the minimum acceptable standards and all recommendations in the statement should be adhered to throughout the design process.

27. Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is “third-party independent and suitably-qualified”. The council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises

and to take appropriate action lies solely with the developer.

28. A Fire Statement or Reasonable Exemption Statement has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.

Design and layout

Height, scale and massing

29. The previous workshop building on the site was two stories however this has been since demolished and the site is currently vacant. Objections have been raised about the height of the building. The Southwark Plan P13 requires that the height, scale and massing of new development must respond positively to the existing townscape. The proposed scale of the building at the street frontage would be lower than the adjoining building at 95 Peckham Road (part 2, part 4 and part 6) and it would sit well within the street scene and as such the scale would be appropriate in this regard. The difference in scale of buildings contribute to the character of Peckham Road, ranging from townhouses, to educational institutions and former public buildings. The proposed building is civic in its scale, although it has been designed to address both Peckham Road and the more modest scale of the pedestrian link to Moody Road. As consequence, of the dual aspect design the view westwards along Peckham Road will be an extremely powerful and distinctive one. It is therefore considered that the development meets the requirements of Southwark Plan P13 Design of places.
30. The building steps down towards the rear of the site and would be two stories at its closest point to the adjoining gardens of the properties within Crane Street. It is set back by 5m from these gardens, an improvement from the extant permission which would build right up to the boundary wall. The previous building on the site (now demolished) extended the full depth of the site at two stories in height and as such the proposed building would largely follow this scale at the rear and therefore the overall scale and massing of the building at the rear is considered acceptable.

Architectural design

31. The church proposed by this scheme will be an elegantly designed bespoke building in a crisp white architectural style. The style is a contemporary one which is acceptable give the varied styles in this part of Peckham Road.
32. The main material is concrete, a combination of a smooth white finish to the colonnade, a light boarded vertical fair faced concrete to the majority of the façade. In contrast a heavy boarded textured concrete to be coloured dark grey is proposed for the set back ground floor facade. The proposed palette of materials is welcomed and considered appropriate for a building of this scale on a major east/ west route. Dark grey aluminium curtain walling, in contrast to the concrete will create a dynamic focal point on the eastern corner.
33. The relative plainness of the materials allow its pure geometric shapes to read strongly. They also provide a neutral background to the motif of the cross which

appears prominently on the corner of the building in the form large linear façade lighting. The lighting will be subtle during the day, but illuminated at night. All this will create quite a powerful piece of architecture. It will stand out as a conspicuous individual object in the streetscape - but this is entirely appropriate for a church.

34. In summary, the proposal would provide a purpose built state of the art community facility that would provide a service to the local and wider population. The design of the proposed building is considered to be of a high quality and would sit well in the streetscene in this part of Peckham and would comply with the P13 and P14 of the Southwark Plan.

Transport and Highways

35. This proposed development is in an area with Moderate (3 – medium) public transport accessibility level and within a short walking distance of Peckham Rye train station. There are pedestrian refuges with zebra crossings at the immediate western side of this development at Peckham Road/Southampton Way junction plus signalised crossings on the Peckham Road/Lyndhurst Way junction. In addition, there is a pedestrian route flanking the eastern boundary of this site, which links with the developments at its north-eastern side plus another at its western side running parallel to the footway on Southampton Way via Wodehouse Avenue and ultimately to the southbound bus stop on Southampton Way. Cycle routes are also present on both sides of this segment of Peckham Road.

Cycle parking

36. 3 cycle racks providing 6 cycle parking spaces next to the highway at the south-eastern periphery of this site are to be provided. In addition 2 cycle stores holding 26 bicycles are to be provided. This exceeds the London Plan T5 requirements and subject to further details of the design specification of these facilities being provided via condition this is considered acceptable.

Car parking

37. A new vehicle entrance next to the vehicle parking area abutting the south-eastern periphery of this site on this road is proposed. 9 car parking spaces including 2 disabled bays and 3 fitted with active/passive electric vehicle charging points, 2 minibus parking bays are to be provided which is in line with Southwark Plan P54 which requires adequate parking for operational needs as well as a minimum of 2 disabled parking spaces.

Traffic and impacts on the surrounding highways

38. This church would open for staff only from 0900hrs to 1800hrs on Mondays and from 1900hrs to 2200hrs for the remaining weekdays with additional opening times of 1100hrs to 1400hrs on Fridays, 12:00hrs to 18:00hrs on Saturdays and 09:00 to 20:00hrs on Sundays. Apart from Mondays which would be for staff, the proposed operation times fall within off-peak traffic hours. There would be the end of year watchnight service on New Year's Eve and half-night Sessions too occurring 4 times a year. It is recommended that the hours of use are conditioned in order to protect the amenity of neighbours.

39. Concern is raised by members of the public that the development would increase traffic. Regarding the vehicular journeys ensuing from this development proposal, this facility is being relocated from the existing location of the church which is approx. 200m east of this site. The results of the travel plan surveys that were carried out by the applicant on 24/12/17 and 07/01/18 have revealed that only 6% of the 250 and 140 Sunday and weekday worshippers respectively presently travel by car, with 9% of them being transported to and from this site by a minibus while the remaining 85% use sustainable travel modes. Should these proportions be applied to the 375 and 206 Sunday and weekday worshippers correspondingly that are estimated for the proposed development, this would mean 22 and 12 people travelling by car during the two periods separately, extending to a maximum of 70 people should the congregation be filled to capacity of this building during special events. Regardless, these trips would still be made outside the peak traffic hours and are marginally higher than those generated by the prevailing site during normal operations therefore the impact on traffic is likely to be minimal.
40. The applicant has also proposed certain travel plan initiatives including the provision of a minibus service operating on two routes, the first being via Thornton Heath, West Norwood, Herne Hill and Camberwell while the other would be through Thornton Heath, Streatham, Brixton, Oval, Kennington and Bermondsey, plus the distribution of a sustainable travel information pack, production of an event management plan encompassing staggering worshippers' arrivals for special events and monitoring. It is therefore considered that this development proposal would not have any noticeable adverse impact on the existing vehicle movements or car parking demand on the adjoining roads.
41. Notwithstanding this, it is recommended that an event management plan that would provide details of crowd management and staggered arrival/departure of worshippers during special events is secured by condition. In addition, further details of the minibus including the relevant routes/stops and facilities for mobility impaired passengers is to be secured by condition.

Servicing and delivery

42. A refuse store is to be provided to the front of the site for waste collection.
43. A vehicle swept path analysis confirms that the proposed car parking area has ample vehicle manoeuvring space that would ensure that minibuses and light vans servicing this site would enter and exit it in a forward gear which is acceptable.

Landscaping and trees

44. The London Plan sets an Urban Greening Factor target of 0.3 for commercial developments. Although this proposal is for a community use, an UGF has been calculated at 0.23. While this is below 0.3, it is noted that the London Plan is a target and not a requirement and given the lack of any greening or biodiversity on the site currently it will represent a significant improvement. A green roof is proposed, details of which are to be secured via condition.
45. A total of six trees are to be planted on the site including four to the front of the site onto Peckham Road and two the rear of the site. The urban forester has reviewed

the proposal and concluded that current landscape plan is reasonable should sustainable soil volumes be provided. Conditions relating to the landscaping are attached.

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

Daylight and sunlight

46. The following properties have been assessed for daylight and sunlight impacts in line with Building Research Establishment (BRE) guidance:
 - 95 Peckham Road
 - 12, 14, 16, 18, 20 and 22 Crane St
 - 102 Peckham Road
47. With regards to Vertical Sky Component (VSC), the BRE guidelines state that the VSC should not be reduced to less than 0.8 times its former value which is unlikely to cause a noticeable change in the daylight. Of the 71 windows assessed at the above addresses all but one meet the BRE Guidance demonstrating excellent compliance BRE Guidance. One window at 95 Peckham Road would fall short of the guidance which serves a kitchen/living dining room. However, this room is served by multiple windows and falls only very marginally below 27% BRE target at 26.2%.
48. With regards to the No Sky Line Assessment (NSL), the BRE guidelines state that the working planes within the room that has a view of the sky should not be reduced to less than 0.8 times its former value. All of the 40 windows assessed meet the BRE Guidance.
49. The Annual Probable Sunlight Hours Assessment (APSH) test the sunlight into neighbouring properties. This is only relevant to windows that face 90 degrees south. Windows facing within 90 degrees of due north are not analysed as the impacts are deemed to be negligible. Of the 37 windows assessed for Annual impacts, 36 would meet the requirements and of the 41 assessed for the Winter impacts, 40 would meet the BRE guidelines. The one window that is impacted serves a kitchen/living/dining room that is also served by other windows and the reduction relates only to a roof light and not the primary windows to the room. Therefore the impacts are acceptable.

