

Planning Committee (Smaller Applications)

Tuesday 13 June 2023
7.00 pm

GO1 meeting room, 160 Tooley Street, London SE1 2QH

Membership

Councillor Cleo Soanes (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Sabina Emmanuel
Councillor Ketzia Harper
Councillor Adam Hood
Councillor Richard Leeming
Councillor Richard Livingstone

Reserves

Councillor Natasha Ennin
Councillor Laura Johnson
Councillor Sandra Rhule
Councillor Charlie Smith
Councillor Emily Tester

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

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

Contact

Beverley Olamijulo on 020 7525 7234 or email: Beverley.olamijulo@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 5 June 2023



Planning Committee (Smaller Applications)

Tuesday 13 June 2023

7.00 pm

GO1 meeting room, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	1 - 8
	To approve as a correct record the minutes of the (previous) planning sub-committee A meeting held on 15 March 2023, and planning sub-committee B meeting held on 28 March 2023.	

Item No.	Title	Page No.
6.	DEVELOPMENT MANAGEMENT	9 - 13
6.1.	254 - 268 CAMBERWELL ROAD, SOUTHWARK LONDON SE5 ODP	14 - 96
6.2.	254-268 CAMBERWELL ROAD, SOUTHWARK LONDON SE5 ODP [LISTED BUILDING CONSENT]	97 - 123
6.3.	ELIM ESTATE, WESTON STREET LONDON SE1 4DA	124 - 243
6.4.	HERNE HILL STADIUM, 104 BURBAGE ROAD LONDON SE24 9HE	244 - 288

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE
MEETING AND ACCEPTED BY THE CHAIR AS URGENT**

Date: 5 June 2023

Planning Committee (Smaller Applications)

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

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

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

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

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

is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

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

Please note:

Those wishing to speak at the meeting should notify the constitutional team by email at ConsTeam@southwark.gov.uk 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
 Environment, Neighbourhoods and Growth
 Tel: 020 7525 5403

 Planning Committee Clerk, Constitutional Team
 Governance and Assurance
 Tel: 020 7525 7234



Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Wednesday 15 March 2023 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 Natasha Ennin
 Councillor Adam Hood
 Councillor Richard Livingstone

OFFICER SUPPORT: Sadia Hussain (Specialist Lawyer Planning)
 Sonia Watson (Team Leader Major Applications Team)
 Sophie Chapman (Legal 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 Ketzia Harper.

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**

The following members made declarations regarding the agenda item below:

7.1 Victory Community Park, Muntun Road, London Southwark SE17

Councillor Jane Salmon, non-pecuniary, as she lived close to the development site and knew one of the objectors, but had not discussed this application with them.

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

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

- Addendum report relating to item 7.1 – development management item
- Members' pack
- Supplemental Agenda No.1 which contains the minutes of the meeting held on 15 November 2022.

6. **MINUTES**

RESOLVED:

That the minutes of the meetings held on the 15 November 2022 and 25 January 2023 be approved as correct records 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 VICTORY COMMUNITY PARK, MUNTON ROAD, LONDON SOUTHWARK SE17

Planning application number: 22/AP/2455

Report: see pages 11 to 44 of the agenda pack and page 1 to 2 of the addendum report.

PROPOSAL

The regeneration of Victory Community Park (adjacent to grade II listed building Elephant House) to include the relocation of the MUGA, opening up of a nature garden, creation of a new leisure area, improvement and expansion of the existing playground, soft and hard landscaping and improved entrance access to align with the future raised table crossing point leading to Elephant Park to the west.

The sub-committee heard the officer's introduction to the report. Members of the sub-committee asked questions of the officers.

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

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

There were no supporters living within 100 metres of the application site or ward councillors who wished to address the meeting.

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

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 and addendum report.

The meeting ended at 8.16 pm.

CHAIR:

DATED:



Planning Sub-Committee B

MINUTES of the Planning Sub-Committee B held on Tuesday 28 March 2023 at 7.00 pm at Room G02 - Ground Floor Meeting Room, 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Cleo Soanes (Chair)
 Councillor Emily Tester (Vice-Chair)
 Councillor Sabina Emmanuel (reserve member)
 Councillor Adam Hood
 Councillor Richard Livingstone
 Councillor Charlie Smith (reserve member)

OFFICER SUPPORT: Dennis Sangweme (Head of Development Management)
 Abbie McGovern (Team Leader, Development Management)
 Zoe Brown (Team Leader, Major Applications & New Homes)
 Sadia Hussain (Specialist Lawyer, Planning)
 Beverley Olamijulo (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 Councillors Esme Hicks and Emily Hickson.

3. CONFIRMATION OF VOTING MEMBERS

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

4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

None were disclosed.

5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

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

Addendum report relating to item 7.1 – development management items and the members' pack.

6. MINUTES

RESOLVED:

That the minutes of the meeting held on 28 February 2023 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 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.

7.1 BURGESS PARK, ALBANY ROAD, LONDON SE1

Planning application reference 22/AP/4303

Report: See pages 10 to 104 of the agenda pack and pages 1 to 6 of the addendum report.

PROPOSAL:

Temporary use of Burgess Park for large-scale filming and commercial/community events to include installation of supporting associated infrastructure, access, parking and other ancillary works.

The sub-committee heard the officer's introduction to the report and Members of the sub-committee asked questions of the officers.

A spokesperson for the objectors was present to address the sub-committee and responded to questions from members.

The applicant's agent and a council officer addressed the meeting and responded to questions from members.

There were no supporters present at the meeting, who lived within 100 metres of the development site.

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

RESOLVED:

1. That planning permission be granted subject to conditions.
2. That the planning sub-committee agreed to the following:
 - Set up a residents' steering group via the events team to help with formal consultation in regards to outdoor policy events
 - Conditions 1 to 18, to restrict hours of operation
 - Condition 19, assessing and mitigating transport impacts
 - Amendment to Condition 20
 - Condition 21, limit days to 12 reviewing days for filming
 - Amendment to Condition 4 – music switched off at 10pm (bank holidays: 10.30pm).

ADJOURNMENT

At 9.50pm it was moved, seconded and

RESOLVED:

That the meeting stand adjourned for five minutes. The meeting reconvened at 9.55pm.

7.2 GRANGE COTTAGE, GRANGE LANE, LONDON SE21 7LH

Planning application reference 22/AP/3540

Report: See pages 105 to 139 of the agenda pack

PROPOSAL

Demolition of existing Grange Cottage and the construction of part-one, part-two storey dwelling, including basement excavation, terrace construction and new green roofing.

The sub-committee heard the officer's introduction to the report and Members of the sub-committee asked questions of the officers.

There were no objectors present to address the sub-committee.

The applicant and the applicant's agent addressed the meeting and responded to questions from members.

There were no supporters who lived within 100 metres of the development site and no ward councillors present at the meeting.

A motion to grant the 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 and the completion of an appropriate legal agreement to secure a financial contribution towards tree mitigation.
2. That in the event that a legal agreement is not signed by 28 June 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 80 of the report.

The meeting ended at 10.35pm.

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 13 June 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for 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

Assistant Chief Executive – Governance and Assurance

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 committee and issued under the signature of the director of planning and growth shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning 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 assistant chief executive – governance and assurance, 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 assistant chief executive – governance and assurance. 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 committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

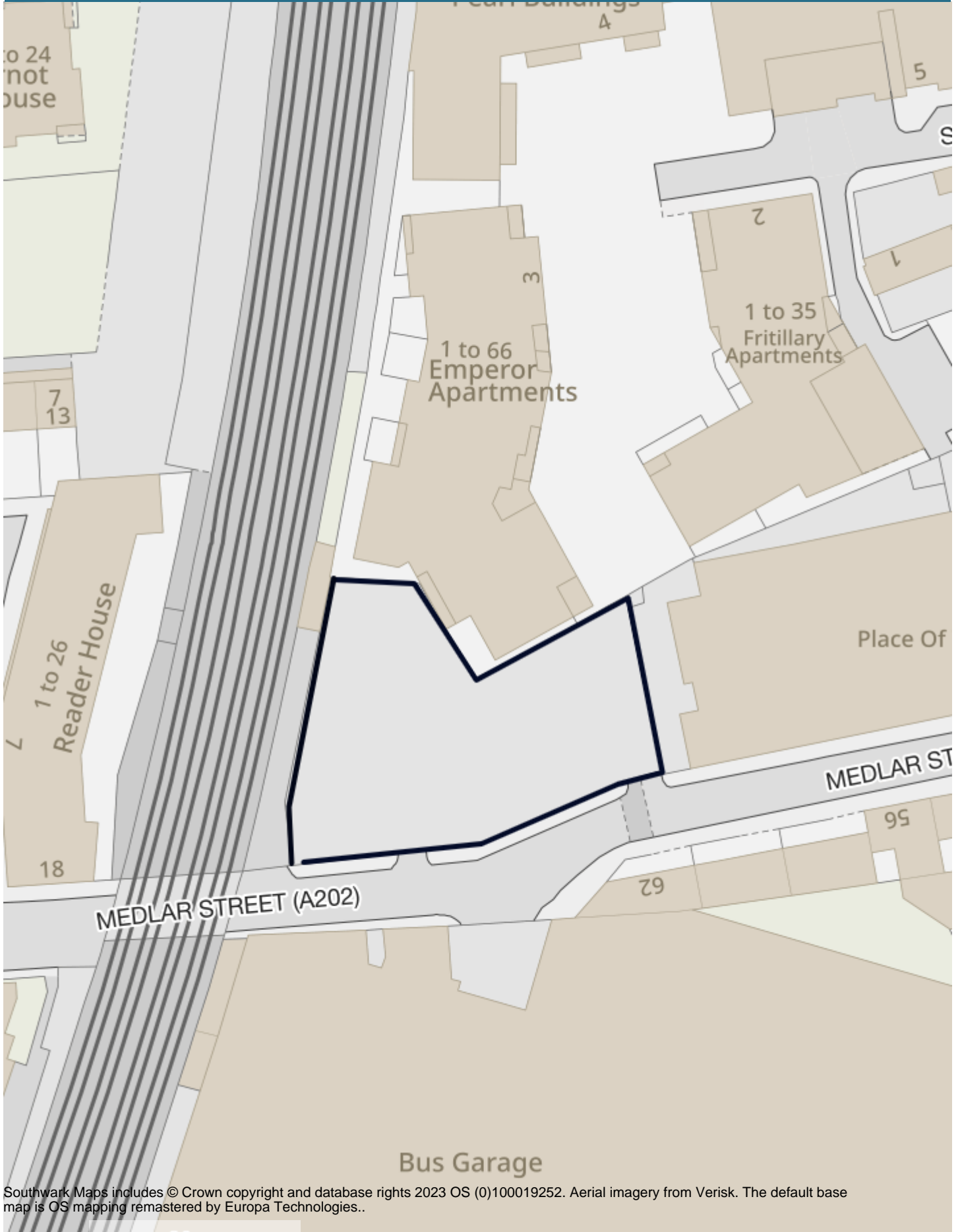
AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Beverley Olamijulo, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
Version	Final	
Dated	1 June 2023	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		5 June 2023

