

## Planning Sub-Committee A

Wednesday 25 January 2023

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 Victor Chamberlain  
Councillor Chloe Tomlinson

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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

#### Babysitting/Carers allowances

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

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**Contact:** Gerald Gohler on 020 7525 7420 or email: [gerald.gohler@southwark.gov.uk](mailto:gerald.gohler@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 17 January 2023



# Planning Sub-Committee A

Wednesday 25 January 2023

6.30 pm

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

## Order of Business

Item No.	Title	Page No.
1.	<b>INTRODUCTION AND WELCOME</b>	
2.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>MINUTES</b>	1 - 5
	To approve as a correct record the minutes of the meeting held on 15 November 2022.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	<b>6 - 10</b>
<b>7.1.</b>	<b>SOUTH DOCK MARINA, ROPE STREET, LONDON, SE16 1TX</b>	<b>11 - 45</b>
<b>7.2.</b>	<b>HERNE HILL STADIUM, 104 BURBAGE ROAD, LONDON SE24 9HE</b>	<b>46 - 63</b>
<b>7.3.</b>	<b>THE WORKSHOP SITE, LAND BOUNDED BY GILKES PLACE GILKES CRESCENT AND CALTON AVENUE TO THE REAR OF 25 DULWICH VILLAGE, LONDON</b>	<b>64 - 81</b>

Date: 17 January 2023

#### **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](mailto:ConsTeam@southwark.gov.uk) in advance of the meeting by **5pm** on the working day preceding the meeting.

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

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

Planning Sub-Committee Clerk, Constitutional Team  
Finance and Governance  
Email: [gerald.gohler@southwark.gov.uk](mailto:gerald.gohler@southwark.gov.uk)



## Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Tuesday 15 November 2022 at 6.30 pm at Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

**PRESENT:** Councillor Kath Whittam (Chair)  
Councillor Jane Salmon (Vice-Chair)  
Councillor John Batteson  
Councillor Ketzia Harper  
Councillor Adam Hood  
Councillor Richard Livingstone

**OTHER MEMBERS PRESENT:** Councillor Sarah King

**OFFICER SUPPORT:** Dennis Sangweme (Head of Development Management)  
Margaret Foley (Planning Lawyer)  
Sonia Watson (Team Leader Major Applications Team)  
Ciara Lester (Planning Officer)  
Abbie McGovern (Planning Officer)  
Winnie Wing Lam Tse (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 Natasha Ennin.

### 3. CONFIRMATION OF VOTING MEMBERS

Those members listed above 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 21 September 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 LAND AT 1A DOG KENNEL HILL, SOUTHWARK, LONDON SE22 8AA**

**Planning application number: 20/AP/0359**

Report: see pages 10 to 61 of the agenda pack and pages 1 to 2 of the addendum report.

## **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.*

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

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

There were no objectors present and wishing to speak.

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 address the meeting.

Councillor Sarah King addressed the sub-committee in her 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 set out in the report, including an amended condition 4 to include engagement with the East Dulwich TRA, the Grove Lane RA and Dog Kennel Hill Primary School, and the completion of a S106 legal agreement, in which funding priority is given to the local adventure playground.
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 the report.

At 7.40pm the meeting adjourned for a comfort break, returning at 7.47pm.



## 7.2 97 PECKHAM ROAD LONDON SOUTHWARK SE15 5LJ

### Planning application number: 21/AP/4445

Report: see pages 62 to 104 of the agenda pack and pages 2 to 3 of the addendum report.

### PROPOSAL

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

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 representative of the objectors 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.

There were no supporters who lived within 100 metres of the application site, or ward councillors, present and wishing to speak.

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

A motion to approve the planning application was moved and seconded.

An amendment to the original motion was moved, seconded, put to the vote and declared carried.

The amended motion was put to the vote and declared carried.

### RESOLVED:

1. That planning permission be granted subject to:
  - a. the conditions set out in the report and the addendum report, including:
    - i. an amended condition 16 with the word "commercial" deleted
    - ii. an amended condition 19 to stipulate that the roof terrace is not to be used for worship, that no amplified music be played on it, and that maximum occupancy be restricted to 20 people.

- b. 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 the report.

The meeting then took a comfort break from 8.45pm to 8.53pm.

### **7.3 CAMBER LAWN TENNIS CLUB, DULWICH COMMON, LONDON, SOUTHWARK SE21 7EX**

**Planning application number: 22/AP/2595**

Report: see pages 105 to 124 of the agenda pack.

#### **PROPOSAL**

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

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

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

There were no objectors, applicant's representatives, supporter who live with 100 metres of the development site or ward councillors present and wishing to speak.

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

#### **RESOLVED:**

That planning permission be granted subject to the conditions set out in the report.

The meeting ended at 9.07pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 25 January 2023	<b>Meeting Name:</b> Planning Committee A	Sub-
<b>Report title:</b>		Development Management		
<b>Ward(s) or groups affected:</b>		All		
<b>From:</b>		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	

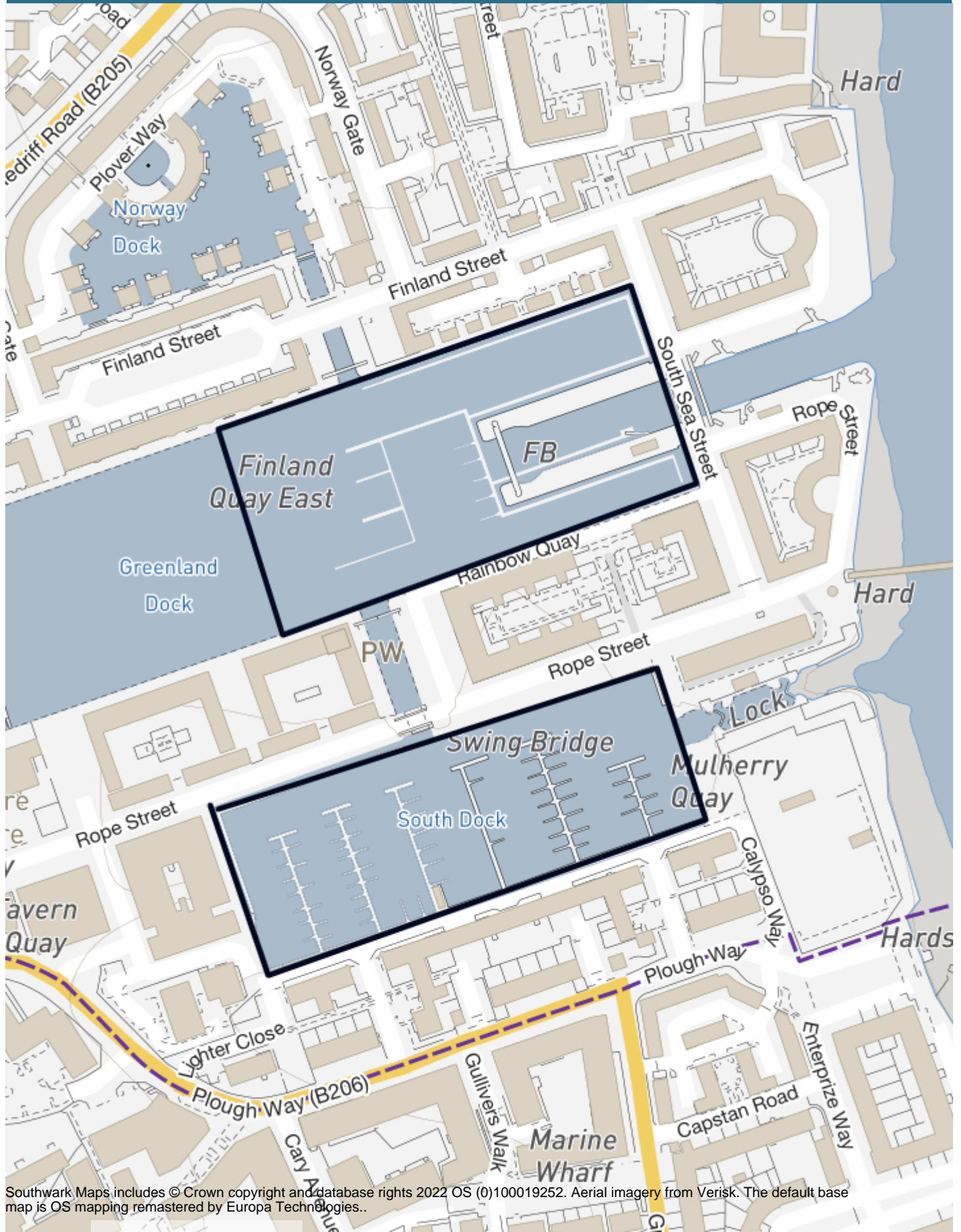
**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Gerald Gohler, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
<b>Version</b>	Final	
<b>Dated</b>	12 January 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Law and Governance	Yes	Yes
Director of Planning and Growth	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		16 January 2023



22/AP/3036

South Dock Marina, Rope Street, London, SE16 1TX



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9-Jan-2023



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<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 25 January 2023	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 22/AP/3036 for: Variation of Condition 12 pursuant to planning permission LDDC S/96/0021</p> <p><b>Address:</b> South Dock Marina, Rope Street, London SE16 1TX</p> <p><b>Proposal:</b> Variation of Condition 12 pursuant to planning permission LDDC S/96/0021 for 'Variation of condition 12 of LDDC S/88/248 to permit 65% of berths to be used as permanent residencies'. The amendment seeks the following: removal of Condition 12 to permit 100% residential use of vessels in the marina.</p>		
<b>Ward(s) or groups affected:</b>	Surrey Docks		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	26.09.2022	<b>EOT Expiry Date</b>	31.03.2023
<b>Earliest Decision Date</b>	20.11.2022		

## RECOMMENDATION

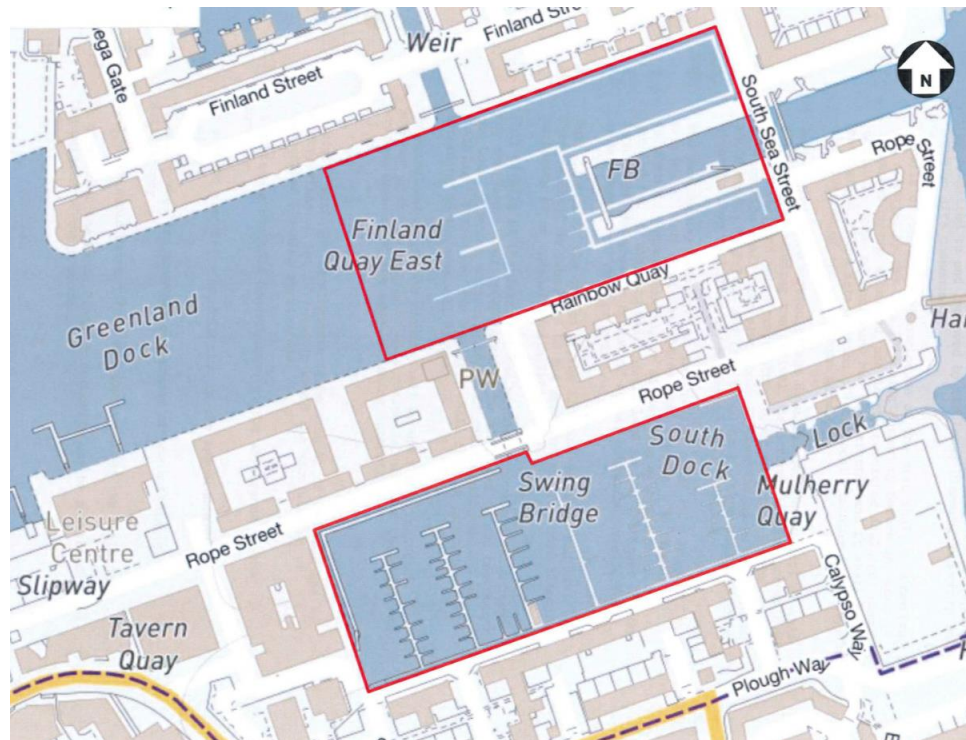
1. That the application be granted.