Overshadowing

50. The overshadowing impacts have been assessed on the following amenity spaces:
 - Communal garden to 95 Peckham Road
 - Rear gardens to 10, 12, 14, 16, 18, 20, 22 and 24 Crane St
 - Amenity Space to 102 Peckham Road
51. BRE guidelines recommend that at least half of a garden or amenity space should receive at least two hours of sunlight on 21 March or the area which receives two hours of direct sunlight should not be reduced to less than 0.8 times its former value. All of the amenity spaces assessed meet BRE guidance. It is therefore

concluded that there will not be noticeable increase in overshadowing as a result of the development.

Overlooking and sense of enclosure

52. The proposal is set back 5m from the boundary walls to the gardens of Crane St. This is considered an improvement to the previously consented scheme which brought the development right up to the boundary wall. Given that the depth of the shortest garden is approx. 7m there is a total distance of approx. 12m from the nearest habitable window reducing any risk of overlooking or loss of privacy. In addition, this 5m setback mitigates any sense of enclosure experienced from the gardens of Crane St. 95 Peckham Road has no windows looking into the site and therefore there is no risk of overlooking or sense of enclosure. 102 Peckham Road is more than 30m from the site boundary and across a public highway therefore there are no concerns for any overlooking or sense of enclosure.

External lighting

53. External lighting is proposed and objections to the development include concern for potential light pollution. Further details of this is to be secured by condition in order for the council to be satisfied that the amenity of the area is not compromised.



View of proposed lighting looking north west along Peckham Road



View of proposed lighting from Lister Medical Centre

Noise and vibration

54. Concern was raised by residents that the development would result in noise impacts. A Noise Impact Assessment was submitted with the application. The Environmental Protection Team have reviewed this document and consider that the noise impacts, including for the adjacent residential block, will be minimal as this proposal is for a place of worship and not a late night venue or another development that may generate noise. Notwithstanding this, it is recommended that a condition is included to restrict hours of use in order to protect the amenity of neighbouring properties as per the hours stated in paragraph 38 of this report. In addition, a condition is included to restrict the use of the roof terrace after 22:00hrs to protect the amenity of neighbouring properties.

Energy and sustainability

55. The London Plan requires development to follow the 'be lean, be clean, be green' principles. Southwark Plan 2022 policy P70 requires that major non-residential development must reduce carbon emissions by a minimum of 40% in site with any shortfall resulting in a financial contribution.
56. The proposal will achieve a 54% reduction in carbon emissions which is compliant with the policy. A carbon off-set contribution of £17,470.50 is required to meet the requirement of a 100% reduction. This is to be secured via a legal agreement.

Air quality

57. An air quality assessment was submitted and reviewed by the council's environmental protection team. This was considered acceptable and to meet the air quality neutral standards.

Ground conditions and contamination

58. Given the previous use on the site, there are potential contaminants present within

the ground of the site. A condition is recommended to require further details relating to site contamination and a remedial strategy if required.

Water resources and flood risk

59. A flood risk assessment was submitted. The council's flood and drainage team raised no concerns.

Mayoral and borough community infrastructure levy (CIL)

60. 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. In this instance, the development does not constitute CIL liable development.

Consultation responses from internal consultees

61. EPT
- Conditions relating to noise to be attached to any permission
62. Flood Risk
- No comments received
63. Urban Forester
- Landscaping acceptable should sustainable soil volumes be provided
 - Plans should be submitted to show how appropriate soil levels are feasible for the two trees to the rear, including the location of attenuation tanks
 - UGF must be calculated
 - Conditions to be included
64. Transport
- Submit a scheme for a 'pocket park' along the north-south pedestrian route on the south-east perimeter of the site
 - Submit a car parking management plan
 - Submit an event management plan
 - Submit details of the minibuses

Officer response:

- Transport comments are dealt with in full under the relevant sections of the report. Points 2-3 are to be secured via condition. Point 1 is not considered proportionate to the scale of the proposed community use. In addition, this was not requested under extant permission 18/AP/0269 which must be given material consideration.

Planning obligations (S.106 undertaking or agreement)

65.

Planning obligation	Mitigation	Applicant's position
Energy, Sustainability and the Environment		
Carbon offset fund	£17,470.50	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

66. In the event that a satisfactory legal agreement has not been entered into by 15 January 2023 it is recommended that the director for planning and growth 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 mitigation against the adverse impacts of the development through contributions in accordance with Policy DF1 (Delivery of The London Plan and Planning Obligations) of the London Plan 2021; Policy IP3 (Community Infrastructure Levy CIL) and Section 106 Planning Obligations) of the Southwark Plan 2022 and Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015).

Community impact and equalities assessment

67. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
68. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The development would have a significant benefit for wheelchair users as it would provide a facility designed for a particular need but accessible for other users too. The development will also provide a permanent place of worship for a church congregation who are currently using a temporary space.
69. 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.

70. 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

71. 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.
72. This application has the legitimate aim of providing a place of worship to be used by members of the community. 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

73. The council has published its development plan 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.
74. 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?	YES

CONCLUSION

75. In conclusion, the scheme would provide a replacement community facility which is supported by the Southwark Plan. The development is of high architectural design and would also improve the public realm along Moody Road. The impacts on neighbours would be minimal.
76. It is therefore recommended that planning permission is granted subject to conditions and a legal agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Application file 21/AP/4445 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: 020 7525 0254 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth		
Report Author	Ciara Lester, Planning Officer		
Version	Final		
Dated	3 November 2022		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Date final report sent to Constitutional Team		3 November 2022	

Recommendation (draft decision notice)

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Reverend Delmar Asorwoe The Church of Pentecost UK	Reg. Number	21/AP/4445
Application Type	Major application	Case Number	2282-97
Recommendation			

Draft of Decision Notice

for the following development:

Construction of a new part 4, part 3, part 2 storey place of worship (F1 use class) with associated car parking and landscaping.

97 Peckham Road London Southwark SE15 5LJ

In accordance with application received on 6 December 2021 and Applicant's Drawing Nos.:

Existing Plans

EXISTING SITE BLOCK & LOCATION PLAN 001 received 06/12/2021

Proposed Plans

PROPOSED SITE & GROUND FLOOR PLAN 002 received 06/12/2021

PROPOSED FLOOR PLANS 004 received 06/12/2021

PROPOSED ELEVATIONS - ADDITIONAL PLANS 006 received 06/12/2021

Other Documents

PROPOSED SITE AND ROOF PLAN 003 received 06/12/2021

PROPOSED INDICATIVE SECTIONS AA-A & B-B - ADDITIONAL PLANS 005 received 06/12/2021

PROPOSED STREET SCENES - ADDITIONAL PLANS 007 received 06/12/2021

PROPOSED MATERIAL STUDY - USER DEFINED ATTACHMENT 008 received 06/12/2021

3D VISUALISATIONS - USER DEFINED ATTACHMENT 009 received 06/12/2021
 3D VISUALISATIONS - USER DEFINED ATTACHMENT 010 received 06/12/2021
 SWEPT PATH ANALYSIS - TRANSPORT ASSESSMENT 65204008-SWE-ZZ-XX-DR-TR-0001
 received 06/12/2021
 LANDSCAPING PLANTING PLAN DETAILS 0043/21/A1 received 06/12/2021
 PROPOSED INDICATIVE SECTIONS A-A & B-B 005 received 24/12/2021
 PROPOSED INDICATIVE SECTIONS 005 received 14/01/2022
 AIR QUALITY ASSESSMENT received 06/12/2021
 TRAVEL PLAN received 06/12/2021
 PRE-PLANNING FIRE STRATEGY received 14/01/2022
 0043-21-B-1D LANDSCAPE PLANTING PLAN received 26/07/2022
 COPY OF 22020 PECKHAMROAD BE SEEN SPREADSHEET V2 MAR2021 (002) received
 26/07/2022
 1888 FRA PECKHAM ROAD LONDON MAY 22 REV5 received 26/07/2022
 0043-21-B-1D LANDSCAPE PLANTING PLAN received 26/07/2022
 1756 UGF received 26/07/2022
 1888 DSO ASSESSMENT 97 PECKHAM ROAD (AUGUST22) received 28/09/2022