Agenda Item 6.1



20/AP/3482 & 20/AP/3483 - 254-268 Camberwell Road, London, SE5
ODP



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Item No. 6.1	Classification: Open	Date: 13 June 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application 20/AP/3482 for: Full Planning Application Address: 254-268 CAMBERWELL ROAD, LONDON, SOUTHWARK Proposal: Construction of a mixed use building comprising residential (43 flats) and non-residential uses ancillary to the church, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and service, plant, car and minibus parking spaces and back-of-house space for the adjacent church.		
Ward(s) or groups affected:	Camberwell Green		
From:	Director of Planning and Growth		
Application Start Date	27.11.2020	Expiry Date	26.02.2021
Earliest Decision Date	24.05.2022	PPA Date	N/A

RECOMMENDATION

1. a) That planning permission be granted, subject to conditions and the applicant entering into an appropriate legal agreement by no later than 13 December 2023.
- b) In the event that the requirements of (a) are not met by 13 December 2023, that the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reason set out at paragraph 171 of this report.

EXECUTIVE SUMMARY

2. This application is for decision by the planning committee (smaller applications) as five or more objections have been received. An associated application for listed building consent, reference number 20/AP/3483, is also on the agenda.
3. The application is for the construction of a mixed use building comprising residential (43 flats) and non-residential use ancillary to the church, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms, landscaping, car and minibus parking spaces and back-of-house space for the adjacent church.
4. A total of 35% habitable rooms (16 flats) would be affordable housing with a split of 25% of the habitable rooms social rent (10 flats) and 10% of the habitable

rooms shared ownership (6 flats). The number of habitable rooms that would be affordable housing and the dwelling mix would be policy compliant.

5. The proposal would also include areas of hard and soft landscaping, green roofs, private balconies, a communal amenity space and doorstep play.
6. The principle of residential use proposed is acceptable and the proposed development would be an efficient use of land.
7. The scale of the proposed development would be suitable for this urban setting and would not result in an unacceptable impact on daylight or sunlight on the surrounding properties while provide a high quality accommodation for future occupiers.
8. The proposal would not result in any significant transport impacts on the surrounding highway network and overall, the scheme would be of a high quality with significant public benefits.

9.

Homes	Private Homes	Affordable social rent Homes	Affordable social rent Habitable Rooms	Affordable shared ownership Homes	Affordable shared ownership Habitable Rooms	Homes Total (%) of total)	Habitable Rooms Total
1 bed	7	2		4		13 (30%)	
2 bed	9	4		2		15 (35%)	
3 bed	11	4		0		15 (35%)	
Total and (%) of total)	27 (63%)	10 (23%)	40 (25%)	6 (14%)	16 (10%)	43	160

10.

Use Class	Existing sqm	Proposed sqm	Change +/-
Ancillary to the church	0	437.2	+437.2
Use Classes E (g) (offices)	0	458.6	+458.6

11.

	Existing sqm	Proposed sqm	Change +/-
Play Space	0	206	+206

12.

CO2 Savings beyond part L Bldg. Regs.	76.22%
Trees lost	0
Trees gained	6

13.	Existing	Proposed	Change +/-
Urban Greening Factor	0	0.31	+0.31
Run Off Rate	0.4l/s	3.0l/s	+2.6l/s
Green/Brown Roofs	0sqm	sqm	sqm
Car parking spaces and Minibus parking spaces	50	22	-28
Wheelchair accessible parking spaces	0	4	+4
Electric vehicle car parking spaces (on site)	0	4	+4
Cycle parking spaces	0	83	83

14.	Community Infrastructure Levy (CIL) - estimated	£172,605.37
	Mayoral Community Infrastructure Levy MCIL - estimated	£263,393.72
	S106	£31,865.80

BACKGROUND INFORMATION

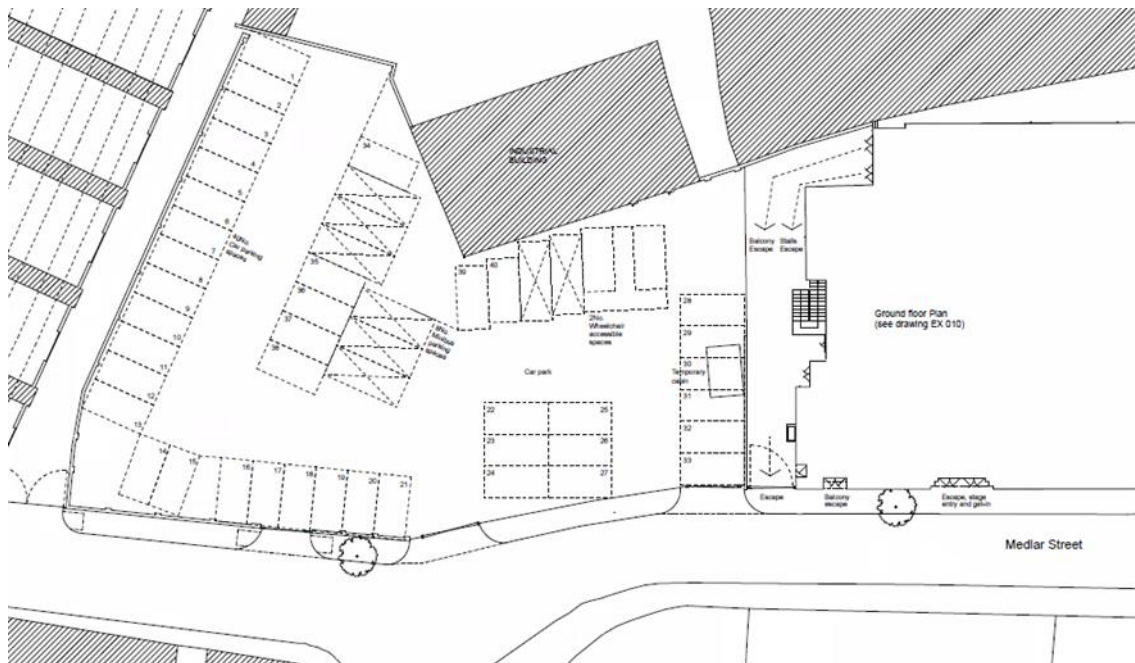
Site location and description

Site location



15. The site has an area of 1,385sqm and consists of a car park with three dropped kerbs providing vehicular access. The car park serves and is to the rear of a place of worship at 254-268 Camberwell Road. The car park is accessed off Medlar Street and comprises 40 car parking spaces, 8 minibus parking spaces and 2 wheelchair accessible parking spaces.
16. The site fronts Medlar Street to the south and is to the rear (west) of the Grade II listed place of worship at 254-268 Camberwell Road. The height of the listed building is expressed without storeys, but is generally taller than the surrounding buildings which range between three and five storeys. The site is not located within a conservation area.
17. A part seven storey block of flats with an eight floor set back, Emperor Apartments (Wing of Camberwell block C), is located directly to the north. The four storey wing of Fritillary Apartments (Wing of Camberwell block B) is located to the north east. A railway viaduct, with commercial and industrial units within the arches, is located to the west. The Low Line route would run along the railway arches. On the opposite (south) side of Medlar Street is a part two, part three, part four, storey development at 272-274 Camberwell Road.
18. The area surrounding the site is a mix of predominantly residential, shops, community and other commercial uses.
19. Camberwell Green is designated as Borough Open Land and is located approximately 100m to the south.