## BACKGROUND INFORMATION

### Site location and description

2. The application site relates to South Dock Marina, which comprises of Greenland Dock on the northern site of Rope Street and South Dock located on the southern side, both are to the west of the River Thames.

### 3. Site location plan



4. A masterplan was prepared in 1986 to create a marina with 371 berths at South Dock, the development was phased with 200 berths being granted permission in 1988 (S/88/0248). A condition was attached to this consent requiring no vessel moored at the marina to be used as a residence without the prior and written consent of the Local Planning Authority.
5. A variation to the planning permission was granted in 1996 (S/96/0021) allows 65% of the berths to be used as permanent residences. The marina currently operates 200 berths of which 130 are in residential use and 70 of which are in leisure use.
6. The area surrounding the two docks are predominantly residential, characterised by buildings of various architectural styles and heights. There are some commercial uses located along Plough Way, Surrey Docks Fitness and water sports centre is located to the south-west of Greenland Dock. There is a boatyard and the River Thames located to the east of South Dock.
7. There are a number of heritage assets within the vicinity of the two docks, this includes:
  - Swedish Quays and No 1-95 Rope Street which are Grade II Listed buildings.
  - The swing footbridge over steelyard cut is Grade II Listed
  - Greenland lock and South lock are both Grade II Listed.
8. The site is subject to the following designations:

- Site of Importance for Nature Conservation (SINC)
- Flood Zones 2 and 3
- Rotherhithe Surrey Docks Designate Neighbourhood Area
- Thames Priority Area
- Archaeological Priority Zone
- Air Quality Management Area
- Open Water Space (NSP)
- Canada Water Action Area
- Canada Water Opportunity Area.

### **Details of proposal**

9. The proposed development seeks the removal of Condition 12 of planning permission S/88/248 dated 25/11/1988 from:

*No vessel moored at the marina shall be used as a residence, whether or not as a sole or main residence without prior and written consent of the Local Planning Authority*

10. To:  
*Removal of Condition 12 to allow for all berths to be used as permanent residences or for leisure.*
11. It is of note that Condition 12 of S/88/248 has already been varied under application S/96/0021 whereby it was found acceptable to permit up to 65% of berths to be used as permanent residences.

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

12. 13 contributions were received, 12 objections and 1 neutral comment. Summarised below are the material planning considerations raised by members of the public:
13. Objections (12)
- Dock was never designed for a permanent water based residential area
  - Denial of services to other Thames boating traffic
  - Strain on local infrastructure
  - More demand for parking and traffic problems
  - Issues with rubbish collection/storage
  - Increase noise and overcrowding
  - Burning of fossil fuels impact air quality
  - Current licenses do not comply with T&C's of mooring
  - Out of keeping with the area
  - A minimum number of berths should remain available for short and near-term to preserve the local heritage.

14. Neutral (1) comments was received from the Port Authority. This is included in the consultees section of the report.

### **Planning history**

15. S/88/248 – Development of marina (berths for up to 200 craft) erection of four storey workshop/studio building with yard at Tavern Quay (Area 1) - Granted 25/11/1988
16. S/96/0021 – Variation of Condition 12 of S/88/0248 to permit up to 65% of berths to be used as permanent residences – Granted 20/03/1996
17. 16/EQ/0005 – Pre-application enquiry in relation to the redevelopment of existing boat yard to provide a mixed use development comprising buildings ranging from 2 to 20 storey's in height, providing 210 residential units (Class C3), 1000sqm of boatyard workshops, 2010sqm of external boatyard space, 290sqm of Class A3 space, 334sqm of Marina facilities, 768sqm of B1 workshops, 135 car parking spaces, together with access, hard and soft landscaping and other associated works incidental to the development. It is noted that the existing boatyard adjacent to the site has not yet undergone redevelopment.
18. 16/AP/0728 – Screening Opinion for (Environmental Impact Assessment) for redevelopment of an existing boatyard to provide a mixed used development comprising of buildings ranging 2 to 26 storey's in height, 214 residential units (Class C3), 1,119sqm (GEA) of boatyard workshops, 1,913sm (GEA) of external boatyard space, 1,305sqm of new/replacement boat workshop space, 799sqm of Class A1/A3 space, 391sqm of Marina facilities, 1,487sqm of B1 workshops, 135 car parking spaces together with access, hard and soft landscaping – EIA not required 15/03/2016
19. 16/EQ/0165 – Pre-application enquiry seeking to increase permitted number of vessels from 200 to 225, no physical works required. Increase % of berths permitted for residential use from 65% to 85% no physical works required. Installation of new jetties to the east of Baltic Quay in South Dock and in the Greenland Dock old lock entrance area, and construction of new bicycle and bin storage areas. Advised by Officers that increasing the percentage of residential berths could be done via a variation to the original permission, as long as the requirement for this is demonstrated.
20. 17/AP/2617 – Listed Building Consent for pressure wash bridge structure and decks, remove and treat corrosion to steelworks, remove current paint system back to sound material, re-prime and paint with like-for-like paint system and repair or replace damaged decks with like-for-like material – Granted 06/09/2017

### **KEY ISSUES FOR CONSIDERATION**

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

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

- Principle of development
  - Design and layout
  - Facilities for residential licenses'
  - Impact on the amenity of neighbours
  - Transport and servicing
  - Air Quality
  - Flood Risk
  - Nature Conservation
  - Community impact, equalities assessment and human rights.
22. These matters are discussed in detail in the 'Assessment' section of this 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**

24. Southwark Local Plan Policy P25 seeks to maintain and enhance the existing facilities that support and increase the use and enjoyment of the River Thames and activities associated with the Thames. This includes mooring facilities and docks.
25. London Plan Policy SI 16 states that provision of new mooring and/or required facilities should be supported if they are off-line from main navigation routes, in basins or docks. They should be appropriately designed including the provision of wash mitigation and managed in a way that respects the character of the waterways. Policy SI 17 states that development proposals along London's docks should respect their local character, environment and biodiversity and should contribute to their accessibility and active water-related uses.
26. The proposal does not involve an increase in the number of mooring berths within South Dock or Greenland Dock Marina, instead, it seeks to remove the restriction over the current use of the 200 berths whereby no more than 65% can be in residential use. At present 130 berths are in residential use and 70 berths are in leisure use. It is of note that the existing leisure license holders are able to live aboard 365 days a year, and it has been confirmed by the applicant that many of the leisure license holders live on their boats at weekends or during the week. The application to allow flexibility of the mix of residential and leisure berth uses and to allow berth holders to use the marina as their primary residence

rather than second homes.

27. There is a strong demand for residential berths, largely driven by the demand for affordable housing in London. As of 21 April 2021 when the application was prepared, there were 636 people on the waiting list which is split as follows:
  - 582 vessels on the waiting list for residential license. 54 existing leisure vessels within the marina had also requested residential licenses.
  - 143 vessels on the leisure license waiting list, 19 of which were also on the waiting list for a residential license.
28. Given the time that has passed since the planning statement was written, the applicant has provided up-to-date waiting list figures. It has also been confirmed that the waiting list has been reviewed in recent months to remove any double counting where individuals were previously on both the leisure and residential waiting lists, likewise the residential license list now only includes new applicants. There are currently 744 people on the waiting list which is split as follows:
  - 596 residential on the residential license list
  - 148 on the leisure license waiting list.
29. Within the current leisure license waiting list, there are currently 51 existing license holders who would like to upgrade to a residential license. It is clear that there is demand for more flexibility of the use of the vessels moored at the marina and there is also still a high demand from new applicants to apply for a license in the marina.
30. The applicant has confirmed that the majority of the 51 leisure license holders will convert if permission is granted for the removal of Condition 12. The other 19 will be allocated to those on the waiting list. The applicant has explained that the existing moorings already accommodate the largest feasible boats therefore it is unlikely that the boats would change or increase in size as a result occupancy would not increase.
31. Concerns have been raised by local residents that the removal of the restrictive condition will undermine services to other boating traffic as the marina was never designed for solely residential use. As highlighted above, the application does not seek to increase the number of vessels within South Dock Marina or Greenland Dock, nor does it involve any physical changes to the existing mooring facilities. The proposal seeks to remove the restrictive condition on the current use of the moorings to provide flexibility. The removal of the restriction does not stop vessels being used for leisure purposes, and some of the residential vessels do take leisure trips on the river. It has been confirmed by the applicant that current boat movement is very similar between both leisure and residential license holders therefore there is not expected to be any increase in boat traffic using the lock or moving around the marina.
32. In relation to visitors, there are currently no allocated visitor berths as the marina

is 100% full. However, visitors can be accommodated in berths when license holders are out on their boats. As a result the number of visitors are likely to remain the same.

33. The proposal is therefore still considered to accord with the aims of NSP Policy 25 and London Plan Policies SI 16 and SI 17 which seek to protect and enhance the use and enjoyment of London's waterways.

### **Design and layout**

34. No physical changes are proposed as part of the variation of condition application, as highlighted above the proposal only relates the use of the existing moorings. As a result, the proposal is not considered to have any adverse harm on the adjacent listed buildings or structures.

### **Facilities for residential licenses**

35. Within the supporting Planning Statement information has been provided in relation to the Code of Practice for the Design and Construction of Marinas and Yacht Harbour by The Yacht Harbour Association (TYHA) which sets out the standards for marina facilities.
36. Based on the TYHA standards, there are considered to be sufficient toilets, hand basins, showers, disabled toilets, urinals and laundry facilities for the 200 berths even if all were of the boats had residential licenses.

### **Impact on amenity of neighbours**

37. The proposal does not involve any physical changes, nor does it involve any increase in the number of boats within either South Dock or Greenland Dock Marinas.
38. Some concerns have been raised by local residents that the removal of the restriction on the licenses could increase noise and overcrowding, that current license holders do not comply with the T&C's of mooring, and could strain local infrastructure.
39. In relation to noise and nuisance, as highlighted above, the proposed removal of Condition 12 does not increase the number of boats within the marinas instead it seeks to provide additional flexibility as to how the existing moorings are used. Confirmation has been sought from the Harbour Master in relation to how noise and disturbance matters are controlled. Each licensee is required to comply with the strict residential license terms and conditions (T&C's). Although some concern has been raised by local residents in relation to compliance with the T&C's, this is not a matter that can be controlled by the Local Planning Authority.
40. Regarding pressure on local infrastructure, the existing leisure license holders already have the ability to reside for up to 365 days per year. The proposal does not seek to increase the number of boats within the marina and as highlighted



above, there are considered to be sufficient facilities within the marina for the 200 berths. The removal of the restrictive condition is therefore not considered to give rise to significant adverse pressure on local facilities.