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 Pre-Commencements Condition(s)

3. Site Contamination ' pre-approval

- a) Prior to the commencement of any development, a site investigation and risk assessment shall be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.
 - i) The Phase 1 (desk study, site categorisation; sampling strategy etc.) shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.
 - ii) Any subsequent Phase 2 (site investigation and risk assessment) shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site will not qualify as contaminated land under Part 2A 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 in accordance with its terms prior to the

commencement of development, other than works required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) 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 shall be submitted to and approved in writing by the Local Planning Authority.

d) 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-c 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 offsite receptors in accordance with the National Planning Policy Framework (2021); P67 Reducing water use, P68 Reducing flood risk, P63 Land for waste management, P64 Contaminated land and hazardous substances of the Southwark Plan (2022).

4. 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;
Site perimeter continuous automated noise, dust and vibration monitoring;

' 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

To follow current best construction practice, including the following:-

' Southwark Council's Technical Guide for Demolition & Construction at

<http://www.southwark.gov.uk/construction>

' Section 61 of Control of Pollution Act 1974,

' The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition', ' The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',

' BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise',

' BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration'

' BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,

' BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,

' Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards <http://nrmm.london/>

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework (2019); and Policy P56 (Protection of amenity) of the Southwark Plan (2022)

5. Prior to 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 Parts 8, 11, 12, 15 and 16; 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; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity

6.LANDSCAPE MANAGEMENT PLAN

Prior to the occupation of the development or any phase of the development, whichever is the sooner, a landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority.

Details of an irrigation schedule shall be provided for all trees to ensure successful establishment. For stem girths of up to 20cm the schedule shall be a minimum of three years, and five years for stem girths greater than 20cm. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

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 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 Parts 8, 11, 12, 15 and 16; 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; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity

Permission is subject to the following Grade Condition(s)

7.Prior to the plant being commissioned a validation test shall be carried out following completion of the development. The results shall be submitted to the LPA for approval in writing. The plant and equipment shall be installed and constructed in accordance with the approval given and shall be permanently maintained thereafter. 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.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, in accordance with: Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policies D13 (Agent of change) and D14 (Noise) of the London Plan (2021); Policy P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan (2022).

8. Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance for the Reduction of Obtrusive Light (January 2012). Details of any external lighting (including: design; power and position of luminaries; light intensity contours) of all affected external areas (including areas beyond the boundary of the development) shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise in accordance with any such approval given. Prior to the external lighting being commissioned for use a validation report shall be submitted to the LPA for approval in writing.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with the National Planning Policy Framework (2021); P56 Protection of amenity; P66 Reducing noise pollution and enhancing soundscapes, P15 Residential design, P16 Designing out crime, P13: Design of places and P14: Design quality of Southwark Plan (2022).

9. **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; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open

Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

10. GREEN ROOFS FOR BIODIVERSITY Part 1: Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) 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/brown) 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(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. Part 2: Full Discharge of this condition will be granted once the green/brown roof(s) are 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: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

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

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with National Planning Policy Framework (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

12. Prior to the commencement of any above grade works 1:5 or 1:10 section detail drawings complete with references back to the overall design and through shall be submitted to and approved in writing by the Local Planning Authority: The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the design and details in the interest of the special architectural qualities of the proposal in accordance with Chapter 12 (Achieving well designed places) of the National Planning Policy Framework (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

13. **CYCLE STORAGE DETAILS** Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided 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: 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 Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

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

14. 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 for an event management plan encompassing details around crowd management and staggered arrival/departure of worshippers. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason:

To ensure compliance with the National Planning Policy Framework (2021); Policy T2 (Healthy streets) of the London Plan (2021); Policy P50 (Highways Impacts), Policy P51 (Walking) and Policy P54 (Car Parking) of the Southwark Plan (2022)

15. Prior to first use an acoustic assessment shall be submitted to and approved by the local planning authority to demonstrate the effectiveness of façade sound insulation. The assessment shall utilise an internal reverberant noise level of at least the values stated below:

Frequency (Hz)

63 125 250 500 1000 2000 4000 LAeq

Internal reverberant noise level (dB) 85

87

86

88 88

80

74

90

The assessment shall demonstrate that the external specific noise level is at least 10dB below the ambient LAeq (5 minute) when measured at the most affected sensitive receptor during worst-case conditions during permitted hours of operation.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, in accordance with: Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policies D13 (Agent of change) and D14 (Noise) of the London Plan (2021); Policy P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan (2022).

16. Before the first commercial occupation of the development hereby permitted a Noise Management Plan detailing how the site will be run without detriment to residential amenity shall be submitted to and approved by the LPA. The noise management plan shall cover:

- ' How music sound level and breakout noise will be controlled
- ' How noise from arrival and dispersal of site users will be minimised
- ' How noise from community uses will be controlled

The use of the development shall be carried out in accordance with the approval given and the Noise Management Plan shall remain extant for as long as the development is occupied.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance from plant and machinery, in accordance with: Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policies D13 (Agent of change) and D14 (Noise) of the London Plan (2021); Policy P66 (Reducing Noise Pollution and Enhancing Soundscapes) of the Southwark Plan (2022).

17. Before the first occupation of the building hereby permitted, a Car Parking Management Plan detailing how the car park will be managed for visitors to the site, and details of the minibs trips including the relevant routes/stops and facilities for mobility-impaired passengers, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

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); Policy P50 (Highways Impacts), Policy P51 (Walking) and Policy P54 (Car Parking) of the Southwark Plan (2022)

Permission is subject to the following Compliance Condition(s)

18. The use hereby permitted shall not be carried on outside of the hours of 0900hrs to 1800hrs on Mondays (staff only) and from 1900hrs to 2200hrs for the remaining weekdays with additional opening times of 1100hrs to 1400hrs on Fridays, 12:00hrs to 18:00hrs on Saturdays, 09:00 to 20:00hrs on Sundays plus 20:00 to 01:00hrs on December 31st for the end of year watch night service only and 20:00 to 00:00hrs four times a year for the half night sessions only.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

19. The use of the roof terrace is not permitted outside of the hours of 08:00 - 22:00 hrs.

Reason:

To safeguard the amenities of neighbouring residential properties in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

Informative

1 Paragraph 3.12.9 of Policy D12 explains that Fire Statements should be produced by someone who is:

"third-party independent and suitably-qualified" The Council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The Council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

The fire risk assessment/statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The legal responsibility and liability lies with the 'responsible person'. The responsible person being the person who prepares the fire risk assessment/statement not planning officers who make planning decisions.