Image: Existing site layout plan

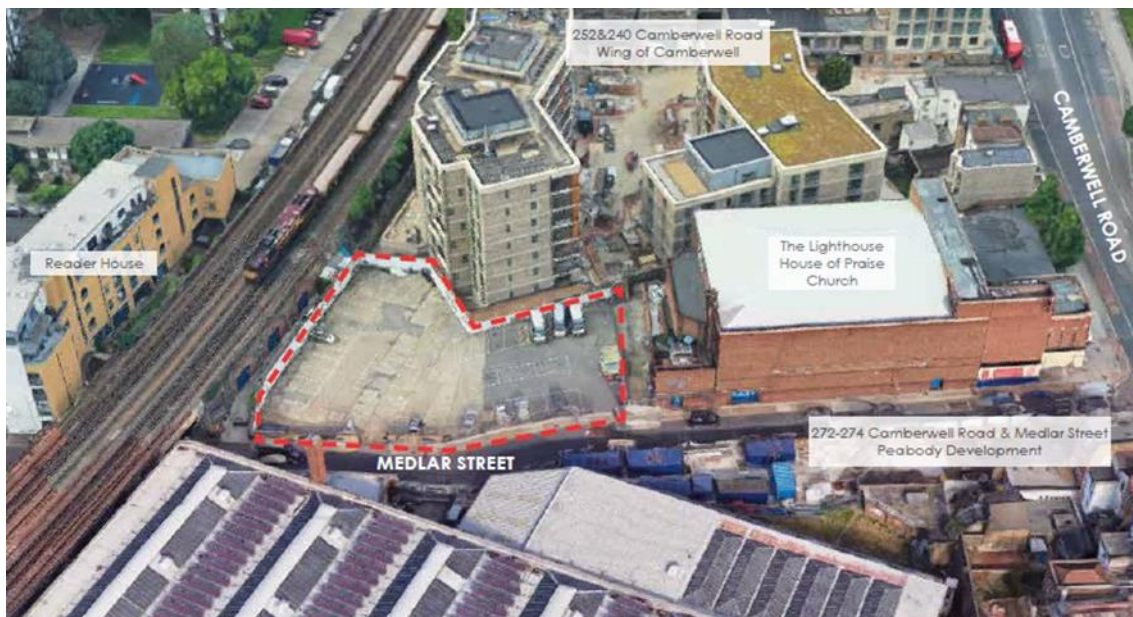


20. The site is subject to the following planning designations:

- Urban Density Zone
- Air Quality Management Area
- Archaeological Priority Zone
- Thameslink 2000
- West Camberwell Action Area.
- Flood Zone 3
- West Camberwell Controlled Parking Zone (CPZ)

21. The site has a Public Transport Accessibility Level of 6a and the Low Line route is identified as running along the railway arches to the rear / west of the site.

Image of application site



Details of proposal

22. It is proposed to construct a mixed use, residential, office and ancillary uses to the church, building with a maximum height of nine storeys. The building would comprise of part three, part six and part eight storeys with a set-back ninth floor. The proposed façade treatments for the building would be red brick, light brown clay facing brick, grey aluminium windows, black curtain windows, dark grey solid spandrel panels and dark grey balustrades. The red brick would match the adjacent church. The business frontage and entrance would be located towards the east of the site, with the car park entrance adjacent to the railway viaduct.

Image – proposed development viewed from Medlar Street



23. The non-residential elements of the building would include 458.6sqm offices and 437.2sqm ancillary space for the adjacent church.
24. A total of 43 flats are proposed. A total of 16 of the flats would be affordable housing and 10 flats would be social rent and 6 flats would be shared ownership. The first and second floors would comprise affordable housing and three of the seven flats on the third floor would be affordable flats. The remainder of the third floor and upper floors would be private housing.

Unit type	Market	Social rented	Intermediate	Total
1-bed	7	2	4	13
2-bed	9	4	2	15
3-bed	11	4	0	15
Total	27	10	6	43

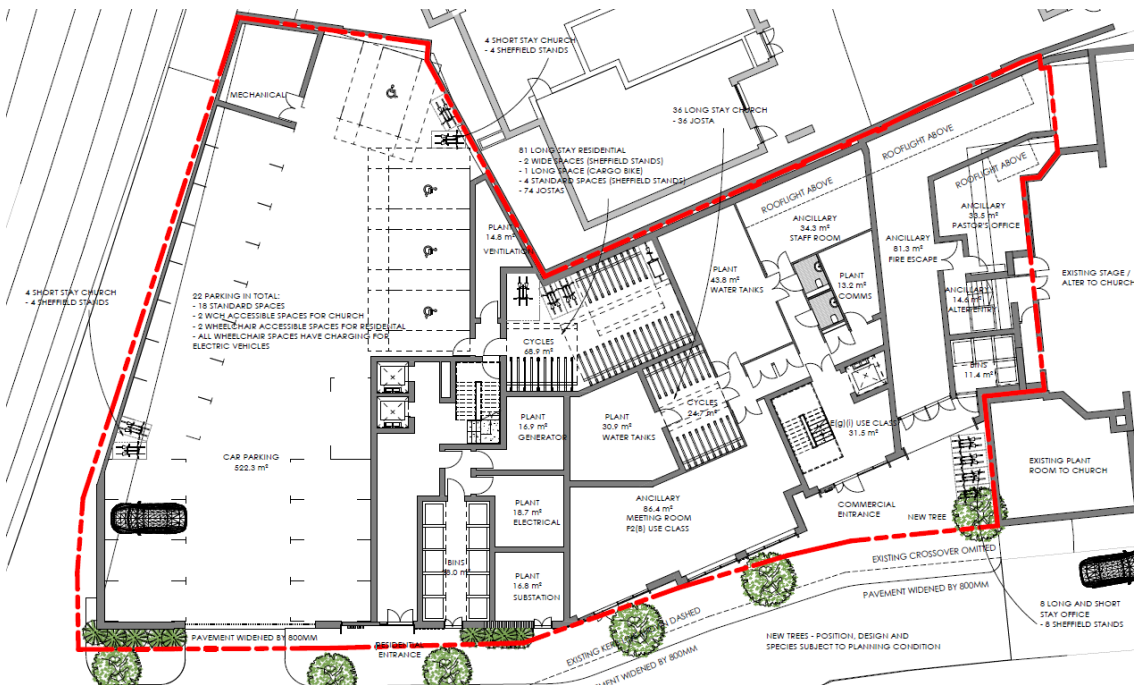
25. The dwelling mix would comprise 13 one bed, 15 two bed (35%) and 15 three bed flats (35%), of which 11.6% (5 two bed flats) would be wheelchair accessible flats. There would be one wheelchair accessible flat on each of the following five

floors: second, third, fourth, fifth and sixth floor. Two lifts are proposed in the core serving the residential part of the development.

Wheelchair accessible flat	
Policy requirement	10% (5 flats)
Provided	11.6%

26. A total of 22 car parking spaces, of which 4 would be wheelchair accessible spaces, and 85 cycle spaces are proposed. This would include 18 car and minibus parking spaces and 2 wheelchair accessible spaces for the adjacent church. This would be a reduction from the 50 existing vehicular parking spaces. Bin stores, bike stores, car parking and plant rooms serving the residential development and service, plant and back-of-house space for the adjacent church would also be provided.
27. It is proposed to remove the three existing vehicle accesses along Medlar Street and to create a new access that would lead to the car parking area. Six pedestrian entrances from Medlar Street to the proposed development are also proposed.
28. The proposal would also include areas of hard and soft landscaping, private balconies, a communal amenity space and doorstep play.

Image: Proposed ground floor layout



Amendments to the application

29. The application has seen the following additional documents submitted following the receipt of feedback following publicity of the application but, but the physical development has not changed during the course of the assessment.
30. Confirmation that all the proposed non-residential areas, apart from the office use on the first and second floors, would be ancillary to the church;
 Proposed ground and first floor plans;
 Energy statement;
 Daylight proposed scheme;
 Utilities statement;
 Transportation matters memorandum;
 Delivery and servicing plan;
 Highways plans;
 Site plan;
 Financial viability report;
 Fire Statement;
 Overshadowing study;
 Schedule by room;
 Schedule by unit;
 Geotechnical report;
 Services survey and tree positions;
 Street trees typical tree pit constructions;
 Plan showing affordable and private residential units;
 Ground floor plan – amendments to car parking;
 Alterations to the layout of the north facing three bedroom flat on the first floor;
 The addition of obscured glass to commercial space;
 Plan showing widening of Medlar Street pavement;
 Updated section plans; and
 Depths of services below the pavement.

Consultation responses

31. Support
- Much needed housing
 - Efficient use of land
 - Would improve the appearance and regenerate and enhance the area
 - Would enhance community cohesion
 - Mitigate perceived crime issues in the neighbourhood
 - Would increase economic activity and employment
 - Quality of the design would enrich the listed building
32. Objection
Amenity impacts
- overlooking
 - play space
 - daylight and sunlight and
 - noise
33. *Design issues*

- Design
 - Height and massing
 - Density and
 - Impact on adjacent listed building
34. *Future occupiers*
- Quality of accommodation
 - Inadequate play space
35. *Environment and ecology*
- Increase in pollution
 - Impact on ecology
36. *Land use*
- No need for retail or office space
37. *Fire*
- Fire safety
38. *Transport*
- Transport, highways and public pedestrian issues
39. *Energy and sustainability*
40. *Security issues*
41. *Consultation*
42. *Strain on community facilities*

KEY ISSUES FOR CONSIDERATION

Summary of main issues

43. The main issues to be considered in respect of this application are:
- 44.
- Principle of the proposed development in terms of land use
 - Environmental impact assessment
 - Housing mix, density and residential quality
 - Affordable housing and development viability
 - Amenity space and children's play space
 - Design, including layout, building heights, landscaping and ecology
 - Heritage considerations
 - Archaeology
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area, including privacy, daylight and sunlight
 - Transport and highways, including servicing, car parking and cycle parking
 - Environmental matters, including construction management, flooding and

air quality

- Energy and sustainability, including carbon emission reduction
- Ecology and biodiversity
- Planning obligations (S.106 undertaking or agreement)
- Mayoral and borough community infrastructure levy (CIL)
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights.