41. Overall, Officers do not consider the proposed removal of Condition 12 to have detrimental harm on the amenity of local residents.

### **Transport and servicing**

42. Both South Dock and Greenland Dock Marinas are located within a sustainable location with the PTAL ratings ranging from 1a-4. There are local bus routes along Plough Way connecting the marinas to Surrey Quays and Canada Water, along with Greenland Surry Quays pier which is served by the Thames Clipper/Uber Boat. There are also existing bike storage facilities within the marinas for license holders to use.
43. The proposed removal of Condition 12 does not increase the number of boats within the marina and does not intensify the overall use, therefore it does not change the existing parking arrangements or traffic movement conditions despite the concerns that have been raised by local residents. There are currently 16 parking spaces within the boatyard, and it has been confirmed by the Harbour Master that existing license holders are required to apply for a parking permit to use these spaces. This arrangement will be unchanged following the removal of Condition 12.
44. On-street parking within the vicinity of the two marina's is Controlled Parking Zones, existing license holders are able to apply for permits.
45. As there is no increase in the number of boats within the marinas, there would be no increase in the required number of cycle spaces. The license T&C's require cycles to be stored on the boats or within the bicycle racks adjacent to the facilities block in the boatyard, there are also Sheffield stands located around the marina that can also be used.
46. In relation to refuse and recycling storage and collection, bin stores are provided around the marina and within the boatyard. As the number of boats will not be increasing it is considered that the existing arrangement will be sufficient. In relation to other waste from the boats, there are designated areas for oil waste and other materials.

### **Air quality**

47. Southwark Local Plan Policy P65 states that development must achieve or exceed air quality neutral standards and address the impacts of poor air quality on building occupiers and public realm users by reducing the exposure to and mitigating the effect of poor air quality.
48. As already highlighted in this report, the proposal relates to the removal of the restrictive condition on the use of the current berths to allow for flexibility for

residential and leisure licenses. There would be no increase in the number of boats, nor would the size of boats be able to increase as a result of the removal of the restriction as no physical alterations are proposed to the existing moorings. It is also of note that the current leisure license holders can reside on their boats for up to 365 days a year. Therefore in relation to air quality, it is not considered that the removal of the restrictive condition will have additional adverse impact on air quality in the locality.

### **Flood risk**

49. The site is located within Flood Zone 3, however given that the proposal involves no physical works it is not considered to increase flood risk.

### **Nature conservation and ecology**

50. The application site is located within an area designated as a Site of Importance for Nature Conservation (SINC). Policy P60 states that development must enhance the nature conservation value of SINCS and protect and avoid damage. As the proposal does not involve any physical works there are no ecological concerns regarding the proposal.

### **Consultation responses from internal consultees**

51. Environmental Protection Team:
- The removal of the condition was allow for an additional residential boats, concern that there could be additional solid fuel burners which could impact local air quality.
  - Smoke complaints have been received in this area before.

Additional information was requested from the applicant to understand as to how air quality is managed.

- Further assessment is required regarding the potential air quality impacts from allowing additional residential licenses within the marinas.

Officer response:

The application does not allow for the addition of boats and there are no physical works proposed. The proposal relates to the removal of the restrictive condition to allow for flexibility as to how the existing mooring are used. As highlighted in the Air Quality section of the report, as leisure licensees are able to occupy their boats for 365 days a year and given the license T&C's it is considered that it would not be proportionate to require a full air quality assessment to be undertaken.

52. Ecology:
- As no physical works are taking place there is no ecological concerns

regarding this application.

Officer response:

N/A

### **Community impact statement / Equalities assessment**

53. 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:
- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  - b) 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.
  - c) 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.
54. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
55. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
56. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. No matters pertaining to the impact of this development on people with protected characteristics have been raised through the consultation and no impact above in that detailed above in the ‘planning assessment’ is expected.
57. Throughout the consultation process no information was received to indicate that any members of the public falling under the protected characteristics would be

affected by the development, and thus no specific mitigation measures are required in this regard.

### **Human rights implications**

58. 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.
59. This application has the legitimate aim of removing a restrictive condition to allow flexibility for leisure and residential mooring licenses at South Dock and Greenland Dock marinas. 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**

60. 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.

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

61.	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?	N/A
	To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	No

### **Conclusion**

62. In conclusion, the removal of Condition 12 is considered to be acceptable. The proposal would increase the flexibility in the use of the existing moorings at South Dock and Greenland Dock marinas and would contribute to meeting the growing demand for the option to provide additional residential licenses.
63. It is therefore recommended that permission is granted for the removal of

Condition 12 of S/96/0021 for original consent S/88/248.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Application file: 22/AP/3036 TP - 153-D Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries: 020 7525 0254 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 and consultation responses received
Appendix 3	Relevant planning policy
Appendix 4	Planning history of the site and nearby sites

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Zoe Brown, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	10 January 2022	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
<b>Date final report sent to Constitutional Team</b>		10 January 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.

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<b>Applicant</b>	Mr Philip Cotman	<b>Reg. Number</b>	22/AP/3036
<b>Application Type</b>	S.73 Vary/Remove Conds/Minor Alterations		
<b>Recommendation</b>	AGREE variation	<b>Case Number</b>	153-D

**Draft of Decision Notice**

**The variation is AGREED for the following development:**

Variation of Condition 12 pursuant to planning permission LDDC S/96/0021 for 'Variation of condition 12 of LDDC S/88/248 to permit 65% of berths to be used as permanent residencies'. The amendment seeks the following: removal of Condition 12 to permit 100% residential use of vessels in the marina.

South Dock Marina Rope Street London Southwark

**In accordance with application received on 31 August 2022 and Applicant's Drawing Nos.:**

Location Plan 001 received 23/09/2022

SITE PLAN received 31/08/2022

**APPENDIX 2****CONSULTATION UNDERTAKEN****Site notice date:** 24/10/2022**Press notice date:** n/a.**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 17/10/2022**Internal services consulted**

Environmental Protection

Ecology

Environmental Protection

**Statutory and non-statutory organisations****Neighbour and local groups consulted:**

Sharinda South Dock Marina Rope Street  
 Marrakesh South Dock Marina Rope Street  
 47 Rope Street London Southwark  
 45 Rope Street London Southwark  
 Flat 2 1 South Sea Street London  
 Flat 8 7 Rainbow Quay London  
 Flat 9 6 Rainbow Quay London  
 Flat 1 6 Rainbow Quay London  
 Flat 9 3 Rainbow Quay London  
 Flat 9 1 Rainbow Quay London  
 Flat K 4 Windsock Close London  
 Flat I 4 Windsock Close London  
 Flat H 3 Windsock Close London  
 Flat 4 101 Rope Street London  
 Flat 3 98 Rope Street London  
 Flat 10 97 Rope Street London  
 Flat 4 97 Rope Street London  
 Flat C 7 Dunnage Crescent London  
 Flat E 6 Dunnage Crescent London  
 Flat E 5 Dunnage Crescent London  
 Flat 4 96 Rope Street London

Flat 1 96 Rope Street London  
 Flat F 2 Dunnage Crescent London  
 Flat E 4 Transom Close London  
 Flat K 2 Transom Close London  
 Flat 520 1 Sweden Gate London  
 Flat 519 1 Sweden Gate London  
 Flat G 1 Transom Close London  
 Flat 303 1 Sweden Gate London  
 Flat 202 1 Sweden Gate London  
 Flat 101 1 Sweden Gate London  
 Flat 125 1 Sweden Gate London  
 Flat 122 1 Sweden Gate London  
 Flat 119 1 Sweden Gate London  
 Flat 114 1 Sweden Gate London  
 Flat 111 1 Sweden Gate London  
 Flat 109 1 Sweden Gate London  
 Flat 418 1 Sweden Gate London  
 312 Rope Street London Southwark  
 Flat 20 Rushcutters Court 2 Boat Lifter Way  
 Djinskiia South Dock Marina Rope Street  
 69 South Dock Marina Rope Street London  
 68 South Dock Marina Rope Street London  
 49 South Dock Marina Rope Street London  
 Phoenix South Dock Marina Rope Street  
 Cyrella South Dock Marina Rope Street  
 Bs69s South Dock Marina Rope Street  
 Alfresco South Dock Marina Rope Street  
 Flying Scotsman South Dock Marina Rope Street  
 Brunel South Dock Marina Rope Street  
 Victoria Tower South Dock Marina Rope Street  
 Ijsbrandt South Dock Marina Rope Street  
 Oude Ida South Dock Marina Plough Way  
 Flat 11 1 Sweden Gate London  
 Flat 207 1 Sweden Gate London  
 Flat 417 1 Sweden Gate London  
 90 Rope Street London Southwark  
 Flat 510 1 Sweden Gate London  
 Flat D 3 Windsock Close London  
 Flat B 3 Transom Close London  
 Lambrusco South Dock Marina Rope Street  
 Flat G 7 Dunnage Crescent London  
 Flat B 2 Dunnage Crescent London  
 Bounty South Dock Marina Rope Street  
 Flat H 7 Dunnage Crescent London  
 Flat 801 1 Sweden Gate London  
 Flat 325 1 Sweden Gate London  
 Flat 9 5 Rainbow Quay London  
 Courser South Dock Marina Rope Street  
 Flat 5 100 Rope Street London  
 Flat E 4 Dunnage Crescent London  
 40 Rope Street London Southwark  
 33 Rope Street London Southwark



1 Rope Street London Southwark  
 Flat 3 99 Rope Street London  
 Flat 208 1 Sweden Gate London  
 Flat 205 1 Sweden Gate London  
 Flat 124 1 Sweden Gate London  
 Flat O 4 Windssock Close London  
 Flat 524 1 Sweden Gate London  
 Flat 521 1 Sweden Gate London  
 Flat 318 1 Sweden Gate London  
 Flat 120 1 Sweden Gate London  
 Flat 308 1 Sweden Gate London  
 Flat 305 1 Sweden Gate London  
 Flat B 2 Windssock Close London  
 Flat D 4 Transom Close London  
 Flat P 2 Transom Close London  
 Flat A 7 Dunnage Crescent London  
 81 Rope Street London Southwark  
 Flat 7 5 Rainbow Quay London  
 Flat 1 5 Rainbow Quay London  
 Flat 422 1 Sweden Gate London  
 Flat 411 1 Sweden Gate London  
 Flat 1 1 Rainbow Quay London  
 Flat 9 1 South Sea Street London  
 Flat 1102 1 Sweden Gate London  
 71 Rope Street London Southwark  
 43 Rope Street London Southwark  
 Flat G 1 Dunnage Crescent London  
 Flat 3 1 South Sea Street London  
 Flat 402 1 Sweden Gate London  
 56 South Dock Marina Rope Street London  
 48 South Dock Marina Rope Street London  
 Enterprise South Dock Marina Rope Street  
 Arrelle South Dock Marina Rope Street  
 Ilanga Umfolo South Dock Marina Plough Way  
 Ecclesjohn South Dock Marina Plough Way  
 Christopher Robin South Dock Marina Rope Street  
 Katy Claire South Dock Marina Rope Street  
 Initio South Dock Marina Rope Street  
 Sea Sovereign South Dock Marina Plough Way  
 Livro South Dock Marina Rope Street  
 Flat 7 1 South Sea Street London  
 89 Rope Street London Southwark  
 87 Rope Street London Southwark  
 84 Rope Street London Southwark  
 83 Rope Street London Southwark  
 79 Rope Street London Southwark  
 73 Rope Street London Southwark  
 69 Rope Street London Southwark  
 58 Rope Street London Southwark  
 55 Rope Street London Southwark  
 Flat 2 7 Rainbow Quay London  
 Flat 2 6 Rainbow Quay London