Consultation undertaken

Site notice date: 14/01/2022
26/07/2022

Press notice date: 24/02/2022

Case officer site visit date: 14/01/2022
26/07/2022

Neighbour consultation letters sent: 18/01/2022
28/07/2022

Internal services consulted

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

Statutory and non-statutory organisations

Neighbour and local groups consulted:

Flat 1 41 Kelly Avenue London
21 Wodehouse Avenue London Southwark
4A Grummant Road London Southwark
Basement And Ground Floor Rear Lord Denning Court Grummant Road
28 Kelly Avenue London Southwark
1 Moody Road London Southwark
First Floor Flat 3 Grummant Road London
1 Kingfisher House Pelican Estate Grummant Road London
Flat 4 43 Kelly Avenue London
Flat 11 2 Bamber Road London
1C Grummant Road London Southwark
Flat 7 50 Kelly Avenue London
Flat 4 2 Bamber Road London
Flat 7 2 Bamber Road London
103 Peckham Road London Southwark
2A Grummant Road London Southwark
Flat 6 15 Crane Street London
Flat 6 Walmer Castle Court 102 Peckham Road
Flat 2 87 Peckham Road London
18 Crane Street London Southwark
Flat 54 Pelican House 92 Peckham Road
Flat 1 Pelican House 92 Peckham Road
Flat 10 87 Peckham Road London
Flat 1 87 Peckham Road London

16 Crane Street London Southwark
 Flat 74 Pelican House 92 Peckham Road
 Flat 59 Pelican House 92 Peckham Road
 Flat 35 Pelican House 92 Peckham Road
 17 Kingfisher House Pelican Estate Grummant Road London
 41 Wodehouse Avenue London Southwark
 Flat 11 87 Peckham Road London
 Flat 6 87 Peckham Road London
 8 Crane Street London Southwark
 Peckham Pelican Pelican House 92 Peckham Road
 Flat 50 Pelican House 92 Peckham Road
 Flat 13 Pelican House 92 Peckham Road
 Flat 11 Pelican House 92 Peckham Road
 Flat 68 Pelican House 92 Peckham Road
 Flat 65 Pelican House 92 Peckham Road
 Flat 61 Pelican House 92 Peckham Road
 Flat 57 Pelican House 92 Peckham Road
 Flat 7 Walmer Castle Court 102 Peckham Road
 5 Kingfisher House Pelican Estate Grummant Road London
 15 Kingfisher House Pelican Estate Grummant Road London
 Flat 4 Pelican House 92 Peckham Road
 Flat 67 Pelican House 92 Peckham Road
 Flat 33 Pelican House 92 Peckham Road
 Flat 8 87 Peckham Road London
 14 Crane Street London Southwark
 Flat 60 Pelican House 92 Peckham Road
 Flat 55 Pelican House 92 Peckham Road
 Flat 71 Pelican House 92 Peckham Road
 Flat 76 Pelican House 92 Peckham Road
 Flat 15 Pelican House 92 Peckham Road
 53 Wodehouse Avenue London Southwark
 24 Crane Street London Southwark
 Flat 4 87 Peckham Road London
 10 Crane Street London Southwark
 Peckham Service Centre 95 Peckham Road London
 Flat 12 Pelican House 92 Peckham Road
 Flat 46 Pelican House 92 Peckham Road
 Flat 41 Pelican House 92 Peckham Road
 Flat 30 Pelican House 92 Peckham Road
 7 Kingfisher House Pelican Estate Grummant Road London
 Flat 3 Walmer Castle Court 102 Peckham Road
 Flat 52 Pelican House 92 Peckham Road
 Flat 79 Pelican House 92 Peckham Road
 Flat 78 Pelican House 92 Peckham Road
 88 Peckham Road London Southwark
 Flat 6 Pelican House 92 Peckham Road
 Flat 36 Pelican House 92 Peckham Road
 Flat 8 Walmer Castle Court 102 Peckham Road
 Flat 80 Pelican House 92 Peckham Road
 18 Kingfisher House Pelican Estate Grummant Road London
 45 Wodehouse Avenue London Southwark
 9 Kingfisher House Pelican Estate Grummant Road London

22 Crane Street London Southwark
 Flat 7 Pelican House 92 Peckham Road
 Flat 77 Pelican House 92 Peckham Road
 Ground Floor Left Pelican House 92 Peckham Road
 55 Wodehouse Avenue London Southwark
 Flat 5 87 Peckham Road London
 Flat 1 Walmer Castle Court 102 Peckham Road
 Flat 58 Pelican House 92 Peckham Road
 Flat 53 Pelican House 92 Peckham Road
 Flat 47 Pelican House 92 Peckham Road
 Flat 40 Pelican House 92 Peckham Road
 Flat 32 Pelican House 92 Peckham Road
 Flat 28 Pelican House 92 Peckham Road
 Flat 24 Pelican House 92 Peckham Road
 Flat 23 Pelican House 92 Peckham Road
 Flat 10 Pelican House 92 Peckham Road
 Flat 73 Pelican House 92 Peckham Road
 Flat 66 Pelican House 92 Peckham Road
 Flat 7 87 Peckham Road London
 2 Crane Street London Southwark
 Flat 26 Pelican House 92 Peckham Road
 Flat 56 Pelican House 92 Peckham Road
 Flat 51 Pelican House 92 Peckham Road
 Flat 22 Pelican House 92 Peckham Road
 14 Kingfisher House Pelican Estate Grummant Road London
 51 Wodehouse Avenue London Southwark
 Flat 3 87 Peckham Road London
 Flat 42 Pelican House 92 Peckham Road
 Flat 39 Pelican House 92 Peckham Road
 Flat 29 Pelican House 92 Peckham Road
 Flat 21 Pelican House 92 Peckham Road
 Flat 19 Pelican House 92 Peckham Road
 Flat 3 Pelican House 92 Peckham Road
 Flat 2 Pelican House 92 Peckham Road
 94-96 Peckham Road London Southwark
 2 Moody Road London Southwark
 43 Wodehouse Avenue London Southwark
 Flat 25 Pelican House 92 Peckham Road
 Flat 9 Pelican House 92 Peckham Road
 8 Kingfisher House Pelican Estate Grummant Road London
 Flat 17 Pelican House 92 Peckham Road
 Flat 14 Pelican House 92 Peckham Road
 Flat 69 Pelican House 92 Peckham Road
 Flat 49 Pelican House 92 Peckham Road
 6 Kingfisher House Pelican Estate Grummant Road London
 16 Kingfisher House Pelican Estate Grummant Road London
 Flat 4 Walmer Castle Court 102 Peckham Road
 Flat 9 87 Peckham Road London
 20 Crane Street London Southwark
 12 Crane Street London Southwark
 Flat 34 Pelican House 92 Peckham Road
 Flat 18 Pelican House 92 Peckham Road

Flat 70 Pelican House 92 Peckham Road
 Flat 63 Pelican House 92 Peckham Road
 Lister Primary Care Centre 101 Peckham Road London
 Flat 72 Pelican House 92 Peckham Road
 Flat 64 Pelican House 92 Peckham Road
 Flat 43 Pelican House 92 Peckham Road
 6 Crane Street London Southwark
 4 Crane Street London Southwark
 Flat 5 Walmer Castle Court 102 Peckham Road
 Flat 45 Pelican House 92 Peckham Road
 Flat 31 Pelican House 92 Peckham Road
 Flat 5 Pelican House 92 Peckham Road
 Flat 20 Pelican House 92 Peckham Road
 Flat 75 Pelican House 92 Peckham Road
 Flat 44 Pelican House 92 Peckham Road
 47 Wodehouse Avenue London Southwark
 Flat 62 Pelican House 92 Peckham Road
 Flat 38 Pelican House 92 Peckham Road
 Flat 27 Pelican House 92 Peckham Road
 Flat 2 Walmer Castle Court 102 Peckham Road
 49 Wodehouse Avenue London Southwark
 Flat 48 Pelican House 92 Peckham Road
 Flat 37 Pelican House 92 Peckham Road
 Flat 16 Pelican House 92 Peckham Road
 Flat 8 Pelican House 92 Peckham Road
 39 Wodehouse Avenue London Southwark
 Pelican House 92 Peckham Road London
 Atm Site Peckham Service Centre 95 Peckham Road
 Street Record Camden Grove London
 Advertising Right Side Of Walmer Castle Court 102 Peckham Road
 87 Peckham Road London Southwark
 Walmer Castle Court 102 Peckham Road London
 Advertising Right Bus Shelter 01280002 Outside 102 Peckham Road London
 9 Crane Street London Southwark
 1 Crane Street London Southwark
 4 Grummant Road London Southwark
 6 Charles Coveney Road London Southwark
 12 Charles Coveney Road London Southwark
 Flat 8 20 Kelly Avenue London
 Flat 1 49 Kelly Avenue London
 Flat 5 57 Kelly Avenue London
 Flat 1 45 Kelly Avenue London
 Flat 8 41 Kelly Avenue London
 Flat 2 41 Kelly Avenue London
 Flat 4 18 Charles Coveney Road London
 Flat 8 Berkeley Court 6 Lyndhurst Way
 3 Kingfisher House Pelican Estate Grummant Road London
 Flat 3 57 Kelly Avenue London
 16 Moody Road London Southwark
 Flat 4 52 Kelly Avenue London
 Flat 4 46 Kelly Avenue London
 Flat 1 46 Kelly Avenue London