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

Legal context

45. 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.
46. 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

47. The statutory development plan for the Borough comprises the London Plan 2021 and The Southwark Plan (2022). The National Planning Policy Framework (2021) constitutes material considerations but is not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

48. Objectors raised concerns with regard to the office / business space and queried whether it would be needed in a residential street. The council acknowledged in the pre-application enquiry that a mixed housing and commercial development would be supported within the Camberwell Action Area. There has not been any change in policy or site circumstances and the introduction of offices would be in keeping with Policy AV.05 Camberwell Area Vision of the Southwark Plan. It is considered that the proposed development would be an efficient use of land in this location and the loss of off-street car parking ancillary to the adjacent church would be acceptable.

49. The ancillary floor space to the adjacent church would be acceptable as it would enhance the functionality of the church. It is recommended that permission be subject to a condition that the office space on the first and second floors be restricted to office space within use class E(g)(i) – offices to carry out any operational or administrative function – in order to protect the amenity of neighbouring properties. It is also recommended that permission be subject to a condition that the hall on the ground floor and meeting room on the first floor be restricted to use class F2(b) – halls or meeting places for the principal use of the local community - ancillary to the church. This would ensure the protection of amenity of neighbouring properties as the church would have full control of the use of the hall. The hours of use of the ground floor hall would also be subject to an hours of use condition.

Affordable workspace

50. Policy P31 'Affordable Workspace' of the Southwark Plan states that developments proposing 500sqm GIA or more employment floorspace (B class use) must deliver at least 10% of the proposed gross employment floorspace as affordable workspace on site at discount market rents.
51. In this case the applicant would not be required to provide affordable workspace as all the non-residential floor space would comprise 458.6sqm.

Affordable housing

52. Of the proposed 43 flats, 16 would be provided as affordable housing. The affordable housing provision is expressed as habitable rooms: of the 35%, 25% would be social rent and 10% (6 flats) would be shared ownership (10 flats). At 35% the proposed affordable homes would meet the minimum requirement as set out in Policy P1 Social rented and intermediate housing in the Southwark Plan. A viability study has been submitted showing that this is the maximum amount of affordable housing that could be provided on site and that it would be financially viable to provide 35% of affordable homes on the site. The applicant have offered 16 affordable flats to Hexagon Housing Association (Registered Social Landlord) who have expressed an interested in these flats.

Environmental impact assessment (EIA)

53. The proposed development does not meet or exceed any of the thresholds set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and as such an EIA is not required in this instance.

Design quality

Site context

54. The site is not within a conservation area but it is located to the rear of the Grade II listed place of worship at 254-268 Camberwell Road. The height of the listed building is expressed without storeys, but is generally taller than the surrounding buildings which range between three and five storeys. A part seven storey block

of flats with an eight floor set back, Emperor Apartments (Wing of Camberwell block C), is located directly to the north. The four storey wing of Frittillary Apartments (Wing of Camberwell block B) is located to the north east. A railway viaduct, with commercial and industrial units within the arches, is located to the west. The Low Line route would run along the railway arches. On the opposite (south) side of Medlar Street is a part two, part three and part four storey development at 272-274 Camberwell Road.

Site layout and access

55. The access to the residential development and ground floor car park would be from Medlar Street to the south which would be appropriate. The ground floor office use would provide some active frontage and would ensure that pedestrians and visitors safety would not be compromised.

Urban design (height, scale, massing and arrangement)

56. Objectors raised concerns to the detailed design, height, massing and density and to the impact on adjacent listed building.
57. The detailed design would include a "base" in buff brick, which would unify the ground floor street facing element. The residential entrance would be located in the centre and would minimise pedestrian crossings over the car park entrance. The arrangement of massing and heights, with the three storeys and business use adjacent to the grade II listed church, and the taller uses away from this sensitive area, in contrasting brick with a vertical emphasis provided by balconies, windows and brick detailing, would be acceptable in principle. Details of the panels and balconies, plus windows area would be required by condition.
58. It would be appropriate that the building would open to the street as it would provide positive access and overlooking to the street and a green amenity space to the rear. The site to the south of the Elephant and Castle opportunity area, however it repeats the pattern and scale of the development along the railway viaduct that have been approved and built out further north. In the wider neighbourhood, including the development of the "Wave" site to the north, there are similar examples of this type and scale of development between Camberwell Road/Walworth Road, and the railway viaduct. Therefore the site layout would be appropriate and would make best use of the site, while responding in scale, massing and layout to the grade II listed building to the immediate east.
59. The scale and massing of the proposed development would respond positively to the existing townscape, character and context and the building fabric and composition would be of a high standard of design in accordance with policies P13 Design of places and P14 Design quality of the Southwark Plan.

Image – view from Medlar Street



Heritage assets

60. The significance of the grade II listed building, 254-268 Camberwell Road, is contained within the fabric as a good example of 1920s cinema with interior spaces and detailing, and brick external façade. Of particular interest is the front elevation, the foyer and the auditorium, plus the scale and simplicity of the external envelope. The main impact would be the loss of some of the rear elevation façade, including a small single storey extension and metal staircase. These elements however are secondary to the wider significance of the building, which would remain unaltered. The proposal would not harm the significance of the building.

Trees and landscaping

61. There are currently no trees on the site.
62. Objectors raised concerns that the development should add more trees along Medlar Street. The proposed landscaping would however include planting of 6 new trees of which 5 would be outside the site on the pavement of Medlar Street. The planting of these 5 trees would be secured via a S278 agreement which would be included in a legal agreement. Additional survey work to identify below-ground services would be required before the locations of the proposed trees can be finalised. This can be secured by a planning condition and the species would also be agreed by this condition.
63. It is also recommended that permission be subject to a hard and soft landscaping

condition showing details of the planting along Medlar Street and the podium.

Image - Landscaping



Urban Greening Factor

64. The urban greening factor of 0.31 for the development as a whole would be below the target score of 0.4 for a development that is predominantly residential. In this case a score of 0.31 would be acceptable given the site constraints that would restrict the proposed total green roof area to 535.6sqm. The green roofs on each floor would be as follows - third (132.3sqm), sixth (125.7sqm), eighth (163.5sqm) and ninth (114.1sqm). The shortfall in the urban greening factor would be outweighed by the benefit of providing 43 new dwellings.

Mix of dwellings

65. Southwark Plan Policy P2 New family homes state that 'major residential developments must provide:
 'A minimum of 60% of homes with two or more bedrooms; and
 A minimum of 25% of homes with three or more bedrooms in the urban zone.
 The proposed development exceeds the minimum requirements as shown in the table below. The proposed development would comprise of 15 flats with two bedrooms.

Unit type	Number of units	Percentage of units %
1-bed	13	
2-bed plus	30	69.7%

3-bed plus	15	34.8%
Total	43	

Wheelchair accessible housing

66. Development plan policies require the provision of 10% wheelchair units. It is proposed to provide 5 wheelchair units on this site and at 11.6% this would exceed policy requirements.

Quality of accommodation

67. Objectors raised concerns that future occupiers would have a poor quality of accommodation.

Minimum internal space standards

68. London Plan policy D6 sets out the minimum internal space standards required for new residential development, as does the Mayor's Housing SPG. Policy P14 of the Southwark Plan also sets out that development must provide a high standard of quality of accommodation for living conditions. All flats would meet or exceed the minimum room areas and would provide a high quality of accommodation.

Minimum room areas in sqm

Dwelling size	1 bed	2 bed	3 bed	4 bed
Double bedroom	12	12	12	12
Single bedroom	N/A	7	7	7
Living room with eating area	16	17	18	19
Kitchen	6	7	8	8
Kitchen diner	9	11	11	12
Living room	13	13	15	15
Open plan	24	27	30	N/A
Bathroom	3.5	3.5	3.5	3.5

Unit sizes, private amenity space and noise

69. All flats would meet or exceed the minimum unit size requirements but 13 of the 15 two bedroom flats would not provide 10sqm outdoor amenity space with 5 flats providing 9.6sqm, 2 providing 9.5sqm, 1 providing 7.4sqm, 4 providing 7.2sqm and 1 providing 5.9sqm. All 15 three bedroom flats would meet or exceed the minimum required outdoor amenity space standard of 10sqm.