Flat 5 5 Rainbow Quay London  
 Flat 9 2 Rainbow Quay London  
 Flat 8 2 Rainbow Quay London  
 Flat 10 1 Rainbow Quay London  
 Flat G 5 Windsack Close London  
 Flat 8 1 Rainbow Quay London  
 Flat 8 100 Rope Street London  
 Flat 7 100 Rope Street London  
 Flat 2 99 Rope Street London  
 Flat 1 99 Rope Street London  
 Flat A 5 Dunnage Crescent London  
 Flat F 4 Transom Close London  
 Flat A 3 Transom Close London  
 Flat 517 1 Sweden Gate London  
 Flat 509 1 Sweden Gate London  
 Flat 324 1 Sweden Gate London  
 Flat 217 1 Sweden Gate London  
 Flat 103 1 Sweden Gate London  
 Flat 6 1 Sweden Gate London  
 Flat 407 1 Sweden Gate London  
 Flat 401 1 Sweden Gate London  
 318 Rope Street London Southwark  
 324 Rope Street London Southwark  
 39 Rope Street London Southwark  
 30 Rope Street London Southwark  
 28 Rope Street London Southwark  
 18 Rope Street London Southwark  
 9 Rope Street London Southwark  
 Kingsisher South Dock Marina Rope Street  
 Yacht Courser South Dock Marina Rope Street  
 Mercedes South Dock Marina Rope Street  
 94 South Dock Marina Rope Street London  
 90 South Dock Marina Rope Street London  
 63 South Dock Marina Rope Street London  
 46 South Dock Marina Rope Street London  
 Bienstar South Dock Marina Rope Street  
 Julia South Dock Marina Rope Street  
 Dolce Vita South Dock Marina Rope Street  
 Bermuda Breeze South Dock Marina Rope Street  
 Althea Too South Dock Marina Rope Street  
 Tokolosh South Dock Marina Plough Way  
 Kathleen South Dock Marina Rope Street  
 Georgie Bucket South Dock Marina Rope Street  
 Pamela Jeanne South Dock Marina Plough Way  
 Vuelvo Al Sur South Dock Marina Plough Way  
 Whitakers South Dock Marina Plough Way  
 Gretha South Dock Marina Plough Way  
 Escape South Dock Marina Rope Street  
 Flat 11 96 Rope Street London  
 31 Rope Street London Southwark  
 Flat 4 1 Sweden Gate London  
 52 South Dock Marina Rope Street London

Longfleet South Dock Marina Rope Street  
 Beyond These Shores li South Dock Marina Rope Street  
 Flat C 3 Dunnage Crescent London  
 Flat 802 1 Sweden Gate London  
 Ro-ann South Dock Marina Rope Street  
 Flat A 2 Transom Close London  
 46 Rope Street London Southwark  
 Flat 514 1 Sweden Gate London  
 Flat 10 1 South Sea Street London  
 Flat G 4 Windssock Close London  
 Flat 3 2 Rainbow Quay London  
 Flat E 2 Windssock Close London  
 74 Rope Street London Southwark  
 Tomcat South Dock Marina Rope Street  
 5 Rope Street London Southwark  
 Flat B 5 Transom Close London  
 316 Rope Street London Southwark  
 Flat G 3 Windssock Close London  
 Flat 527 1 Sweden Gate London  
 Flat 515 1 Sweden Gate London  
 Flat 16 1 Sweden Gate London  
 Flat 13 Rushcutters Court 2 Boat Lifter Way  
 Flat 2 1 Sweden Gate London  
 Flat A 4 Transom Close London  
 Flat A 6 Dunnage Crescent London  
 Flat 10 6 Rainbow Quay London  
 Flat 7 6 Rainbow Quay London  
 Flat 3 6 Rainbow Quay London  
 Flat 416 1 Sweden Gate London  
 Flat 6 101 Rope Street London  
 Flat 10 1 Sweden Gate London  
 67 Rope Street London Southwark  
 60 Rope Street London Southwark  
 Flat H 4 Dunnage Crescent London  
 Flat H 3 Dunnage Crescent London  
 Flat D 1 Dunnage Crescent London  
 Flat A 1 Dunnage Crescent London  
 Flat L 5 Transom Close London  
 Flat 6 96 Rope Street London  
 87 South Dock Marina Rope Street London  
 78 South Dock Marina Rope Street London  
 51 South Dock Marina Rope Street London  
 Barracuda Of Arran South Dock Marina Rope Street  
 93 South Dock Marina Rope Street London  
 Vertrouwen Papendrecht South Dock Marina Plough Way  
 Silver Fox South Dock Marina Rope Street  
 Varka South Dock Marina Rope Street  
 Zeeland Sluister South Dock Marina Plough Way  
 South Lock Control Office South Dock Marina Plough Way  
 65 Rope Street London Southwark  
 63 Rope Street London Southwark  
 51 Rope Street London Southwark

49 Rope Street London Southwark  
42 Rope Street London Southwark  
Flat 5 7 Rainbow Quay London  
Flat 7 3 Rainbow Quay London  
Flat 4 3 Rainbow Quay London  
Flat 5 2 Rainbow Quay London  
Flat N 4 Windsock Close London  
Flat H 4 Windsock Close London  
Flat 6 1 Rainbow Quay London  
Flat 2 1 Rainbow Quay London  
Flat 10 101 Rope Street London  
Flat 1 100 Rope Street London  
Flat 9 97 Rope Street London  
Flat 7 97 Rope Street London  
Flat 3 97 Rope Street London  
Flat 2 97 Rope Street London  
Flat 8 96 Rope Street London  
Flat A 3 Windsock Close London  
Flat F 2 Windsock Close London  
Flat A 2 Windsock Close London  
Flat P 1 Windsock Close London  
Flat H 1 Windsock Close London  
Flat B 4 Dunnage Crescent London  
Flat H 1 Dunnage Crescent London  
Flat L 2 Transom Close London  
Flat 1101 1 Sweden Gate London  
Flat 523 1 Sweden Gate London  
Flat 522 1 Sweden Gate London  
Flat 508 1 Sweden Gate London  
Flat 507 1 Sweden Gate London  
Flat D 1 Transom Close London  
Flat 218 1 Sweden Gate London  
Flat 214 1 Sweden Gate London  
Flat 304 1 Sweden Gate London  
Flat 201 1 Sweden Gate London  
Flat 123 1 Sweden Gate London  
Flat 112 1 Sweden Gate London  
Flat 108 1 Sweden Gate London  
Flat 106 1 Sweden Gate London  
Flat 1 1 Sweden Gate London  
Flat 427 1 Sweden Gate London  
Flat 426 1 Sweden Gate London  
Flat 412 1 Sweden Gate London  
Flat 406 1 Sweden Gate London  
315 Rope Street London Southwark  
311 Rope Street London Southwark  
325 Rope Street London Southwark  
321 Rope Street London Southwark  
37 Rope Street London Southwark  
34 Rope Street London Southwark  
27 Rope Street London Southwark  
Janstar South Dock Marina Rope Street

91 South Dock Marina Rope Street London  
 74 South Dock Marina Rope Street London  
 72 South Dock Marina Rope Street London  
 57 South Dock Marina Rope Street London  
 2020 Osprey South Dock Marina Rope Street  
 The Pearl Of London South Dock Marina Rope Street  
 Benefits Prn South Dock Marina Rope Street  
 Albert Ross South Dock Marina Rope Street  
 Cuban Breeze South Dock Marina Rope Street  
 Carina South Dock Marina Rope Street  
 Anna Maria South Dock Marina Rope Street  
 Starfish South Dock Marina Rope Street  
 Simunye South Dock Marina Rope Street  
 Rambler South Dock Marina Rope Street  
 Rallus South Dock Marina Rope Street  
 Pegasus South Dock Marina Rope Street  
 Ithaca South Dock Marina Rope Street  
 Obelix South Dock Marina Plough Way  
 95 Rope Street London Southwark  
 Flat 4 7 Rainbow Quay London  
 Flat 8 101 Rope Street London  
 3 Rope Street London Southwark  
 Flat 601 1 Sweden Gate London  
 Valentines Way South Dock Marina Rope Street  
 12 Rope Street London Southwark  
 Flat 2 100 Rope Street London  
 Flat A 5 Transom Close London  
 Flat O 2 Transom Close London  
 Flat 405 1 Sweden Gate London  
 Flat 505 1 Sweden Gate London  
 Flat 7 7 Rainbow Quay London  
 86 Rope Street London Southwark  
 70 Rope Street London Southwark  
 Flat 10 99 Rope Street London  
 Flat 213 1 Sweden Gate London  
 Flat 11 Rushcutters Court 2 Boat Lifter Way  
 Flat 127 1 Sweden Gate London  
 Flat B 5 Windsock Close London  
 Flat L 4 Windsock Close London  
 Flat 518 1 Sweden Gate London  
 Flat I 1 Windsock Close London  
 Flat F 1 Windsock Close London  
 Flat 6 7 Rainbow Quay London  
 78 Rope Street London Southwark  
 57 Rope Street London Southwark  
 Flat F 1 Transom Close London  
 Flat 3 96 Rope Street London  
 89 South Dock Marina Rope Street London  
 70 South Dock Marina Rope Street London  
 62 South Dock Marina Rope Street London  
 59 South Dock Marina Rope Street London  
 Ilanga Umfuma South Dock Marina Rope Street

Blue Dolphina South Dock Marina Rope Street  
 Sokaris South Dock Marina Rope Street  
 Empress South Dock Marina Rope Street  
 Lady Gertrude South Dock Marina Rope Street  
 Smokey South Dock Marina Rope Street  
 Raven South Dock Marina Rope Street  
 94 Rope Street London Southwark  
 66 Rope Street London Southwark  
 44 Rope Street London Southwark  
 Flat 11 7 Rainbow Quay London  
 Flat 6 5 Rainbow Quay London  
 Flat 10 4 Rainbow Quay London  
 Flat 4 4 Rainbow Quay London  
 Flat 3 4 Rainbow Quay London  
 Flat 5 1 Rainbow Quay London  
 Flat 7 101 Rope Street London  
 Flat 5 99 Rope Street London  
 Flat D 1 Windsock Close London  
 Flat D 3 Dunnage Crescent London  
 Flat D 2 Dunnage Crescent London  
 Flat E 1 Dunnage Crescent London  
 Flat E 5 Transom Close London  
 Flat D 5 Transom Close London  
 Flat C 4 Transom Close London  
 Flat G 3 Transom Close London  
 Flat H 2 Transom Close London  
 Flat B 2 Transom Close London  
 Flat 1202 1 Sweden Gate London  
 Flat 525 1 Sweden Gate London  
 Flat E 1 Transom Close London  
 Flat 227 1 Sweden Gate London  
 Flat 220 1 Sweden Gate London  
 Flat 310 1 Sweden Gate London  
 Flat 206 1 Sweden Gate London  
 Flat 203 1 Sweden Gate London  
 Flat 409 1 Sweden Gate London  
 Flat 7 Rushcutters Court 2 Boat Lifter Way  
 14 Rope Street London Southwark  
 7 Rope Street London Southwark  
 Sy Fulmar South Dock Marina Rope Street  
 Roma South Dock Marina Rope Street  
 82 South Dock Marina Rope Street London  
 64 South Dock Marina Rope Street London  
 Ramlaitui South Dock Marina Rope Street  
 Sammy South Dock Marina Rope Street  
 Goldberry South Dock Marina Rope Street  
 The 10 Bells South Dock Marina Rope Street  
 Samantha South Dock Marina Rope Street  
 Lesley B South Dock Marina Rope Street  
 Sea Wedge South Dock Marina Plough Way  
 Juliette South Dock Marina Plough Way  
 Admiral Vic South Dock Marina Rope Street