Flat 3 45 Kelly Avenue London
 31 Wodehouse Avenue London Southwark
 29 Wodehouse Avenue London Southwark
 Flat 14 Berkeley Court 6 Lyndhurst Way
 Flat 9 Berkeley Court 6 Lyndhurst Way
 Flat 2 15 Crane Street London
 Flat 5 49 Kelly Avenue London
 Flat 12 43 Kelly Avenue London
 Flat 5 43 Kelly Avenue London
 4 Moody Road London Southwark
 18 Moody Road London Southwark
 Flat 2 2 Bamber Road London
 Flat 3 46 Kelly Avenue London
 Flat 1 Berkeley Court 6 Lyndhurst Way
 8 Mallard House Pelican Estate Grummant Road London
 32 Kelly Avenue London Southwark
 7 Crane Street London Southwark
 Flat 2 18 Charles Coveney Road London
 16 Charles Coveney Road London Southwark
 Flat 6 43 Kelly Avenue London
 Flat 7 43 Kelly Avenue London
 40 Kelly Avenue London Southwark
 Flat 12 2 Bamber Road London
 Flat 2 55 Kelly Avenue London
 Flat 8 53 Kelly Avenue London
 Flat 6 49 Kelly Avenue London
 Flat 8 45 Kelly Avenue London
 10 Moody Road London Southwark
 Flat 1 2 Bamber Road London
 Ground Floor Flat 3 Grummant Road London
 Flat 11 43 Kelly Avenue London
 Flat 3 15 Crane Street London
 35 Kelly Avenue London Southwark
 Flat 5 Berkeley Court 6 Lyndhurst Way
 27 Wodehouse Avenue London Southwark
 Flat 6 50 Kelly Avenue London
 Flat 7 52 Kelly Avenue London
 Flat 9 43 Kelly Avenue London
 Flat 5 45 Kelly Avenue London
 37 Wodehouse Avenue London Southwark
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 Flat 6 Berkeley Court 6 Lyndhurst Way
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 Flat 4 45 Kelly Avenue London
 Flat 1 55 Kelly Avenue London
 Flat 1 53 Kelly Avenue London
 Flat 3 52 Kelly Avenue London
 Flat 2 43 Kelly Avenue London

Flat 4 20 Kelly Avenue London
 6 Moody Road London Southwark
 6 Bamber Road London Southwark
 Flat 5 2 Bamber Road London
 3 Crane Street London Southwark
 Flat 5 53 Kelly Avenue London
 12 Moody Road London Southwark
 33 Wodehouse Avenue London Southwark
 4 Kingfisher House Pelican Estate Grummant Road London
 Flat 5 50 Kelly Avenue London
 Flat 2 53 Kelly Avenue London
 47 Kelly Avenue London Southwark
 Flat 6 45 Kelly Avenue London
 Flat 8 43 Kelly Avenue London
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 13 Crane Street London Southwark
 14 Charles Coveney Road London Southwark
 4 Charles Coveney Road London Southwark
 3 Moody Road London Southwark
 1A Grummant Road London Southwark
 37 Kelly Avenue London Southwark
 26 Kelly Avenue London Southwark
 51 Kelly Avenue London Southwark
 Flat 4 49 Kelly Avenue London
 Flat 2 57 Kelly Avenue London
 Flat 1 57 Kelly Avenue London
 Flat 7 55 Kelly Avenue London
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 Flat 4 53 Kelly Avenue London
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 48 Kelly Avenue London Southwark
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 Flat 4 Berkeley Court 6 Lyndhurst Way
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 39 Kelly Avenue London Southwark
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 42 Kelly Avenue London Southwark
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 36 Kelly Avenue London Southwark

110 Peckham Road London Southwark
 Flat 6 20 Kelly Avenue London
 Flat 1 43 Kelly Avenue London
 Flat 7 18 Charles Coveney Road London
 Flat 10 Berkeley Court 6 Lyndhurst Way
 10 Kingfisher House Pelican Estate Grummant Road London
 11 Kingfisher House Pelican Estate Grummant Road London
 Flat 3 55 Kelly Avenue London
 38 Kelly Avenue London Southwark
 44 Kelly Avenue London Southwark
 Flat 15 Berkeley Court 6 Lyndhurst Way
 Flat 5 15 Crane Street London
 3 Grummant Road London Southwark
 5 Moody Road London Southwark
 Flat 7 41 Kelly Avenue London
 Flat 6 41 Kelly Avenue London
 Flat 7 45 Kelly Avenue London
 34 Kelly Avenue London Southwark
 Flat 6 52 Kelly Avenue London
 Flat 1 52 Kelly Avenue London
 Flat 1 20 Kelly Avenue London
 Flat 9 2 Bamber Road London
 Flat 6 2 Bamber Road London
 Basement Flat 3 Grummant Road London
 Flat 8 18 Charles Coveney Road London
 Flat 8 50 Kelly Avenue London
 Flat 2 52 Kelly Avenue London
 Flat 10 2 Bamber Road London
 5 Crane Street London Southwark
 Flat 5 41 Kelly Avenue London
 1B Grummant Road London Southwark
 Flat 1 18 Charles Coveney Road London
 Flat 3 2 Bamber Road London
 2 Kingfisher House Pelican Estate Grummant Road London
 Flat 6 55 Kelly Avenue London
 Flat 3 49 Kelly Avenue London
 Flat 7 15 Crane Street London
 Flat 4 15 Crane Street London
 11 Crane Street London Southwark
 Flat 3 18 Charles Coveney Road London
 10 Charles Coveney Road London Southwark
 Flat 4 41 Kelly Avenue London
 Flat 3 43 Kelly Avenue London
 Flat 3 20 Kelly Avenue London
 Flat 5 20 Kelly Avenue London
 Flat 3 53 Kelly Avenue London
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 Flat 6 46 Kelly Avenue London
 22 Kelly Avenue London Southwark
 Flat 4 57 Kelly Avenue London
 Flat 13 Berkeley Court 6 Lyndhurst Way
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 16 Mallard House Pelican Estate Grummant Road London
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 24 Kelly Avenue London Southwark
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 25 Wodehouse Avenue London Southwark
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 Flat 1 50 Kelly Avenue London
 Flat 3 50 Kelly Avenue London
 Flat 7 57 Kelly Avenue London
 Flat 8 55 Kelly Avenue London
 Flat 4 55 Kelly Avenue London
 Flat 5 46 Kelly Avenue London
 Flat 2 46 Kelly Avenue London
 30 Kelly Avenue London Southwark

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

Neighbour and local groups consulted:

16 Crane Street London Southwark
 Flat 3 Walmer Castle Court 102 Peckham Road
 102 peckham road flat 5 london
 Apartment 23, 95 Peckham Road London SE15 5FA
 Flat 1 Walmer Castle Court 102 Peckham Road London
 Flat 15 95 Peckham Road London
 Flat 6 Walmer castle court London SE15 5BE
 Flat 11 95 Peckham Road London
 Apartment 4, 95 Peckham road London Se155fa
 Flat 7 Walmer Castle Court 102 Peckham Rd London
 2 Walmer Castle Court 102 Peckham Road London
 Apartment 21 95 Peckham Road London
 Basing Court Peckham Se15 5bf
 Flat 11 95 PECKHAM ROAD LONDON
 Apartment 28 95 Peckham Road London
 Apartment 5, 95 Peckham Road London SE15 5FA

Apartment 12 95 Peckham Road London
95 Peckham Road Apartment 24 London
Apartment 26 95 Peckham Road London
Flat 6, 43 Kelly Avenue 43 Kelly Avenue london
Apartment 29 95 Peckham Road London
Flat 3, 45 Kelly Avenue London SE15 5LA
3, Crane Street London SE15 5JU