- 70.
- | Flats | SPD minimum sqm | Proposed unit sizes sqm | SPD amenity space minimum sqm | Amenity space proposed sqm |
|-------|-----------------|-------------------------|-------------------------------|----------------------------|
| | | | | |

1-bed	50	50	10	5.8-7.2
2-bed	61-79	61-75	10	5.9-9.6
3-bed	74-102	74-106	10	10

71. The total shortfall in private outdoor amenity space would be 71.1sqm. In addition to private amenity space, flatted developments must provide a minimum of 50 sqm communal space. The total area of the first floor rear podium would be 296.6sqm. As 206sqm play space would be provided in part of the podium the remaining area of 90.6sqm for communal outdoor amenity space would fall short of the required 121.1sqm outdoor amenity space. The shortfall of 30.5sqm would require a financial contribution of £6,252.50. This would be included in the legal agreement.
72. The communal terrace and numerous private terraces would not meet the target level of 55dB Laeq 16hr. It is recommended that permission be subject to a condition that requires details of further attenuation works to achieve the best possible noise level, especially where balconies would overlook or have a line of sight towards the road or the railway lines.
73. More than half of the flats would be dual aspect as 21 of the 43 flats would be single aspect. All of the single aspect flats would however be south facing and the majority of the proposed dwellings would therefore be afforded good levels of light and outlook.

Storage and headroom

74. All residential development needs to provide storage space to meet the likely needs and requirements of potential occupiers. The proposed development would meet or exceed the following storage space for one bed flats 1.25sqm, two bed flats 1.75sqm, three bed flats 2.25sqm and four our bed flats 2.75sqm. The proposed development would meet the Building Regulations requirement of a minimum headroom of 2.3 metres.

Child playspace

75. London Plan Policy S4 requires new residential developments to incorporate good-quality, accessible play provision for all ages. At least 10 square metres of play space should be provided per child. It is noted that doorstep play would be provided on site for 0-4 year olds and that the podium would have adequate space to provide the total required play space, including 5-11 and 12+ age groups.
76. The GLA's play space calculator sets out that the development would need to provide a total of 206sqm of child play space broken down as follows:

Age group	Playspace requirement (sqm)
Under 5	90
5-11	69
12+	47
Total	206

77. The total area of the first floor rear podium would be 296.6sqm and 206sqm would be available to be used as play space.
78. Objectors raised concerns with regards to the quality of residential accommodation and state that more open / green space is needed and that no play equipment to the 0-5 year child play area would be provided and that there would be limited children's play space and no publicly accessible children's play space.
79. The initial proposal was that the first floor rear podium would only provide door step play for 0-4 year olds and no play facilities would be provided for 5+ year children. The applicant has subsequently proposed that the podium would provide space for 5-11 year olds and 12+ year old children to play as well.
80. The proposed plans shows that the proposed podium would not include children play equipment. The applicant however agreed that subject to detail design this could be added to the first floor rear podium. It is recommended that details of play equipment for 0-5, 5-11 and 12+ year old children be secured by condition.

Internal daylight and sunlight within the development

Daylight

81. The Daylight Illuminance method utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year. The illuminance is calculated across an assessment grid set at the reference plane (usually desk height).
82. BRE guidance provides target illuminance levels that should be achieved across at least half of the reference plane for half of the daylight hours within a year.¹ The targets set out within the national annex are as follows:
- Bedrooms – 100 Lux
 - Living Rooms – 150 Lux
 - Kitchens – 200 Lux
83. The applicant only included 12 of the 43 proposed flats in the assessment. These 12 flats would be located on the first and second floors of the development. Only the first and second floors were included as these dwellings are considered to be the worst case dwellings in terms of daylight access across the proposed development.
84. Of these 12 flats only two kitchens (rooms 13 – first and second floors) would fall short of the BRE criteria in that respectively only 25% and 35% of the kitchen area would have a Lux of 200. It should achieve 50%.

Sunlight

85. In respect of direct sunlight, the 2022 BRE guidance reflects the BS EN17037

recommendation that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1st February and 21st March with cloudless conditions. It is suggested that 21st March (equinox) be used for the assessment.

86. The applicant only included 12 of the 43 living rooms in the assessment. These 12 spaces would be located on the first and second floors of the development and were included as the applicant considered that these would be the worst-case living rooms in terms of sunlight across the proposed development.
87. The results show that 10 of the 12 living rooms assessed would achieve more than 4 hours of solar access on March 21. The remaining two rooms were below the 1.5 hours target for sunlight access, however, there would be at least one habitable room meeting the BRE recommended levels for sunlight within these dwellings and therefore would be considered to meet the BRE criteria. The guidance states that at least one habitable room is recommended to meet the criteria per dwelling.
88. The proposed development would therefore offer good levels of sunlight.

Overshadowing

89. The communal amenity space on the first floor and two private terraces on the eighth floor were assessed. A Solar Access Analysis was undertaken on these amenity areas for the full 24 hours on 21 March as set out by the BRE.
90. The amenity spaces, the communal amenity space on the first floor and two private terraces on the eighth floor, would respectively achieve a minimum of 2 hours of sunlight on 21 March of 91%, 100% and 100% over their areas. This would meet the 50% BRE criteria. The open spaces of the proposed development are therefore considered to be adequately sunlit.

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

Daylight and sunlight

91. The site is currently underdeveloped and occupied only by single storey garages and car parking resulting in the neighbouring residential buildings having the benefit of a relatively open and unobstructed outlook, and receiving very good levels of natural daylight and sunlight. These existing levels are above Building Research Establishment (BRE) Guidelines targets and reasonable expectations for a built-up urban environment.
92. Objectors raised concerns that not all the properties that would be affected have been assessed and that the proposed development would significantly reduce the level of natural light in properties on Medlar Street and the blocks of flats to the north, Emperor Apartments (Wing of Camberwell block C) and Fritillary Apartments (Wing of Camberwell block B).
93. The submitted daylight and sunlight assessment considers the impact on

daylight and sunlight for the following neighbouring properties:

Emperor Apartments (Wing of Camberwell block C)
 Fritillary Apartments (Wing of Camberwell block B)
 Medlar Street townhouses and
 Reader House.

Impact on daylight existing properties and spaces

94. The adequacy of daylight received by existing neighbouring dwellings is measured using two methods of measurement. The first is the use of Vertical Sky Components (VSC) which is then followed by the measurement of internal Daylight Distribution (or No-Sky Line (NSL)).
95. VSC is the amount of skylight reaching a window expressed as a percentage. The guidance recommends that the windows of neighbouring properties achieve a VSC of at least 27%, and notes that if the VSC is reduced to no less than 0.8 times its former value (i.e. 20% reduction) following the construction of a development, then the reduction will not be noticeable.
96. NSL is the area of a room at desk height that can see the sky. The guidance suggests that the NSL should not be reduced to less than 0.8 times its former value (i.e. no more than a 20% reduction). This is also known as daylight distribution, and where windows do not pass the VSC test the NSL test can be used.

Fritillary Apartments (Wing of Camberwell block B):

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
22	19	86%	2	1	0
No Sky Line (NSL)					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
7	7	100%	0	0	0

Medlar Street:

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
28	21	75%	3	1	3
No Sky Line (NSL)					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
12	7	58.3%	3	1	1

Reader House:

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
32	32	100%	0	0	0
No Sky Line (NSL)					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
0	Na	Na	Na	Na	Na

Emperor Apartments (Wing of Camberwell block C):

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
55	45	81.8%	2	3	5
No Sky Line (NSL)					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
12	12	100%	0	0	0

Daylight distribution

97. The assessment of daylight amenity within the neighbouring properties has been assessed for all habitable rooms and 27 out of 31 (87 %) of windows are shown to achieve levels of daylight commensurate with their predominant use. There are 5 windows that would marginally fall below the target values.

Sunlight

98. Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE guidance states that only windows with an orientation of 90 degrees of south need to be assessed.
99. The BRE's recommendation for sunlight is:
 'If this window reference point can receive more than a quarter (25%) of annual probable sunlight hours (APHS), including at least 5% of annual probable sunlight hours during the winter months of 21 September and 21 March, then the room should receive enough sunlight...any reduction in sunlight access below this level should be kept to a minimum. If the availability of sunlight hours are both less than the amounts given and less than 0.8 times their former value, either over the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight'.

	Windows tested	Passes both tests	Fail Total annual	Fail Winter hours
Total	48	46 (95.8%)	2	5

		(4.2%)	(10.4%)
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100. The sunlight assessment has shown that 2 windows located on the first and second floors of the Emperor Apartments (Wing of Camberwell block C) would fall short of the BRE criteria.
101. The sunlight assessment has shown that 46 out of 48 windows from buildings surrounding the site would achieve the recommended level of 25% of annual probable sunlight hours and 43 out of 48 windows would receive 5% winter sunlight. As such, the levels of daylight and sunlight provided within the proposed accommodation would on balance be acceptable.

Overshadowing

102. The BRE guidance recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March.
103. Both amenity spaces to the west, on the other side of the railway viaduct, which were assessed in the overshadowing study would meet the above criteria.
104. Objectors however raised concerns that a key portion of the outside communal space in the Wing development (and includes Emperor Apartments (Wing of Camberwell block A) and Fritillary Apartments (Wing of Camberwell block B)), which is used both by residents of Wing and by other local residents, would be overshadowed. Objectors further states that the Daylight, Sunlight and Overshadowing Analysis submitted states clearly that a proposed analysis of the impact 'would cause disproportionate percentage alterations' and has thus not been undertaken. Objects allege that 'the impact of the proposed development on residents of Emperor Apartments has not been properly assessed and/or it was assessed, and was deemed too detrimental to the application and removed'
105. The daylight, sunlight and overshadowing report was supplemented by an overshadowing design note, which shows that 55% of the area of amenity space to the development to the north would receive at least two hours of sunlight on 21st March.

Conclusion on daylight and sunlight

106. Overall, the proposed development would not result in a significant impact on the surrounding residential properties.