Flat 221 1 Sweden Gate London  
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 Flat 17 Rushcutters Court 2 Boat Lifter Way  
 61 South Dock Marina Rope Street London  
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 62 Rope Street London Southwark  
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 80 Rope Street London Southwark  
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 Mischief South Dock Marina Plough Way  
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80 South Dock Marina Rope Street London  
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 Mv Elisabeth South Dock Marina Rope Street  
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 Acamar South Dock Marina Rope Street  
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 67 South Dock Marina Rope Street London  
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 64 Rope Street London Southwark  
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 Arethusa South Dock Marina Rope Street  
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 93 Rope Street London Southwark  
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 Molokia South Dock Marina Plough Way  
 Jonquil South Dock Marina Plough Way  
 Elisabeth South Dock Marina Plough Way  
 Flat 5 1 South Sea Street London  
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 Flat 14 Rushcutters Court 2 Boat Lifter Way  
 48 Rope Street London Southwark  
 Flat K 1 Windsock Close London  
 Flat B 5 Dunnage Crescent London  
 Shandy Luv South Dock Marina Rope Street  
 Flat 3 100 Rope Street London  
 Aquamarine South Dock Marina Rope Street  
 M Y Petja South Dock Marina Rope Street  
 Flat 1 2 Rainbow Quay London  
 36 Rope Street London Southwark  
 Flat 115 1 Sweden Gate London  
 Great Expectations South Dock Marina Rope Street  
 Flat 110 1 Sweden Gate London  
 Flat 13 1 Sweden Gate London  
 Jump The Tub South Dock Marina Plough Way

Flat 315 1 Sweden Gate London  
22 Rope Street London Southwark  
19 Rope Street London Southwark  
8 Rope Street London Southwark  
Flat 225 1 Sweden Gate London  
Flat 3 Rushcutters Court 2 Boat Lifter Way  
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53 South Dock Marina Rope Street London  
Supreme Macaroni South Dock Marina Rope Street  
Mongoose Of Helford South Dock Marina Rope Street  
Criar Of Nomis South Dock Marina Rope Street  
Osprey South Dock Marina Plough Way  
The Elizabeth Keel South Dock Marina Plough Way  
Absolute Zero South Dock Marina Rope Street  
Alison Jane South Dock Marina Rope Street  
Unicorn South Dock Marina Rope Street

**Re-consultation:**

## Consultation responses received

### Internal services

Environmental Protection  
Ecology  
Environmental Protection

### Statutory and non-statutory organisations

### Neighbour and local groups consulted:

na London SE167UF  
Flat B 6 Dunnage Crescent London  
SE167FJ  
Flat H 1 Windsock Close London  
4 Rushcutters Court 2 Boat Lifter Way  
London  
Flat 5 1 Sweden Gate London  
14 rushcutters court London se167wj  
321 Rope Street, South Dock  
Rotherhithe

Flat C 4 Transom Close London  
69 Rope Street LONDON  
London River House Royal Pier Road  
Gravesend, Kent  
Flat 6 97 Rope Street London  
316 Rope Street London London  
Flat 2, Rushcutters Court 2 Boatlifter  
Way Southwark



## PLANNING POLICIES

### National Planning Policy Framework (NPPF, 2021)

- Chapter 2 Achieving sustainable development
- 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)

- Policy HC1 Heritage conservation and growth
- Policy G6 Biodiversity and access to nature
- Policy SI 1 Improving Air Quality
- Policy SI 12 Flood risk management
- Policy SI 16 Waterways – use and enjoyment
- Policy SI 17 Protecting and enhancing London's waterways
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking

### Southwark Plan (2022)

- Policy P25 River Thames
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P60 Biodiversity
- Policy P65 Improving air quality
- Policy P68 Reducing flood risk

**RELEVANT PLANNING HISTORY**

No relevant planning history

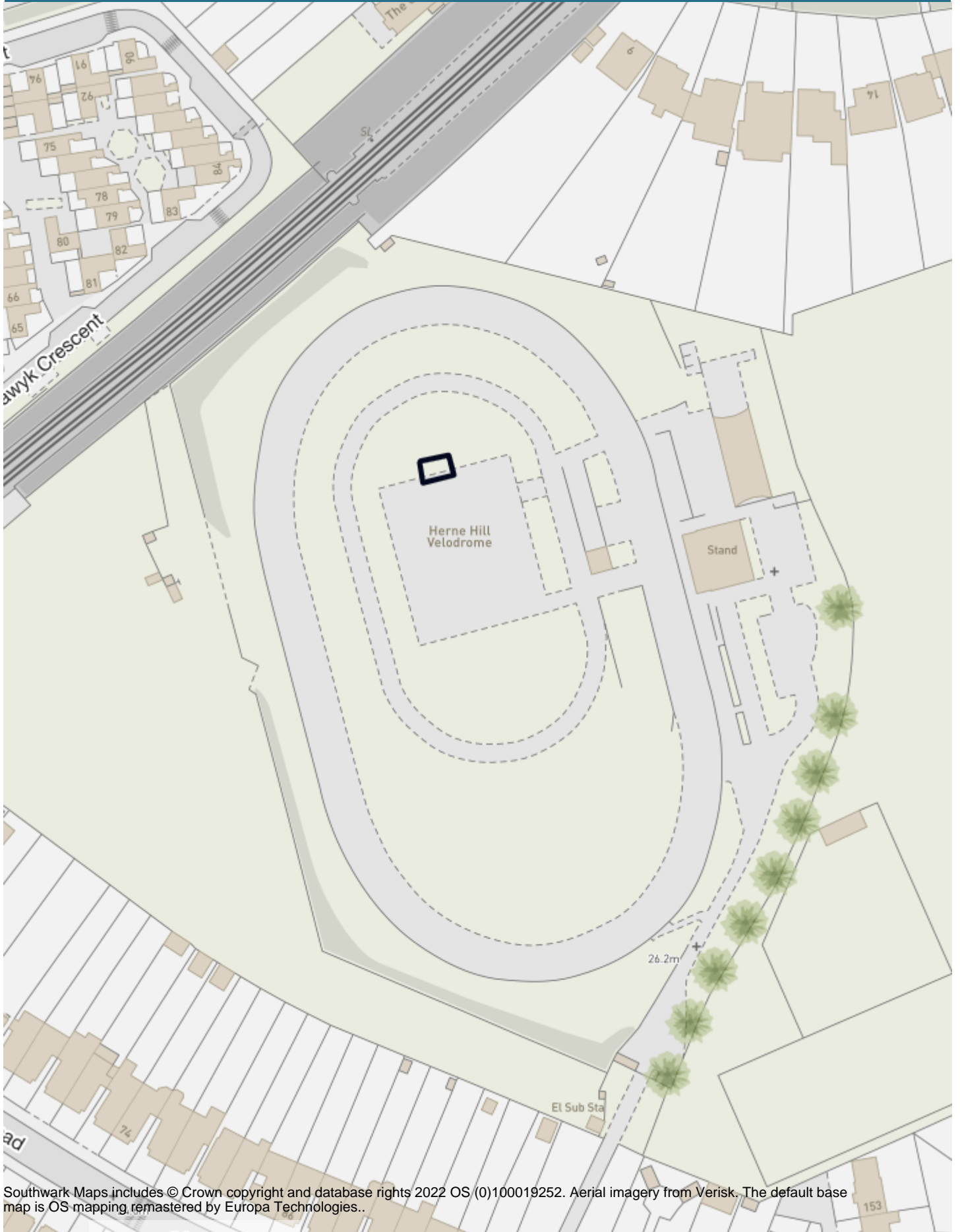
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# Agenda Item 7.2



22/AP/2788

Herne Hill Stadium, Burbage Road, SE24 9HE



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<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 25 January 2023	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 22/AP/2788 for: Full Planning Application  <b>Address:</b> Herne Hill Stadium, 104 Burbage Road, London SE24 9HE  <b>Proposal:</b> Construction of a single storey building to provide an accessible toilet		
<b>Ward(s) or groups affected:</b>	Dulwich Village		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date:</b> 09.09.2022		<b>PPA Expiry Date:</b>	
<b>Earliest Decision Date</b> 03.11.2022			

## RECOMMENDATION

1. That planning permission be granted subject to conditions.

## EXECUTIVE SUMMARY

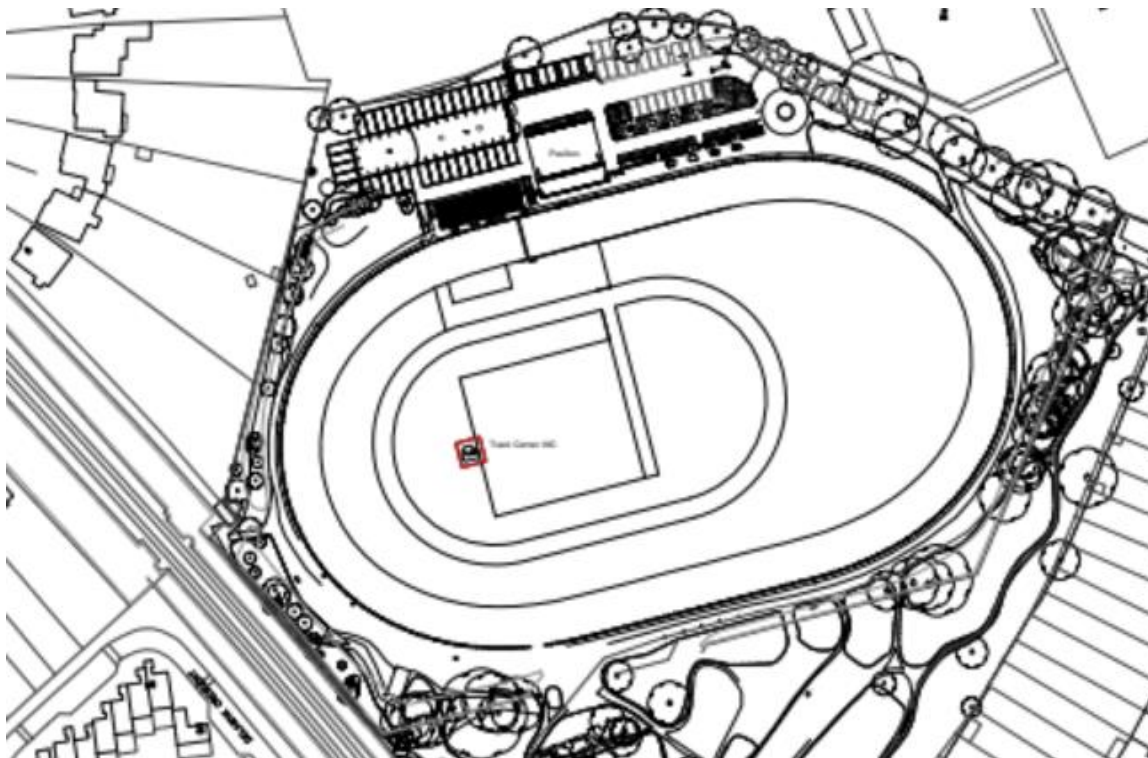
2. The application proposes to construct a new composting accessible toilet on the west side of the track. The proposal meets national and local planning policy tests for appropriate development within Metropolitan Open Land (MOL). Therefore, the principle of the proposed land use is acceptable.
3. The small scale of the proposal and the proposed design and positioning of the new toilet would have little impact on the setting, accessibility, and quality of the MOL, and would not affect its openness or detract from its character. The proposal will provide facilities that can be used by visitors to the velodrome. The proposal will also preserve the appearance and character of the area and the Dulwich Village Conservation Area in which it sits.