Relevant planning policy

National Planning Policy Framework (the Framework) 2021

The revised National Planning Policy Framework ('NPPF') was published in 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 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 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 D13 Agent of Change
- Policy D14 Noise
- Policy HC1 Heritage conservation and growth
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy SI 1 Improving air quality
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 3 Energy infrastructure
- Policy SI 4 Managing heat risk
- Policy SI 5 Water infrastructure
- Policy SI 6 Digital connectivity infrastructure
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 8 Waste capacity and net waste self-sufficiency
- Policy SI 9 Safeguarded waste sites

- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T1 Strategic approach to transport
- Policy T2 Healthy Streets
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.5 Non-residential disabled persons parking
- Policy T7 Deliveries, servicing and construction

Southwark Plan 2022

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P18 Efficient use of land
- P19 Listed buildings and structures
- P20 Conservation areas
- P21 Conservation of the historic environment and natural heritage
- P46 Leisure, arts and culture
- P47 Community uses
- P49 Public transport
- P50 Highways impacts
- P51 Walking
- P53 Cycling
- P54 Car Parking
- P55 Parking standards for disabled people and the physically impaired
- P56 Protection of amenity
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P62 Reducing waste
- P63 Land for waste management
- P64 Contaminated land and hazardous substances
- P65 Improving air quality
- P66 Reducing noise pollution and enhancing soundscapes
- P67 Reducing water use
- P68 Reducing food risk
- P69 Sustainability standards
- P70 Energy

Planning history of the site and nearby sites

Reference and Proposal: 10/EQ/0122 Application type: Pre-Application Enquiry (ENQ) - Construction of a place of worship

Decision date 16/09/2010 Decision: Pre-application enquiry closed (EQ)

Reference and Proposal: 11/AP/4318 Application type: Full Planning Application (FUL) - Demolition of the existing building and construction of a two level place of worship building (Use Class D1) providing meeting rooms and ancillary uses at ground floor level with the main worship hall at first floor level. In addition there will be off street parking spaces and cycle storage.

Decision date 16/07/2013 Decision: Refused (REF)

Reference and Proposal: 14/AP/2189 Application type: S.73 Vary/remove conds/minor alterations (VAR) -Minor material amendment to planning permission 13-AP-2259 dated 13/11/2013 for (Change of use from auto-mechanic and tyre workshop (B1c) to a place of worship (D1) with associated alterations to the front (southern elevation) and side (eastern elevation) including new fenestration and extensions. Also creation of landscaping and formation of car parking spaces) to allow for internal alterations to create a mezzanine level for youth church services, in addition to external changes to the entrance and foyer areas on the southern and eastern facades, and extended opening hours.

Decision date 24/10/2014 Decision: Granted (GRA)

Reference and Proposal: 16/AP/1661 Application type: Full Planning Application (FUL) - Demolition of existing building and erection of a new two storey place of worship (D1 Use Class) with mezzanine level, car parking and associated landscaping.

Decision date 10/06/2016 Decision: Granted (GRA)

Reference and Proposal: 17/EQ/0151 Application type: Pre-Application Enquiry (ENQ) - Demolition of existing building and construction of a new part 4, part 3, part 2 storey place of worship (Use Class D1)with car parking and associated landscaping.

Decision date 05/06/2017 Decision: Pre-application enquiry closed (EQ)

Reference and Proposal: 18/AP/0269 Application type: Full Planning Application (FUL) Construction of a new part 4, part 3, part 2 storey place of worship (D1 use class) with associated car parking and landscaping.

Decision date: 28/06/2022 Decision: Granted (GRA)

Reference and Proposal: 19/AP/1065 Application type: Non-material amendment (NMA) – Non-material admendment to planning application 18/AP/0269 for the 'Construction of a new part 4, part 3, part 2 storey place of worship (D1 use class) with associated car parking and

landscaping'. The changes consist of: Enlargement of top third floor to create a larger function room.

Decision date: 13/05/2019 Decision: Granted (GRA)

Reference and Proposal: 21/AP/1159 Application type: Non-material amendment (NMA)
Non-material amendment to planning permission 18/AP/0269 (Construction of a new part 4, part 3, part 2 storey place of worship (D1 use class) with associated car parking and landscaping) to vary the wording of conditions 4, 5 and 6 from 'pre-commencement' to 'pre-commencement (with the exception of the laying of any underground main or pipe to the foundations, or part of the foundations)' in order to allow for a material start on site.

Decision date: 27/05/2021 Decision: Granted (GRA)

Reference and Proposal: 21/AP/2240 Application type: Certificate of lawfulness
Certificate of Lawful Existing: Site works/activity form the implementation of the approved enabling works, as set out within the approved method statement, under the previous NMA application, 21/AP/1159.

Certificate of Lawfulness Existing: Excavation of a trench circa 11m in length and 2m in depth, running between drainage chambers S09 and S10, as per the approved drainage design.

Decision date: 01/09/2021 Decision: Granted (GRA)



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Scale =

1-Nov-2022

Contents

Contents	1
EXECUTIVE SUMMARY	2
BACKGROUND INFORMATION	2
Site location and description	2
Details of proposal	3
Planning history of the site, and adjoining or nearby sites.	4
KEY ISSUES FOR CONSIDERATION	4
Summary of main issues.....	4
Legal context	5
Planning policy.....	5
ASSESSMENT.....	5
Principle of the proposed development in terms of land use.....	5
Design and impact upon the character and appearance of Dulwich Wood conservation area	6
Impact of proposed development on amenity of adjoining occupiers and surrounding area.....	7
Mayoral and borough community infrastructure levy (CIL).....	9
Community involvement and engagement.....	9
Community impact and equalities assessment	9
Human rights implications.....	10
Positive and proactive statement	10
Positive and proactive engagement: summary table.....	11
CONCLUSION	11
BACKGROUND DOCUMENTS.....	11
APPENDICES	11
AUDIT TRAIL	12

Item No. 7.3	Classification: Open	Date: 15 November 2022	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 22/AP/2595 for: Full Planning Application Address: CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON, SOUTHWARK SE21 7EX Proposal: Replace the existing floodlighting system for new LED equivalents including columns and lights		
Ward(s) or groups affected:	Dulwich Wood		
From:	Director of Planning and Growth		
Application Start Date 23/09/2022		PPA Expiry Date 09/12/2022	
Earliest Decision Date 17/11/2022			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

EXECUTIVE SUMMARY

2. The application proposes to replace the existing floodlighting system for new LED equivalents including columns and lights, to the two existing tennis courts located to the southern part of the Camber Lawn Tennis Club.
3. The proposal meets the requirement of local and national policy tests and is considered appropriate development within the Metropolitan Open Land.

BACKGROUND INFORMATION

Site location and description

4. The application site is Camber Lawn Tennis Club, located on the southern side of Dulwich Common Road. The club provides outdoor sport facilities and other recreational uses for member functions. It comprises three tennis courts and one clubhouse.
5. The two tennis courts, being the subject of this application, are set back from the main road and bounded by Dulwich Common Allotment to the west and the cricket ground of Streatham & Marlborough Cricket Club to the east.

Figure 1: Site Location Plan



6. The application site is located in Dulwich Wood Conservation Area and designated as Metropolitan Open Land (MOL - Dulwich Common Allotments and Tennis Club).

Details of proposal

7. Replacement of the four existing floodlights with six LED equivalents including columns and lights at each of the two tennis courts.
8. As compared to the existing columns of 8m mounting height, the replacement measures 6m tall with the base diameter of 168mm and top diameter of 89mm. It would be finished in green with asymmetrical LED floodlights. Three floodlights would be equidistant on each side of the tennis court.



9. The proposal is essential to upgrade the existing floodlights to a modern specification. The current floodlights, date from the 1970s, are aging and provide deteriorating level of lighting by modern standards and require more electricity, frequent and costly maintenance

Consultation responses from members of the public and local groups

10. No representation has been received from the members of the public.

Planning history of the site, and adjoining or nearby sites.

11. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

12. The main issues to be considered in respect of this application are:
 - Principle of development on Metropolitan Open Land
 - Design and impact upon the character and appearance of Dulwich Wood conservation area
 - Noise and vibration
 - Impact of the proposed development on amenity of adjoining occupiers, neighbours and surrounding area
 - Trees and ecology
 - Mayoral and borough community infrastructure levy (CIL)
 - Community involvement and engagement

- Community impact and equalities assessment
- Human rights
- Carbon concurrent and
- Positive and proactive statement.

13. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

14. 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.
15. 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

16. The statutory development plans for the borough comprise the London Plan (2021), Southwark Plan (2022). The National Planning Policy Framework (2021) constitute material considerations in planning decisions. A list of policies relevant to this application is provided at Appendix 2.

ASSESSMENT

Principle of the proposed development in terms of land use

17. The London Plan Policy G3 (Metropolitan Open Land) affords MOL the same level of protection as Green Belt and areas of MOL should be protected from inappropriate development. Para 8.3.4 states proposals to enhance access to MOL that are appropriate within MOL will be encouraged.
18. Policy P56 (Open Space) of the Southwark Plan (2022) states that development upon Metropolitan Open Land (MOL) will not be permitted unless in exceptional circumstances when:
- 1) It consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space and if it does not affect its openness or detract from its character. Ancillary facilities on MOL must be

essential for outdoor sports or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function; or

- 2) It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building; or
 - 3) It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.
19. The proposal refers to improvements to the existing floodlight systems, which provide an essential function to the use of the sports facilities already in existence. The replacement columns, although introducing two more columns than existing to each tennis court, are modest in scale with a very limited footprint. The proposal therefore represents an appropriate development by not compromising the openness of MOL and. As a result, the development meets the requirement of exceptional circumstances and is in principle acceptable.

Fire safety

Policy D12 (A) of the London Plan (2021)

20. Policy D12 (A) of the London Plan (2021) requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).
21. A Reasonable Exemption Statement has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development. The council accepts Fire Statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

Design and impact upon the character and appearance of Dulwich Wood conservation area

22. The replacement floodlighting columns are largely similar to the existing structures in terms of both materiality and colour finish. Whilst each court would see an increase in the number of floodlights from four to six, the new structures remain slim in appearance with a limited footprint and a slightly lower mounting height at 6m. The floodlights would be evenly sited along the outskirts of the sports court and would not be materially different from the existing in terms of appearance and scale. Consequently, the proposal preserves the openness of the MOL and the character of the conservation area.

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

Noise

23. There is already an established sport and recreational use on the application site and the replacement of the existing floodlights system would not represent changes to the operation of the sport facilities. Accordingly it would not produce greater harm to the amenity of the surrounding residents in terms of noise nuisance.

Light

24. The proposal totals x12 replacement floodlight columns with x6 in each of the tennis courts in subject. To support the application, ISO contour overspill diagrams (figures 2 and 3) has been provided to demonstrate the light spill to the surrounding area in accordance with Institute of Lighting Professionals (ILP) guidance.

Figure 2 – ISO contour spill diagram

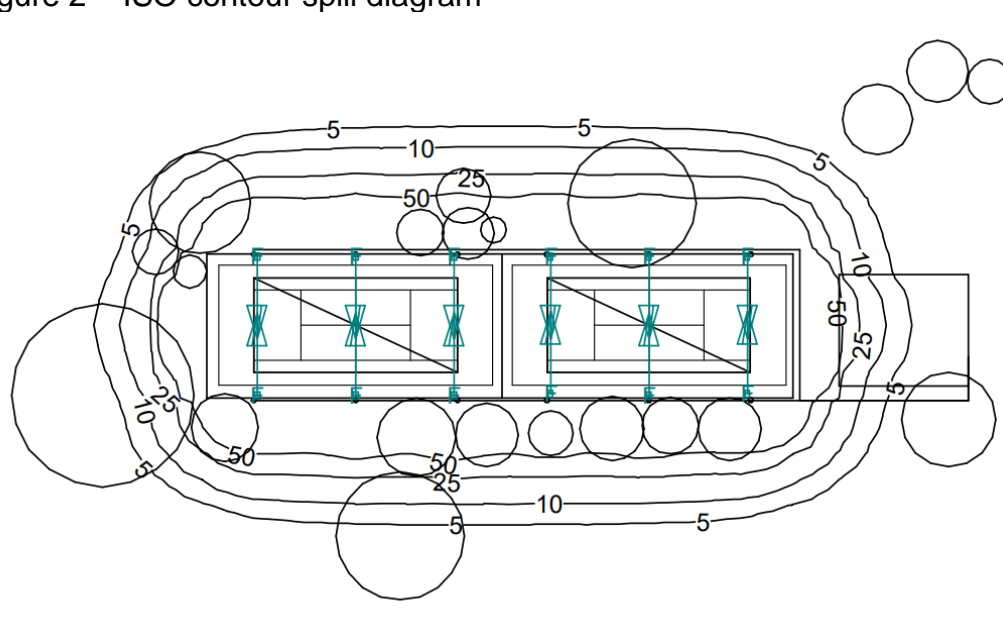
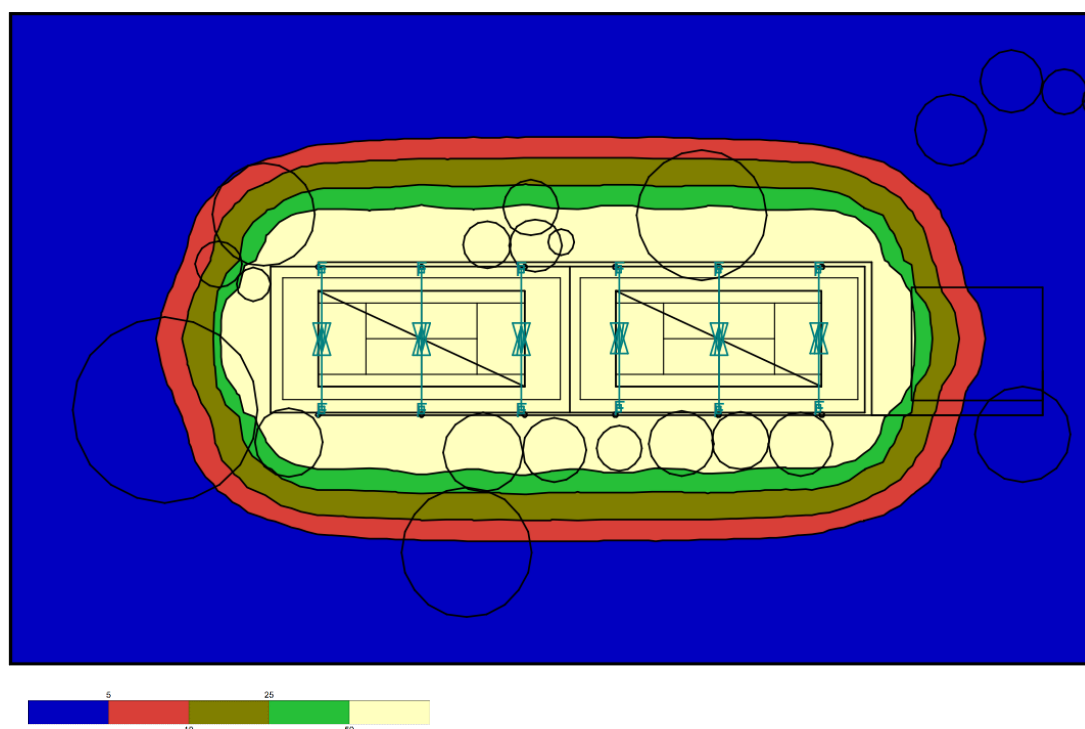


Figure 3 – filled ISO contour overspill diagram (showing lighting levels by colour)



25. The ILP Guidance Notes for the Reduction of Obtrusive Light (2021) sets a limit of 25 Lux light spillage in Urban areas (E4 Zone), 10 Lux in suburban areas (E3 Zone) or 5 Lux in rural areas (E2 Zone) for exterior lighting control.
26. The nearest dwellinghouse to the application site would be 2 Dulwich Common, being 23.5m away from its garden and 60m away from the house. According to the concentric circles of the overspill diagrams shown above, it would be subject to obtrusive light with a measure of 2 lux, which is below the maximum limit of 5.0 Lux for rural areas by the ILP. Accordingly, this would ensure neighbours' amenity would not be adversely impacted by way of obtrusive light resulting from the light overspill.