Impact of proposed use

107. Objectors raised concerns that neighbouring properties would be overlooked, loss of outlook, be impacted by noise from the proposed play space and would suffer from a loss of daylight and sunlight.

Privacy, overlooking and loss of outlook

108. The Residential Design Standards SPD contains guidance stating that: To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:

- A minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
 - A minimum distance of 21 metres at the rear of the building. Where these minimum distances cannot be met, applicants must provide justification through the Design and Access Statement.
109. Objectors raised concerns that properties on Medlar Street and Emperor Apartments (Wing of Camberwell block C) and Fritillary Apartments (Wing of Camberwell block B) to the north and the outside communal amenity space in the latter would be overlooked. Objectors state that the proposed development would be a maximum of 8m from the balcony of the kitchen/living room window and a bedroom window of a flat in Emperor Apartments (Wing of Camberwell block A). Emperor Apartments is a part seven storey block of flats with an eight floor set back and has south facing balconies overlooking the site.
110. The planning application has been amended reflecting the advice from the pre-application enquiry by cutting back the podium from the Wing of Camberwell by 3.7m. This would lead to an improved outlook to neighbouring properties. A 2m high privacy screen comprising a 0.4m high planter and 1.6m high opaque screen would provide privacy between the proposed development and the Wing of Camberwell. The opaque screen would also enclose the 26.6sqm terrace to the first floor three bedroom flat. The proposal to have obscure glazed north facing windows to the first floor commercial use and opaque screens to the upper floor residential terraces would also prevent neighbouring properties being overlooked. No details have been submitted to illustrate how neighbouring properties would be protected from being overlooked from the remaining north facing first floor commercial windows and terrace. It is thus recommended that permission be granted subject to a condition that prior to occupation details of obscure glazing to windows and terraces to the east and north elevations, including the first floor podium, be submitted. It is likely that obscured glazed and opaque screening to a height of 1.7m above finished floor level, where needed, would protect the privacy of neighbouring properties.

Image: proposed first floor



Image: Proposed North Elevation



External Lighting

111. It is recommended that permission be subject to a condition to ensure that any external lighting system installed would not lead to light nuisance.

Noise, disturbance and vibration

112. Objectors raised concerns that the demolition and construction works would be noisy, noisy vehicles would linger along the road during the construction phase and that the new balconies would generate significant additional noise.
113. It is recommended that permission be subject to a Construction Environmental Management Plan condition to ensure that occupiers of neighbouring premises and the wider environment would not suffer a loss of amenity by reason of noise nuisance. It is considered that residential balconies would not lead to significant noise and disturbance.
114. It is recommended that permission be subject to a condition to restrict the commercial (office) use to Use Class E(g)(i) use only and that the hall on the ground floor be restricted to use class F2(b) – halls or meeting places for the principal use of the local community - ancillary to the church. The hours of use of the hall and offices would also be subject to an hours of use condition restricting the use between 0800 hours and 2300 hours. The current operational hours of the adjacent church are restricted to no later than 2300 hours. This would ensure the protection of amenity of neighbouring properties.
115. The balconies would be relatively small and would be for the private use of the flat and would not generate significant noise.

Ecology

116. Objectors raised concerns that the development would have a detrimental effect on local ecology and that there would be no net gain in terms of landscape or ecology.
117. The site is currently a car park devoid of any landscaping and the proposed green roofs on the third, sixth, eighth and ninth floors, trees and soft landscaping would enhance ecology and biodiversity. It is also recommended that permission be subject to conditions for details of the green roof, hard and soft landscaping and details of 12 internal Swift bricks.

Transport

Trip generation and infrastructure

118. Objectors raised concerns that the commercial part of the development would further add to pressure on on-street parking and traffic congestion.

119. The commercial element would be conditioned to be restricted to offices and ancillary storage, which would generate 1 two-way vehicle movements in the morning or evening peak hours while its residential aspect would produce some 2 two-way vehicle movements in the morning or evening peak hours. Overall, this development would produce some 3 additional two-way vehicle movements in the morning or evening peak hours. These levels of vehicular traffic would not have any noticeable adverse impact on the prevailing vehicle movements on the adjoining roads.
120. Objectors raised concerns that the public transport provision in the area is inadequate to accommodate this development. It is estimated that the proposed development would create additional 29 and 22 two-way public transport trips in the morning and evening peaks hours respectively. Such an increase would not have any noticeable adverse impact on the public transport network.

Walking, access, servicing and deliveries

121. Objectors raised concerns that there would be a detrimental impact on transport, the highway, public pedestrian safety and that there would not be a clear walking route from the adjacent Wings development through the proposed development.
122. The footway adjoining this site on Medlar Street connects southerly to the nearby Denmark Hill train station and the pedestrian routes along the adjacent Ruskin Park. In the same direction, it joins with the general recreation walking route through the neighbouring King's College hospital which ultimately leads to Loughborough Junction train station. Northerly, this footway links with the pedestrian routes through the nearby Burgess Park. In addition, the adjacent Camberwell Road/Medlar Street junction has signalised crossings on all its three arms, with the latter road designated as 20mph zone. The pedestrian routes and the associated road safety facilities would serve the prospective residents of this development in their journeys to and from this site and to the available transport infrastructure. The existing pedestrian routes for occupiers of the Wings development to the north is of a good standard and the development would not be required to provide a pedestrian route through the site.
123. It is proposed to remove the three existing vehicle accesses along Medlar Street and to create a new access that would lead to the ground floor car parking area. Six pedestrian entrances from Medlar Street providing access to the proposed development are also proposed.
124. The footway adjoining this site on Medlar Street, at some 1.7metres-wide, is narrow and this limited width is compounded by the encroachment caused by the lighting columns on it. The applicant would be required to widen the pavement by using part of the highway, while still maintaining suitable width for an ahead-moving vehicle to pass a stationary one on this one-way road. The applicant would also be required to provide a raised table that would enable pedestrians to cross from the end of this extended section to the other side to continue their

journeys, at the start or end of the railway underpass. The applicant would also be required to relocate the parking sign on this footway section to be incorporated into the lighting column.

125. The proposed dedicated drop-off bay on Medlar Street for this development is unacceptable considering that the one-way traffic arrangement on this road gives enough space for this activity and, the manoeuvring space of the car park can serve as a safe drop-off for the vulnerable patrons/residents/staff of this development.
126. The footway abutting this site on Medlar Street stretching from this road's junction with Camberwell Road to the railway underpass at the western side of this development is substandard with broken pavement slabs and uneven surface. The applicant would need to reconstruct the footway as mitigation for the proposed development and the removal of the three existing vehicle accesses along Medlar Street and the creation a new access would be included in a legal agreement.
127. Pedestrians would benefit from the conversion of the two pairs of humps next to this site to raised table, the removal of the "Bus Lane" sign next to the southeast boundary on Medlar Street and improvement to the lighting in the railway underpass.
128. The legal agreement would include a S278 agreement requiring the applicant to provide
129. The applicant would need to amend the delivery and service management plan (DSP) to eliminate servicing on a dedicated loading bay on Medlar Road and for light vans servicing this development to do so within its courtyard and the infrequent large vehicles to service it on this road. Also, engaging transport operators who have 'silver' membership of FORS should be included in the DSP. This would be covered by an appropriate condition.

Car parking

130. Camberwell CPZ provides adequate parking control in this vicinity weekdays from 0830hrs to 1830hrs.
131. It is proposed to reduce the 50 existing vehicular parking spaces to 22 car parking spaces, of which 2 would be residential wheelchair accessible spaces and 20 parking spaces would be associated with the church - 18 car and minibus parking spaces and 2 would be wheelchair accessible spaces. Although this proposed development involves the loss of 38 of the existing car parking spaces for the church, given this site's characteristics, it would be acceptable. The 2 residential wheelchair accessible spaces would share the same vehicle entrance as those parking spaces retained for the church. As the applicant has not demonstrated any means of separating them for the residential units at all times in the form of lockable bollards this would be covered by a compliance condition.

132. It is recommended that permission be granted subject to a compliance condition for active electric vehicle charging points for the 4 wheelchair accessible spaces.
133. The overnight car parking surveys carried out by the applicant's consultants on Tuesday 30 April and Wednesday 01 May 2019, along the immediate road sections surrounding this site encompassing Camberwell New Road, Camberwell Road, Medlar Street and Badsworth Road have indicated that on average 43(38%) of the 69 calculated on-street car parking spaces were unoccupied. In order to demonstrate the car parking impact of the reduction in the prevailing church's car parking spaces, the applicant's consultants have carried out additional daytime car parking surveys on road segments within 500metres of this site on Saturday and Sunday 04/05 May 2019, which confirms that on average, 51(9%) of the 576 estimated on-street car parking spaces were vacant. Furthermore, this development would be excluded from those eligible for car parking permits under the CPZ operating in this locality. This would be secured by a clause in the legal agreement.

Cycling

134. There are existing cycle routes in the vicinity of this development on the neighbouring Camberwell New Road/Camberwell Church Street and Edmund Street/Benhill Road. The cyclist routes and the associated road safety facilities would serve the prospective residents of this development in their journeys to and from this site and to the available transport infrastructure.
135. The applicant has proposed a total of 85 cycle parking spaces including eleven Sheffield cycle racks containing 22 spaces (of which 8 would be for visitors), 62 Josta racks and 1 cargo bicycle space on the ground floor. In addition to the re-provision of the prevailing 36 cycle parking spaces for the church four Sheffield cycle racks containing 8 spaces would also be provided in the car parking area. This cycle parking level would be acceptable.