## BACKGROUND INFORMATION

4. The area is designated Metropolitan Open Land, within the Dulwich Village Conservation Area and a Site of Importance for Nature Conservation Area.

## Site location and description

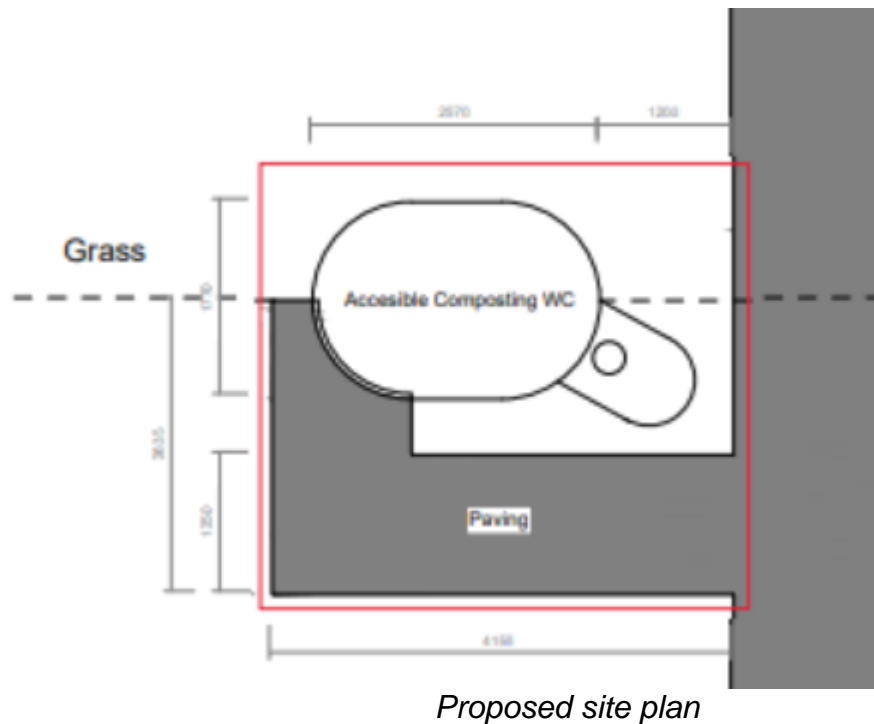
5. The application site is accessed from Burbage Road and is located 11 metres from properties in Village Way and 80 metres from properties in Delawyk Crescent. The toilet is located on the west side of the track. The area is designated Metropolitan Open Land, within the Dulwich Village Conservation Area and a Site of Importance for Nature Conservation Area.
6. The site is used as a cycle track with two-storey height pavilion building with spectator seating and a gazebo -pavilion tent to provide external cover. There are cycle and car parking spaces.



Site location plan

## Details of proposal

7. The proposal is to provide a single storey structure to be used as a compostable accessible toilet. The overall height of the structure is 3 metres with a depth of 1.58 metres and a length of 3.28 metres. It is timber clad.



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

8. There has been no responses from members of the public or local groups.

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

9. Application 15/AP/0790  
 Proposal:  
 Demolition of existing pavilion building and spectator seating areas, and erection of proposed two-storey height pavilion building with spectator seating, erection of new gazebo -pavilion tent to provide external cover, rationalisation of existing shipping containers and provision of new cycle and car parking spaces.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

10. The main issues to be considered in respect of this application are:
- Principle of the proposed development on MOL in terms of land use;
  - Design and layout including impact on heritage assets
  - Transport and highways including access arrangements, cycle and car parking
  - Open space, landscaping and trees
  - Ecology and biodiversity

- Environmental matters including noise, light, contamination, air quality and flood risk
- Other matters
- Mayoral and borough community infrastructure levy (CIL)
- Consultation responses
- Community impact, equalities assessment and human rights

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

### **Legal context**

12. 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.
13. 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**

14. 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.
15. The site is located within the:
- Air Quality Management Area
  - Site of Importance for Nature Conservation
  - Metropolitan Open Land
  - Dulwich Village Conservation Area



## Assessment

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

16. The application proposes a new accessible toilet for the Velodrome within Dulwich Park MOL. The London Plan Policy G3 affords MOL the same level of protection as Green Belt. Areas of MOL must be protected from inappropriate development, in accordance with national planning policy tests. Exceptional circumstances where new development would be permitted on MOL are set out within paragraph 149 of the NPPF (2021) and the Southwark Plan Policy P57. This includes the provision of appropriate facilities which are deemed essential for outdoor recreation. Therefore, the proposal meets the policy test for appropriate development in MOL.
17. In respect to the London Plan Policies Policy GG2 'Making the Best Use of Land' highlights that development must protect and enhance London's open spaces, including the Green Belt, Metropolitan Open Land, designated nature conservation sites and local spaces, and promote the creation of new green infrastructure and urban greening. Policy G3 'Metropolitan Open Land' sets out that MOL should be protection from inappropriate development in accordance with national planning policy tests that apply to the Green Belt. Policy G4 'Open Space' highlights that development proposals should not result in the loss of protected open space.
18. In terms of the Southwark Plan 2022 the relevant policy is Policy P57 Open Space which states 'Development will not be permitted on Metropolitan Open Land (MOL) or Borough Open Land (BOL). In exceptional circumstances development may be permitted on MOL or BOL when 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 sport or recreation, cemeteries or for other uses of land which preserve the openness of MOL and do not conflict with its MOL function.'
19. The toilet would serve visitors to the velodrome and given the small scale nature of the building it will not detract from the openness of the park. It provides ancillary facilities for the users of the velodrome and is located on an existing grassed/hard surface. As such the proposal is considered compliant with the NPPF, London Plan 2021 and the Southwark Plan 2022.

### Impact on openness of MOL

20. The footprint of the toilet is 6 square metres which is limited in scale. The toilet would provide a public benefit, particularly for those that have access difficulties. It is considered that the impact of the toilet in this location is not harmful to the openness of the MOL due to its small scale and location within the velodrome.

## **Design and layout**

21. The toilet is located on the west side of the velodrome inside the track.
22. The proposal sits on a grassed/hard surfaced area. Overall, the proposed design and positioning of the new toilet will not impact on the wider setting of the velodrome and Metropolitan Open Land, and would improve facilities for visitors

### **Impact on heritage assets**

23. The toilet will be relatively modest in size at 3 metres in height, 1.5 metres in width and 3.28 metres in depth. It would take a simple form, have a flat roof and vent, and would be mainly clad in timber cladding.
24. The proposed toilet is not considered to harm the special character or significance of the velodrome and will preserve the character and appearance of the conservation area

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

25. The toilet will not adjoin any residential occupiers. Therefore, there will be no loss of light to any property or any privacy issues.

## **Transport and Highways**

### **Access arrangements**

26. Visitors will use existing paths to access the toilet which will have step free access.

### **Cycle and car parking arrangements**

27. No new car parking or cycle storage spaces are being provided.

## **Landscaping and trees**

28. The application does not propose the loss of any trees.

## **Ecology and biodiversity**

29. The proposed development would be unlikely to have a negative impact on biodiversity. The council's ecology officer has asked for a green roof but this is not possible as the toilet is purpose built and does not come with a green roof option.

## **Environmental matters**

### Noise and light

30. The proposal will be lit externally but the ecology officer has confirmed that it will not impact on wildlife.

### Land contamination

31. No issues, toilet will be placed on an existing grassed area/hardstanding.

### Air quality

32. The site is within an Air Quality Management Area. The proposed development should achieve at least air quality neutral standards and reduce exposure to and mitigate the effects of poor air quality. The provision of the toilet is not likely to noticeably increase transport emissions generated, greater than that generated by the velodrome.

### Flood risk

33. The site is not located within a Flood Risk Zone.

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

34. 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 external and statutory consultees**

35. None received.

## **Consultation responses from internal consultees**

36. Environmental Protection Team: No objection.
37. Ecology: No objection but requested a green roof.

## **Community impact and equalities assessment**

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

39. 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.

40. 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.

41. 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**

42. 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.

43. This application has the legitimate aim of constructing a new accessible toilet for the cycle track/velodrome. 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**

44. 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.
45. 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.

46. **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?	N/A

### **Conclusion**

47. The application proposes to construct a new accessible toilet, ancillary to the existing cycle track/velodrome and will provide facilities for visitors to the velodrome. There is no loss to the openness of the Metropolitan Land. The proposal meets national and local planning policy tests for appropriate development within Metropolitan Open Land (MOL). Therefore, the principle of the proposed land use is acceptable.
48. The proposal will preserve the appearance and character of the conservation area. There are no adjoining occupiers. It is therefore recommended that planning permission is granted, subject to planning conditions.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file 2074-104 Application file 22/AP/2788 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.g ov.uk Case officer telephone: 0207 525 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**

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Michele Sterry, Planning Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	16 November 2022	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
<b>Date final report sent to Constitutional Team</b>		10 January 2023

**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.

---

**Planning permission is GRANTED for the following development:**

Construction of a single storey building to provide an accessible toilet

Herne Hill Stadium, 104 Burbage Road, Southwark SE24 9HE

**In accordance with application received on 5 August 2022 and Applicant's Drawing Nos.**

1 Proposed Plans

Plans - Proposed 04 PROPOSED WC PLAN 05/08/2022

Plans – Proposed 05 PROPOSED SIDE ELEVATION 05/08/2022

Plans - Proposed 06 TRACK CENTRE WC ELEVATIONS 05/08/2022

Other Documents

COMPOSTING WC SPECIFICATIONS 05/08/2022

FIRE SAFETY STATEMENT 05/08/2022

2 Time limit for implementing this permission and the approved plans

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.

Compliance condition

3 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).