Ecology and biodiversity

27. The immediate area comprises a number of sports facilities with the support of floodlights to provide a lit environment after dusk. As this proposal involves replacement of the existing floodlights, it is not considered to cause greater harm to ecology in the context of the ambient lighting levels.
28. Despite the established prevalence of the floodlights, ecology and environmental protection team are aware of the great number of wildlife corridors in the area, therefore expecting from the replacement proposal an improvement in the light pollution impacts on the local wildlife.

29. At the consultees' advice, the applicant agrees that by condition, that the new lighting to these two courts would be switched off at dusk during certain periods of summer, which would be an active season for bats. To ensure effective implementation of this condition, automatic timers would be installed to switch off the lights as scheduled. This would contribute to lessening the cumulative impacts of lighting on emerging bats and benefit the ecological value resulting from the proposal.

Energy efficiency

30. The proposal would replace an existing discharge lighting system of each light consuming 1500 watts, with the new system using 530 Watt LED lights and therefore achieving 50% in energy saving.

Mayoral and borough community infrastructure levy (CIL)

31. The proposal involves replacement of floodlights only, therefore it is not CIL liable.

Community involvement and engagement

Consultation responses from internal consultees

32. Ecology:
- As this application is to replace existing lighting, the condition of bat light curfew for sport grounds is advised
33. Environmental Protection Team:
- Satisfied with the application reports
 - The area has many wildlife corridors, therefore improvement is expected in limiting the light spill beyond the tennis court.
 - Recommend advice is sought from ecology officer for advice on lighting pollution impacts on the local wildlife

Community impact and equalities assessment

34. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
35. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
36. 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.
37. 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

38. 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.
39. This application has the legitimate aim of *replacing the floodlight system*. 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

40. 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.
41. 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.

42. **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 officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

43. It is therefore recommended that planning permission be granted, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents TP- 2082-L	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: 020 7525 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

Lead Officer	Stephen Platts, Director of Planning and Growth		
Report Author	Winnie Wing Lam Tse, Planning Officer		
Version	Final		
Dated	28 October 2022		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments included
Strategic Director of Finance and Governance		No	No
Strategic Director of Environment and Leisure		No	No
Strategic Director of Housing and Modernisation		No	No
Date final report sent to Constitutional Team			2 November 2022

APPENDIX 1**Recommendation (draft decision notice)**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

Applicant	Mr Chris Smith Camber Lawn Tennis Club	Reg. Number	22/AP/2595
Application Type	Minor application		
Recommendation	Planning permission granted, subject to conditions	Case Number	2082-L

Draft of Decision Notice**for the following development:**

Replace the existing floodlighting system for new LED equivalents including columns and lights

Camber Lawn Tennis Club Dulwich Common London Southwark

In accordance with application received on 20 July 2022 and Applicant's Drawing Nos.:

Proposed Plans

PROPOSED COLUMN ELEVATION (FRONT) MLS/6.0M/CFL SINGLE - proposed column elevation (front) REV A received 20/07/2022

FLOODLIGHT LED CONVERSION AND POSITION CHANGE OF COLUMNS
PLANNING DRAWING MLS763/CAMBER/EXTLIGHT/001 - floodlight LED conversion and position change of columns REV B received 04/10/2022

Other Documents

LIGHTING ASSESSMENT courts 1-3 floodlighting LED conversion (lighting assessment) dated (07.01.22) received 20/07/2022

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 Compliance Condition(s)

3. The flood lights hereby granted permission must be switched off from 08:00-21:00 Monday to Saturday and 08:00-20:30 on Sundays and Bank Holidays between the dates of 11th May to 8th June and between the dates of 11th July to 17th August.

Reason: To reduce the impact of lighting on emerging bats. To ensure compliance with the Habitats Regulations and the Wildlife & Countryside Act 1981 (as amended).

4. MATERIALS TO BE AS SPECIFIED

The materials to be used in the implementation of this permission shall not be otherwise than as described and specified in the application and on the drawings hereby approved unless the prior written consent of the local planning authority has been obtained for any proposed change or variation.

Reason:

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the 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); Policy P13 (Design of places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

Relevant planning policy

National Planning Policy Framework (2021)

The revised National Planning Policy Framework ('NPPF') was published in 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 212 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 8 Promoting healthy and safe communities
- 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

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 chapters from the Plan are:

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D14 Noise
- Policy HC1 Heritage conservation and growth
- Policy G3 Metropolitan Open Land
- Policy G5 Urban greening
- Policy SI1 Improving air quality
- Policy SI12 Flood risk management
- Policy SI13 Sustainable drainage

Southwark Plan 2022

The Southwark Plan 2022 was adopted on 23 February 2022. The plan provides strategic policies, development management policies, area visions and site allocations which set out the strategy for managing growth and development across the borough from 2019 to 2036. The relevant policies are:

- P13 Design of places
- P14 Design quality
- P18 Efficient use of land
- P20 Conservation areas
- P21 Conservation of the historic environment and natural heritage
- P45 Healthy developments
- P46 Leisure, arts and culture
- P47 Community uses
- P56 Protection of amenity
- P57 Open space
- P60 Biodiversity

APPENDIX 3

Planning history of the site

Reference and Proposal	Status
72/AP/8476 The erection of an extension to the club house at Camber Lawn Tennis Club, Dulwich Common, S.E.22.	GRANTED-Minor Application 03/10/1972
11/AP/0106 Installation of floodlighting to the north tennis court (6 columns of 6.7m high).	GRANTED-Minor Application 14/04/2011
13/AP/3010 T1: 1 x Mature Oak - crown thin by 20%, remove deadwood and epicormic growth and necessary re-shape T2: 1 x Mature Ash - fell and grind stump out	18/10/2013
13/AP/3002 Erection of a new clubhouse on former site	GRANTED-Minor Application 13/12/2013
20/AP/3528 T1 - Multi stem Elderflower tree. Heavily leaning towards tennis court. Coppice to ground level and allow it to regenerate T2 - Large Ash tree. Remove 2 lower branches growing over tennis court. T3 - XL Oak tree. Remove dead wood and reduce canopy from over tennis court to give 1m clearance. G1 - 6 Norway Maple trees. Reduce back from tennis courts to give a 2m clearance. Remove larger lateral branches growing towards the courts. T4 - Bird willow tree. Remove stem over tennis court and reduce and reshape canopy over tennis court to give 2m clearance. T5 - XL Ash tree. Reduce canopy over tennis court to give a 2m clearance. T6 - XL Oak tree. Reduce lower canopy over tennis by 2m to suitable growth points.	Granted TCA 17/12/2020

Consultation undertaken

Site notice date: 11/10/2022

Press notice date: 18/08/2022

Case officer site visit date: n/a

Neighbour consultation letters sent: 04/10/2022

Internal services consulted

Ecology

Environmental Protection

Statutory and non-statutory organisations

Neighbour and local groups consulted:

10 Dulwich Common London Southwark

6 Dulwich Common London Southwark

8 Dulwich Common London Southwark

4 Dulwich Common London Southwark

2 Dulwich Common London Southwark

Grove House Dulwich Common London

Marlborough Cricket Club Dulwich
Common London

Re-consultation:

Consultation responses received

Internal services

Ecology

Environmental Protection

Statutory and non-statutory organisations

Neighbour and local groups consulted:

98 Delawyk Crescent London SE24 9JD

PLANNING SUB-COMMITTEE A AGENDA DISTRIBUTION LIST (OPEN) MUNICIPAL YEAR 2022-23

NOTE: Original held by Constitutional Team all amendments/queries to Gerald Gohler Email: gerald.gohler @southwark.gov.uk Tel: 020 7525 7420

Name	No of copies	Name	No of copies
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Councillor Kath Whittam (Chair)	1	Environment & Social Regeneration	By
Councillor Jane Salmon (Vice-Chair)	1	Environmental Protection Team	email
Councillor John Batteson	1		
Councillor Natasha Ennin	1		
Councillor Ketzia Harper	1	Communications	By
Councillor Adam Hood	1	Louise Neilan, media manager	email
Councillor Richard Livingstone	1		
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Officers			
Constitutional Officer, Hub 2, Level 2, Tooley Street	3		
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		