Air quality

136. Objectors raised concerns that the proposed development would lead to an increase in pollution. Although the proposed development would not achieve air neutral standards the off-street car parking spaces would reduce from 50 to 22 of which 4 wheelchair accessible spaces would have electric vehicle charging points. Objectors also raised concerns that polluting vehicles would linger along the road during the construction phase. It is recommended that permission be subject to a Construction Environmental Management Plan (CEMP) condition, which would include measures to reduce pollution.

Land contamination

137. It is recommended that permission be subject to a land contamination condition as the proposed development would break ground and would expose the

subsurface currently used as a car park.

Flood risk

138. The site lies in Flood Zone 2 and is located within an area benefitting from flood defences. Whilst the site is protected by the River Thames tidal flood defences up to a 1 in 1000 (0.1%) chance in any year, the most recent flood modelling (December 2017) shows that the site is not at risk if there were to be a breach in the defences. Therefore, the Environment Agency (EA) has no objection and consider that the development will be at low risk of flooding.

Sustainable urban drainage

139. The council's flood risk team has no objection and recommend that permission be subject to conditions in relation to a drainage strategy and a drainage verification report.

Sustainable development implications

140. Objectors raised concerns that the proposal would not meet energy and sustainability policies.
141. The London Plan Policy SI 2 requires all major developments to be net zero carbon. This should be achieved through reducing operational greenhouse gas emissions and energy demand, in accordance with the Mayor's 'Be Lean' 'Be Clean' 'Be Green' and 'Be Seen' energy hierarchy.
142. The Southwark Plan Policy P70 requires major residential development to reduce carbon emissions on site by 100% against Building Regulations and major non-residential development on site by 40% against Building Regulations. In exceptional circumstances, any shortfall must be secured off site through planning obligations or as a financial contribution.
143. The applicants have submitted an Energy Strategy which sets out how the proposed development would achieve a 76.22% reduction in carbon dioxide emission on site. As it does not meet the requirement for 100% on site savings to achieve net carbon zero the applicant has agreed to an offset payment in-lieu to cover this shortfall. This will be secured through a clause in the legal agreement.

Be Lean

144. The first stage of the energy hierarchy is to use less energy through passive and active design measures.
145. The submitted Energy Strategy sets out the measures taken to reduce energy consumption.
146. The on-site saving achieved at the Be Lean stage is calculated to be 10% beyond 2021 Building Regulations for the residential development and 16.68% beyond

2021 Building Regulations for the non- residential development.

Be Clean

147. The next stage of the energy hierarchy is to identify opportunities for connection to an area wide heat network or on-site energy centre, to supply a clean and decentralised source of energy. This aligns with part 7 of Southwark Plan Policy P70 which requires major development to incorporate decentralised energy.
148. The application proposes to install a communal heating and / or hot water network (fuelled by an electrical heat source). This replaces the need for gas boilers and would provide a low carbon solution to heating and hot water supply.

Be Green

149. The third stage of the energy hierarchy is to incorporate renewable energy technologies on site. The installation of air source heat pumps to each flat, connected to a communal heat network, would provide a renewable source of hot water and heating. In addition, the development proposes to utilise flat roofs for the installation of photovoltaic (PV) panels, to provide a total of 11kW of solar energy. The non-residential development would benefit from its own air source heat pump. The overall on site saving achieved at the Be Green stage is calculated to be 76.22 % beyond 2021 Building Regulations.

Exceptional circumstances

150. In accordance with Southwark Plan Policy P70 the application must meet exceptional circumstances for proposing a financial contribution in lieu of the 23.78% on site carbon savings shortfall.
151. The design of the proposed development incorporates energy efficiency measures to reduce energy consumption on site.
152. The development proposes individual air source heat pumps to the flats, connected a communal heating and / or hot water network, to supply heat and hot water.
153. This would be in addition to roof top photovoltaic panels. These have maximised the available roof space, whilst also allowing sufficient space for green roofs to deliver green infrastructure and biodiversity net gain on site.

Carbon payment calculation

	Off-set payment
Residential 5.818 tonnes/annum 174.54 tonnes across 30 years	£16,581.30 at £95/tonne

Non-residential 1.980 tonnes/annum 59.4 tonnes across 30 years	£5,643.00 at £95/tonne
Total	£22,224.30

154. Overall, it is therefore considered that the proposed on site carbon saving of 76.22% is acceptable for this site, subject to the applicant agreeing to a financial contribution that would deliver the remaining shortfall through the Council's carbon offset fund.

Be Seen (Monitor and review)

155. The development will be required to monitor, verify and report on its energy performance, to demonstrate that the agreed carbon savings are delivered on site. This requirement will be secured through the legal agreement, requiring the submission of details to monitor energy performance.

BREEAM

156. The energy statement states that the non-residential part of the development would achieve a BREEAM Very Good level. However, the applicant agreed to a condition that a minimum BREEAM rating of 'excellent' shall be achieved.

Conclusion on energy

157. It is recommended that permission be granted subject to a clause in the legal agreement for the submission of details to monitor energy performance.

Fire safety

158. Objectors raised concerns that the development would lead to fire safety issues.
159. The London Fire Brigade had no objection but advised that the proposed development should be approved subject to an undertaking that access for fire appliances and adequate water supplies for fire-fighting purposes shall be provided.
160. The outline fire strategy report provides a summary of the overall fire strategy to satisfy Planning Gateway One. The Health and Safety Executive have been consulted but did not comment.

161. **Security and crime**

162. Objectors raised security issues as a concern.
163. The Residential Design Standards SPD states that 'developments should seek to improve community safety and crime prevention. This may include designing developments so that open spaces are overlooked by windows, avoiding dark

secluded areas and buildings face onto streets. This may include obtaining Secured by Design certification.'

164. Access to the undercroft car parking at ground floor level would be gated and the Metropolitan Police recommended that permission be subject to two conditions of details of security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design.

Archaeology

165. It is recommended that the archaeological interests of the site be secured by conditions relating to mitigation and reporting and that permission be subject to a section 106 planning obligation to support Southwark Council's effective monitoring of archaeological matters.

166. Strain on community facilities

167. Objectors raised concerns that the development would put strain on community facilities. The Community Infrastructure Levy can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough. This includes transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.

Planning obligations (S.106 agreement)

168. Policy IP3 of the Southwark Plan and Policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy IP3 of the Southwark Plan is reinforced by the Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

169. Following the adoption of Southwark's Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

Planning obligation	Mitigation	Applicant's position
Affordable housing	16 affordable flats: 6 social rent and 10 shared ownership	Agreed
Carbon offset	£22,224.30	Agreed

fund		
Energy monitoring and review	Submission of details to monitor energy performance	Agreed
Outdoor amenity space	£6,252.50	Agreed
Fire safety	The provision of access for fire appliances and adequate water supplies for fire-fighting purposes	Agreed
Archaeology	£3,389.00 for monitoring of archaeological matters	Agreed
Parking permits	This development be excluded from those eligible for car parking permits under the CPZ operating in this locality	Agreed
Highway works S278	<p>Widen the pavement on the north side of Medlar Street;</p> <p>Repaving of the footway fronting the development on Medlar Street including new kerbing using materials in accordance with Southwark Streetscape Design Manual (concrete paving slabs and granite kerbs);</p> <p>Vehicle crossover on Medlar Street to be constructed to SSDM standards (DS132);</p> <p>Reinstate redundant vehicle crossovers on Medlar Street as footway;</p> <p>Repair any damages to the highway due to construction activities for the development including construction work and the movement of construction vehicles.</p> <p>Detailed drawings to be submitted confirming that surface water from private areas would not flow onto public highway in</p>	Agreed

	<p>accordance with Section 163 of the Highways Act 1980.</p> <p>Planting of 5 street trees along Medlar Street</p> <p>Provision of raised table on Medlar Street;</p> <p>Relocation of the parking sign on the footway on the north side of Medlar Street to be incorporated into a lighting column;</p> <p>Conversion of the two pairs of humps to raised table;</p> <p>Removal of the “Bus Lane” sign next to the southeast boundary on Medlar Street;</p> <p>Improvement to the lighting in the railway underpass.</p>	
Total financial contributions	31,866.00	Agreed
Administration and monitoring fee (excluding affordable housing monitoring fee and servicing bond)	2% of total financial contributions	Agreed

170. In the event that an agreement has not been completed by 13 December 2023, the committee is asked to authorise the Director of Planning and Growth to refuse permission, if appropriate, for the following reason:
171. In the absence of a signed S106 legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development including through contributions, and it would therefore be contrary to policy DF1 ‘Delivery of the Plan and Planning Obligations’ of the London Plan 2021, Policy IP3 ‘Community Infrastructure Levy (CIL) and Section 106 planning obligations’ of the Southwark Plan 2022, and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and borough community infrastructure levy (CIL)

172. 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.
173. The site is located within Southwark CIL Zone 3, and MCIL2 Band 2 Zone. Based on the GIA measurements obtained from the proposed floor plans, the gross amount of CIL is approximately £633,620.92 (pre-relief). Subject to the correct CIL forms being submitted on time, CIL Social Housing Relief of approximately £197,621.83 can be claimed for a number of types of affordable housing. Thus, the resulting CIL amount is estimated to be £435,999.09 net of relief. It should be noted that this is an estimate, floor areas will be checked when related CIL Assumption of Liability and Relief Claim Forms are submitted, after planning approval has been secured.