**CONSULTATION UNDERTAKEN**

Site notice date: 26.09.2022  
Press notice date: 24.11.2022  
Case officer site visit date: 26.09.2022  
Neighbour consultation letters sent: N/A

**Internal services consulted**

Environmental Protection Team  
Ecology

**External services consulted**

None

**Neighbour and local groups consulted:**

None, site notices displayed at entrance

**Consultation responses received**

Internal services

Ecology – No objection but requested a green roof  
Environmental Protection Team – No objection

External services

None

Neighbour and local groups:

None

## PLANNING POLICIES

National Planning Policy Framework (the Framework) 2021

Chapter 2 Achieving sustainable development  
 Chapter 8 Promoting healthy and safe communities  
 Chapter 13 Protecting Green Belt land  
 Chapter 15 Conserving and enhancing the natural environment  
 Chapter 16 Conserving the historic environment

The London Plan 2021

Policy D12 Fire safety  
 Policy G3 Metropolitan Open Land  
 Policy G6 Biodiversity and access to nature  
 Policy HC1 Heritage conservation and growth  
 Policy SI 1 Improving air quality  
 Policy SI 13 Sustainable drainage

Southwark Plan 2022

Policy P13 Design of places  
 Policy P14 Design quality  
 Policy P16 Designing out crime  
 Policy P19 Listed buildings and structures  
 Policy P20 Conservation Areas  
 Policy P21 Conservation of the historic environment and natural heritage  
 Policy P45 Healthy developments  
 Policy P53 Cycling  
 Policy P56 Protection of amenity  
 Policy P57 Open Space  
 Policy P60 Biodiversity

**APPENDIX 4****RELEVANT PLANNING HISTORY OF THE SITE AND NEARBY SITES****Reference and Proposal:**

15/AP/0790

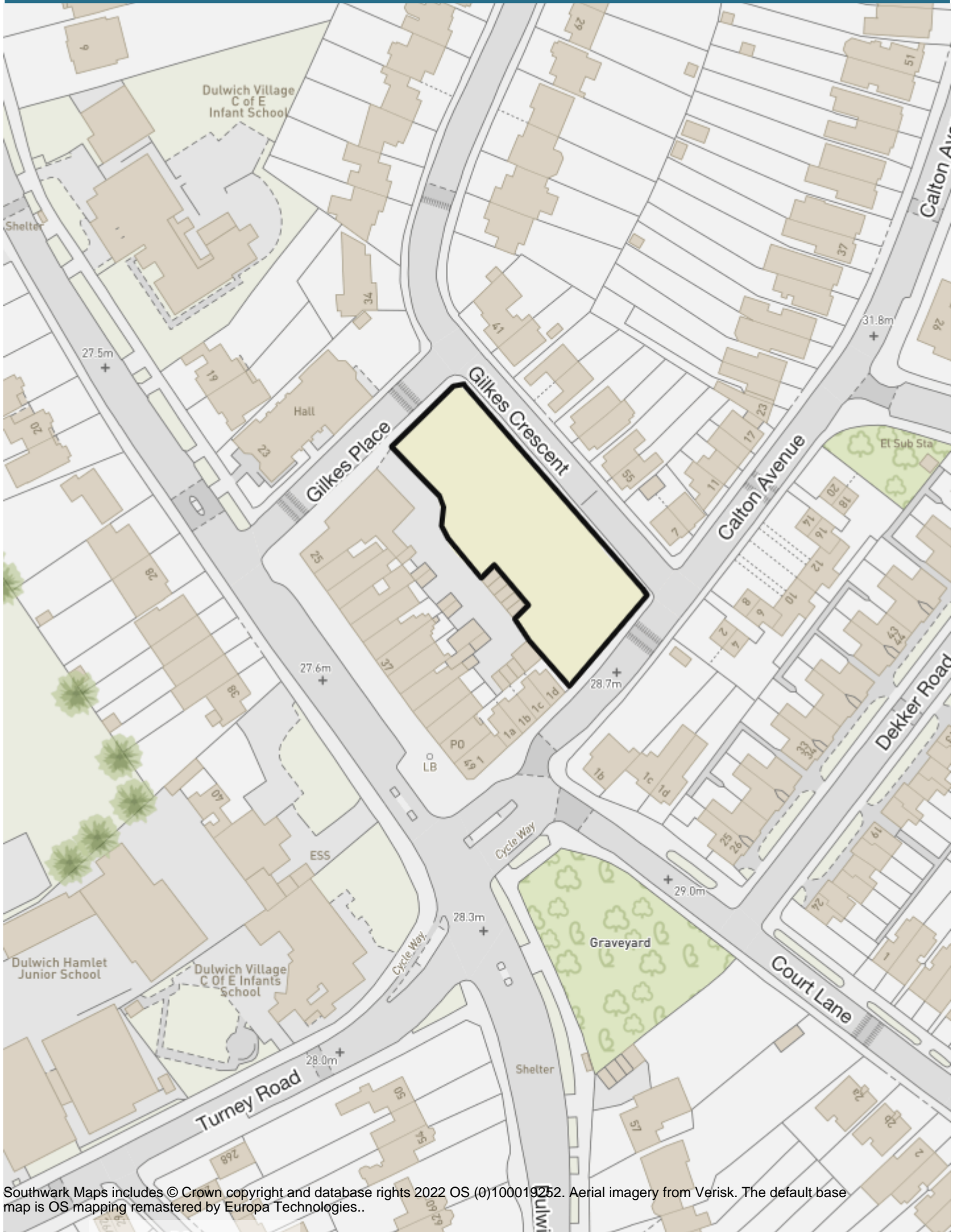
'Demolition of existing pavilion building and spectator seating areas, and erection of proposed two-storey height pavilion building with spectator seating, erection of new gazebo -pavilion tent to provide external cover, rationalisation of existing shipping containers and provision of new cycle and car parking spaces.'

# Agenda Item 7.3



21/AP/4229

## The Workshop Site, Land Bounded By Gilkes Place, Gilkes Crescent And Calton Avenue To The Rear Of 25 Dulwich Village, London



Southwark Maps includes © Crown copyright and database rights 2022 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..

50 m



Scale =

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11-Jan-2023

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<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 25 January 2023	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 21/AP/4229 for: Variation of Legal Agreement</p> <p><b>Address:</b> The Workshop Site, Land Bounded By Gilkes Place Gilkes Crescent And Calton Avenue To The Rear Of 25 Dulwich Village, London</p> <p><b>Proposal:</b> Variation of Section 106 agreement relating to planning permission 14/AP/3104 (Redevelopment of the site to include the demolition of all existing buildings (Use Class B2) and the excavation and removal of fuel tanks and associated supply lines and the construction of 12 dwellings (Use Class C3), 1 x 2 bed and 2 x 1 bed affordable dwellings, 1 x 3 bed house (affordable, wheelchair accessible dwelling), 4 x 4 bed houses and 4 x 5 bed houses with ancillary living accommodation and car parking at basement level accessed from Gilkes Place and landscaping): to replace the proposed 4 onsite affordable housing units in approved scheme with a payment in lieu of affordable housing and requiring a six month period of marketing for a private wheelchair unit to be fitted out based on demand or a payment in lieu.</p>		
<b>Ward(s) or groups affected:</b>	Dulwich Village		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	<b>30.11.2021</b>	<b>PPA Expiry Date</b>	
<b>Earliest Decision Date</b>			

## RECOMMENDATION

1. That the variation of the Section 106 agreement be granted.

## EXECUTIVE SUMMARY

2. The application is for decision by the planning sub-committee as the application is for variations of a Section 106 agreement.
3. The recommendation is that the planning committee agree the variation of the Section 106 legal agreement for an affordable housing payment of £1,991,470 in place of the of 2 social rent and 2 shared ownership dwellings on site and for an additional standard clause to be included in respect of the proposed private wheelchair unit to allow a six month period of marketing.

4. The variations would be appropriate as a viability appraisal has been submitted and officers consider that the amount of the affordable housing contribution of £1,991,470 is consistent with Policy P1 of the New Southwark Plan which requires that there should be no financial benefit to the applicant. Adequate marketing for the private wheelchair unit would in accordance with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document and policy P8 Wheelchair accessible and adaptable housing of the Southwark Plan.

## BACKGROUND INFORMATION

5. The S106 agreement of the original planning permission 14/AP/3104 was signed in October 2015 and secured the construction of 12 dwellings of which four dwellings, equivalent to 16 habitable rooms, would have been affordable. This equated to 25% in accordance with the affordable housing policy at the time. Two of these dwellings would have been social rent and the other two dwellings would have been shared ownership. Plot number 9 (three bedroom detached house) and plot number 10 (two bedroom semi-detached house) would have been social rent dwellings. Plot number 11 (one bedroom ground floor apartment) and plot number 12 (one bedroom first floor apartment) would have been shared ownership dwellings. The development of 12 dwellings had a total of 86 habitable rooms and the draft Affordable Housing SPD required 25% / 21 habitable rooms to be delivered on site. In addition to the on-site affordable housing units, the consented scheme thus required that the applicant contributed £400,000 to the Council's affordable housing fund. The £400,000 contribution was required to reflect the shortfall in affordable housing of four habitable rooms, as shown in an extract from the 2014 report below.

Dwelling type	Dwelling tenure	Number of habitable rooms (percentage of on-site provision)
3 bed house (wheelchair accessible)	Social rent	7 (44)
2 bed house	Social rent	4 (25)
1 bed flat (ground floor)	Intermediate	2 (12)
1 bed flat (first floor)	Intermediate	3 (19)
Total		16
Shortfall		4

6. A previous application 21/AP/2458, to vary the S106 legal agreement to replace the proposed 4 on-site affordable housing units in approved scheme with a £1,600,000 payment in lieu of affordable housing was refused on 27 August 2021 as it did not meet exceptional evidence test as insufficient information has been submitted to demonstrate that on-site affordable housing delivery is not practical, off-site options have been explored but are not acceptable and an offsite contribution would better deliver mixed and inclusive communities than an on-site contribution.
7. The applicant has marketed the on-site affordable housing units (2 social rent



and 2 shared ownership units) to 17 Registered Providers (RP) including 13 RPs included within the Section 106 Agreement and 4 additional RPs. The RP's were approached between February 2021 and April 2021 with the two most common responses being that the quantum of units was of insufficient scale to meet minimum requirements for a RP to take it on, or that the RP was not currently working in the area.

### **Details of proposal**

8. It is proposed to replace the four on-site affordable housing units in the approved scheme with a payment in lieu of affordable housing and to vary the following planning obligations:
9. The deletion of Schedule 2, clause 1 and the variation of schedule 3 in reference to affordable housing Schedule 6 relate to the approved list of registered social landlords (RSLs) / Registered Providers. Schedule 7 relates to the RSL mortgagee's duty.
10. The addition of a new definition of Off-site Affordable Housing Contribution as follows:
 

“Means the sum of to be paid by the Developer in accordance with hereof and to be applied by the Council towards the provision of off-site affordable housing within the London Borough of Southwark and which shall be subject to indexation...”. The indexation would apply from the date the deed of variation is signed.
11. The 3 bed house wheelchair accessible affordable dwelling would change to a private dwelling. Due to this change the legal agreement would be varied by adding clauses to require the applicant to obtain the written approval from the local planning authority that the marketing information is sufficient to show that there was no demand for a private wheelchair dwelling on-site. In addition the applicant would be required to provide a payment of £70,000 based on £10,000 per habitable room to be used towards adaptations for existing council homes.

### **Planning history of the site**

12. The planning history is in Appendix 3.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

13. In determining this application, there are two main issues to consider. These are whether the submitted details are:
  - (a) acceptable in terms of policy, and

(b) sufficient to discharge the terms of the legal obligation and the reason for the imposition of the obligation.

14. These matters are discussed in detail in the 'Assessment' section of this report.
15. The detailed planning policy relating to this development is set out in the report on the original planning application. Any specific policy considerations relating to the submitted details are set out below.
16. Community impact, equalities and human rights implications are relevant considerations, as is working proactively and positively with applicants and agents. These matters are discussed in the 'Assessment' section of this report.

## **Assessment**

### **Assessment of the proposed changes**

17. The original purpose of the Section 106 Agreement was to secure affordable housing on site. It is now proposed to make a payment in lieu.
18. The Affordable Housing Supplementary Planning Guidance 2011 sets out the sequential test approach. This is followed to make sure that the council secures as much affordable housing as possible. The sequential approach is as follows:
  1. 'All housing, including affordable housing should be located on the development site.
  2. In exceptional circumstances we may allow the affordable housing to be provided off-site. In these circumstances we require that affordable housing is provided on another site or sites in the local area of the proposed development.
  3. In exceptional circumstances we may allow a pooled contribution in lieu of on-site of off- site affordable housing. In these circumstances we require a payment towards providing affordable housing instead of the affordable housing being built as part of the proposed development.'
19. Planning permission 14/AP/3104 secured affordable housing on the development site in keeping with point 1 of the sequential approach. The applicant did not submit evidence with the above planning application that they have looked at alternative sites to provide affordable housing in the local area of the proposed development, as set out in point 2 of the sequential approach.
20. Point 2 of the sequential approach require that affordable housing is provided on another site or sites in the local area of the proposed development.
21. The applicant has undertaken a site search within the Dulwich Village Ward to establish if the affordable housing could be provided on an alternative site or sites. The only site identified in the Dulwich Village Ward is adjacent to the

application site; however, it is understood that the owner would not be selling the residential units as they will be retaining them as rental product. The applicant is therefore unable to purchase the units.

22. The applicant also identified a second site, located on Gibbon Road, Nunhead and Queen's Road Ward, which was granted planning permission in March 2021 for five houses and two apartments above retail space. The applicant approached the selling agent for the site who indicated that as of 22 October 2021, the vendor had already received offers in excess of the full asking price. It was therefore considered to be too late to submit an offer for the site.
23. The applicant has also searched Dulwich Hill and Dulwich Wood wards and have been unable to identify any additional alternative sites.
24. Point 3 of the sequential approach and Policy P1 of the Southwark Plan also allows payment in lieu in exceptional circumstances. The applicant was not able to find a Registered Provider (as defined in the Section 106 Agreement) willing to deliver the affordable housing as contemplated by the Section 106 Agreement. The reasons why it has not been possible is due to the small number of shared ownership units not being attractive in terms of management cost to the Registered Providers. In this case the inability to find a Registered Provider acceptable to the Council to deliver the affordable housing on-site is an exceptional circumstance. The Affordable Housing Supplementary Planning Guidance 2011 requires a minimum pooled contribution of £100,000 per habitable room of affordable housing. In this case the four affordable dwellings equate to sixteen habitable rooms and a contribution of £ 1,600,000.
25. Policy P1 of the Southwark Plan 2022 says that there should be no financial benefit to the applicant. A viability appraisal was provided by the applicant's consultant (BNPP). It was based on a development providing 100% private housing and the methodology took into account the actual costs and realisable value of a 100% private housing scheme. The total commuted sum that could be afforded, whilst still generating the necessary developer's profit, was £1,576,183. This sum was arrived at using a 16.9% developer's profit.
26. The applicant's viability appraisal was reviewed by the council's consultant (Avison Young). The main difference between the applicant and the council's commuted sum calculation was that the applicant contributed a lower cost to residential gross development value (GDV) and higher costs to sales fees and marketing fees. Avison Young concluded that the commuted sum was £1,991,470.
27. Officers consider that the amount of the affordable housing contribution of £1,991,470 is consistent with Policy P1 of the Southwark Plan which requires the maximum viable amount of affordable housing. The applicant agreed to a contribution of £1,991,470.
28. The proposal to substitute the obligation to deliver on site affordable housing with the alternative of a payment of a financial contribution of £1,991,470 would be

acceptable as it would enable the provision of affordable housing off site.

29. The legal agreement would be varied by adding a clause to require the applicant to submit marketing information over a period of six months to demonstrate that there was no demand from any perspective purchaser wanting a wheelchair unit and obtain written approval from the local planning authority that the information provided was sufficient to discharge the clause. In addition a payment of £70,000 is required to mitigate the loss of the wheelchair unit.

## **Consultations**

30. Details of consultation and any re-consultation undertaken in respect of this application are set out in the appendices.

## **Summary of consultation responses**

31. None.

## **Community impact and equalities assessment**

32. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
33. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
34. 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.
35. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. The lack of provision of affordable housing has a disproportionate impact on individuals from BAME backgrounds. Whilst council policy prioritises on site provision, in circumstances such as these where it has no proved possible to achieve that, the provision of the maximum viable in lieu payments is acceptable. The payment will help to fund the delivery of the council's own housing programme.
  36. The legal agreement would be varied by adding clauses to require the applicant to submit marketing information for written approval from the local planning authority should there be no demand for a private wheelchair dwelling on-site. Furthermore a payment of £70,000 would be required to mitigate the loss of the wheelchair unit. This would comply with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) Supplementary Planning Document and policy P8 Wheelchair accessible and adaptable housing of the Southwark Plan 2022.

### **Human rights implications**

37. 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.
38. This application has the legitimate aim of extending and refurbishing an existing office building. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **Positive and proactive statement**

39. 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.
40. 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?	N/A
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

### Conclusion

41. Officers consider that the amount of the affordable housing contribution of £1,991,470 is consistent with Policy P1 of the Southwark Plan which requires the maximum viable amount of affordable housing. The proposal to substitute the obligation to deliver on site affordable housing with the alternative of a payment of a financial contribution would be acceptable as it would enable the provision of affordable housing off site. The variation to the legal agreement to require the submission of marketing information for written approval from the local planning authority that there was no demand for a private wheelchair dwelling on-site. Should it be determined that there was no demand a contribution of £70,000 would be required, consistent with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) and Policy 8 Wheelchair accessible and adaptable housing of the Southwark Plan.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file TP 2292-2 Application file 21/AP/4229 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

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Andre Verster, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	4 January 2023	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
<b>Date final report sent to Constitutional Team</b>		11 January 2023

**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.

---

<b>Applicant</b>	Mr John Strange Aquinna Homes plc	<b>Reg. Number</b>	21/AP/4229
<b>Application Type</b>	Variation/discharge of Legal Agreement		
<b>Recommendation</b>	Agreed - for App Types VLA & VNMC	<b>Case Number</b>	2292-2

**Draft of Decision Notice****The variation is AGREED for the following development:**

Variation of Section 106 agreement relating to planning permission 14/AP/3104 (Redevelopment of the site to include the demolition of all existing buildings (Use Class B2) and the excavation and removal of fuel tanks and associated supply lines and the construction of 12 dwellings (Use Class C3), 1 x 2 bed and 2 x 1 bed affordable dwellings, 1 x 3 bed house (affordable, wheelchair accessible dwelling), 4 x 4 bed houses and 4 x 5 bed houses with ancillary living accommodation and car parking at basement level accessed from Gilkes Place and landscaping): to replace the proposed 4 onsite affordable housing units in approved scheme with a payment in lieu of affordable housing

The Workshop Site Land Bounded By Gilkes Place Gilkes Crescent And Calton Avenue To The Rear Of 25 Dulwich Village London

**In accordance with application received on 29 November 2021 and Applicant's Drawing Nos.:**



Existing Plans

Proposed Plans

Other Documents

Site location plan 679-SL01 received

## PLANNING POLICY

### Adopted planning policy

#### National Planning Policy Framework (NPPF)

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.

Chapter 5 Delivering a sufficient supply of homes

#### Southwark Plan (2022)

The relevant policies within the Southwark Plan is:

- P1 Social rented and intermediate housing
- P8 Wheelchair accessible and adaptable housing

#### Supplementary Planning Documents (SPDs)

Of relevance in the consideration of this application are:

- Southwark's Affordable Housing Supplementary Planning Guidance 2011
- Southwark's Viability Supplementary Planning Guidance 2017
- Southwark's Section 106 Planning Obligations and Community Levy (CIL) Supplementary Planning Document April 2015
- Mayor of London Homes for Londoners Affordable Housing and Viability Supplementary Planning Guidance 2017

**APPENDIX 3****RELEVANT PLANNING HISTORY OF THE SITE**

<b>Reference</b>	<b>Status</b>	<b>Date</b>	<b>Proposal</b>
14/AP/3104	Granted with Legal Agreement	14/10/2015	Redevelopment of the site to include the demolition of all existing buildings (Use Class B2) and the excavation and removal of fuel tanks and associated supply lines and the construction of 12 dwellings (Use Class C3), 1 x 2 bed and 2 x 1 bed affordable dwellings, 1 x 3 bed house (affordable, wheelchair accessible dwelling), 4 x 4 bed houses and 4 x 5 bed houses with ancillary living accommodation and car parking at basement level accessed from Gilkes Place and landscaping.
18/AP/0508	Not Agreed	05/04/2018	Variation of Section 106 Agreement dated 9 October 2015 attached to planning permission 14-AP-3104 for the redevelopment of the site to include the demolition of all existing buildings (Use Class B2) and the excavation and removal of fuel tanks and associated supply lines and the construction of 12 dwellings (Use Class C3), 1 x 2 bed and 2 x 1 bed affordable dwellings, 1 x 3 bed house (affordable, wheelchair accessible dwelling), 4 x 4 bed houses and 4 x 5 bed houses with ancillary living accommodation and car parking at basement level accessed from Gilkes Place and landscaping. Variation to make a payment in lieu for affordable housing instead of providing on site.
21/AP/2458	Not Agreed	27/08/2021	Variation of Section 106 agreement relating to planning permission 14/AP/3104 (Redevelopment of the site to include the demolition of all existing buildings (Use Class B2)

			and the excavation and removal of fuel tanks and associated supply lines and the construction of 12 dwellings (Use Class C3), 1 x 2 bed and 2 x 1 bed affordable dwellings, 1 x 3 bed house (affordable, wheelchair accessible dwelling), 4 x 4 bed houses and 4 x 5 bed houses with ancillary living accommodation and car parking at basement level accessed from Gilkes Place and landscaping.) to replace the proposed four onsite affordable housing units in approved scheme with a payment in lieu of affordable housing
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**CONSULTATION UNDERTAKEN**

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

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

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

**Neighbour consultation letters sent:**

**Internal services consulted**

**Statutory and non-statutory organisations**

**Neighbour and local groups consulted:**

**Re-consultation:**

**CONSULTATION RESPONSES RECEIVED****Internal services****Statutory and non-statutory organisations****Neighbour and local groups consulted:**

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**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

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Councillor John Batteson	1		
Councillor Natasha Ennin	1		
Councillor Ketzia Harper	1	Communications	By email
Councillor Adam Hood	1	Louise Neilan, media manager	
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