Community involvement and engagement

174. Objectors raised concerns that inadequate consultation took place. The applicant engaged with the local community on three occasions prior to the coronavirus lockdowns and restrictions in March 2020.
175. 24 September 2019: The applicant carried out public consultation and many residents from Wing of Camberwell attended.
176. 14 October 2019: The applicant hosted and presented proposals for the first meeting of the newly formed group Wing of Camberwell Residents.
177. 4 February 2020: Wing of Camberwell Residents meeting– the architect was invited and attended.
178. The planning application was submitted in November 2020 and the local planning authority advertised the application in the press on 17 December 2020, consulted neighbouring properties by letter on 3 February 2021, displayed a site notice on 22 February 2021 and re-consulted neighbouring properties by letter on 3 May 2022 in accordance with Southwark's Statement of Community Involvement.

Consultation responses from external and statutory consultees

Environment Agency

179. No objection.

Health and Safety Executive

180. No comments received.

London Fire and Emergency Planning Authority

181. No objection but advised that the proposed development should be approved subject to an undertaking that access for fire appliances and adequate water supplies for fire-fighting purposes shall be provided.

Metropolitan Police

182. No objection and recommended permission subject to conditions in relation to Secure By Design Measures and Secured by Design Certification.

Thames Water

183. No objection.

Consultation responses from internal consultees

Archaeologist

184. No objection and recommended two conditions in relation to archaeological mitigation and archaeological reporting.

Ecologist

185. The urban greening factor score is 0.31 which is acceptable for non-residential developments but falls short of the recommended 0.4 score for residential developments. Recommended two conditions in relation to green roofs and swift bricks.

Environmental Protection Team

186. Requested more information for both noise, protection for external amenity areas, and air quality as the proposed development would not be air quality neutral.
187. Recommended conditions is relation to internal residential noise levels, vibration, sound transmission between residential unit, sound transmission between potentially loud commercial and residential properties; plant noise; servicing and waste handling, electric vehicle charging points, artificial lighting, land contamination and construction management.

Local Economy Team

188. No employment obligations required.

Community impact and equalities assessment

189. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
190. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
191. 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.
192. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
193. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
194. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The positive impacts have been identified throughout this report.
- Accessible accommodation: 11.6% of all flats would be wheelchair accessible and 2 wheelchair parking space would also be provided.
 - 18 car and minibus parking spaces and 2 wheelchair accessible spaces for the adjacent church.
195. Officers are satisfied that equality implications have been carefully considered throughout the planning process and that Members have sufficient information available to them to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.

Human rights implications

196. 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.

197. This application has the legitimate aim of providing new homes and ancillary office space to the adjacent church. 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.

Carbon concurrent

Achieving net carbon zero development in Southwark

198. This application has taken measures to reduce carbon emissions on site with the aim of being net carbon zero, in accordance with the adopted development plan which sets a climate change target to reach net carbon zero by 2050.
199. These measures are summarised in the table below:

Net carbon zero: summary table

Are carbon emission reductions covered in the main report?	Yes
	Yes
Be Lean measures	10%
Be Clean measures	No. See main body of report
Be Green measures	Yes
How much carbon is saved onsite?	76.22%
What are the exceptional circumstances for not meeting 100% onsite carbon reduction for any residential parts of the development?	See main body of report Unable to connect to District Heat Network
How does the development propose to mitigate any onsite shortfall?	Payment in lieu What financial contribution is proposed?
	£22,224.30
How are the measures	

monitored? Submission of details to monitor energy performance

Any other comments No

Meeting Southwark's Climate Change Strategy and Action Plan

200. In July 2021, the Council adopted its Climate Change Strategy and Action Plan for tackling the climate emergency. The plan sets out how emissions in the borough can be reduced from buildings, transport and waste disposal.

201. The Strategy sets out 148 Action Points that the council will undertake to achieve its ambition to do all it can to achieve a net zero carbon borough by 2030 across five key priority areas:

- Greener Buildings: these actions relate to Southwark's built environment and new developments e.g., emissions from privately rented homes, commercial offices and private property development. They cover scope one and two emissions
- Active and Sustainable Travel: these actions relate to surface transport across the borough, e.g., emissions from private car travel. They cover scope one, two and three emissions
- A Thriving Natural Environment: these actions relate to the maintenance and security of the borough's natural environment e.g., increasing tree canopy coverage
- A Circular Economy with Green Jobs: these actions relate to waste within the borough e.g., emissions from non-recyclable waste disposal. They cover scope one and two emissions
- Renewable Energy: these actions relate to the provision of more renewable energy within the borough i.e., local installation of technologies such as solar PV

202. The following Action Point/s have identified as relevant to this planning application:

Priority Area:	Active and Sustainable Travel
Action Point:	Double the number of cycle hangars in the borough to meet a target of 1000 by 2026.
Action Point Reference Number:	F.1.i
Officer commentary:	See relevant sections of the report

Priority Area:	Greener Buildings	
Action Point:	Embed building technologies such as green roofs, facades and cool roofs to reduce carbon emissions and improve biodiversity and local air quality.	
Action Point Reference Number:	A.1.iii	
Officer commentary:	See relevant sections of the report	

Positive and proactive statement

203. 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.
204. 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.

205. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

206. The proposal would be acceptable in principle. A mixed housing and commercial development would be supported within the Camberwell Action Area as it would be in keeping with PolicyAV.05 Camberwell Area Vision of the Southwark Plan.
207. In the wider neighbourhood there are similar examples of this type and scale of development therefore the site layout would be appropriate. The development would respond in scale, massing and layout to the grade II listed building to the

immediate east. The proposal would not harm the significance of the building.

208. The development would provide a high standard of quality of accommodation for living conditions. The total shortfall in private outdoor amenity space would however require a financial contribution, which would be included in the legal agreement.
209. Overall, the proposed development would not result in a significant impact on the surrounding residential properties. It is recommended that permission be granted subject to conditions to restrict the non-commercial spaces to office (Use Class E(g)(i)) and the hall to (Use Class F2(b) halls or meeting places for the principal use of the local community) and the hours of use of these spaces to ensure the protection of amenity of neighbouring properties.
210. The development would not have a detrimental impact on the transport network and as it would not meet the requirement for 100% on site savings to achieve net carbon zero the shortfall of 23.78% would be offset by a payment in-lieu.
211. It is therefore recommended that planning permission be granted, subject to conditions and the completion of a S106 Agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2064-E Application file: 20/AP/3482 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Relevant planning policy
Appendix 3	Relevant planning history
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Andre Verster, Team Leader	
Version	Final	
Dated	17 March 2023	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		1 June 2023

Recommendation

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

This document is not a decision notice for this application.

Applicant	Pastor Andrew Adeleke RCCG House of Praise	Reg. Number	20/AP/3482
Application Type	Major application		
Recommendation	GRANT permission	Case Number	2064-252

Draft of Decision Notice

Planning permission is GRANTED for the following development:

Construction of a mixed use building comprising residential (43 flats) and non-residential uses ancillary to the church, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and service, plant, car and minibus parking spaces and back-of-house space for the adjacent church.

254-268 Camberwell Road London Southwark SE5 0DP

In accordance with application received on 26 November 2020 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Plans - Proposed GA-FP-1B2P-2 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-2B3P-1 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-2B3P-2 WCH - GENERAL ARRANGEMENT - received

Plans - Proposed GA-FP-2B4P-1 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-2B4P-2 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-2B4P-3 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B4P-1 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B4P-2 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B4P-3 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B5P-1 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B5P-2 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-FP-3B6P-1 - GENERAL ARRANGEMENT - FLAT received

Plans - Proposed GA-P-L00-SUR - GENERAL ARRANGEMENT - received

Plans - Proposed GA-P-L03 - GENERAL ARRANGEMENT - THIRD received

Plans - Proposed GA-P-L04 - GENERAL ARRANGEMENT - FOURTH received

Plans - Proposed GA-P-L05 - GENERAL ARRANGEMENT - FIFTH FLOOR received

Plans - Proposed GA-P-L06 - GENERAL ARRANGEMENT - SIXTH FLOOR received

Plans - Proposed GA-P-L07 - GENERAL ARRANGEMENT - SEVENTH received

Plans - Proposed GA-P-L08 - GENERAL ARRANGEMENT - EIGHTH received

Plans - Proposed GA-P-L09 - GENERAL ARRANGEMENT - ROOF PLAN received

Plans - Proposed GA-SP-L00 - GENERAL ARRANGEMENT - GROUND received

Plans - Proposed GA-SP-L03 - GENERAL ARRANGEMENT - THIRD received

Plans - Proposed GA-SP-L04 - GENERAL ARRANGEMENT - FOURTH received

Plans - Proposed GA-SP-L05 - GENERAL ARRANGEMENT - FIFTH received

Plans - Proposed GA-SP-L06 - GENERAL ARRANGEMENT - SIXTH FLOOR received

Plans - Proposed GA-SP-L07 - GENERAL ARRANGEMENT - SEVENTH received

Plans - Proposed GA-SP-L08 - GENERAL ARRANGEMENT - EIGHTH received

Plans - Proposed GA-SP-L09 - GENERAL ARRANGEMENT - ROOF SITE received

Plans - Proposed GA-E-02 SOUTH ELEVATION Plans received

Plans - Proposed GA-E-03 EAST ELEVATION Plans received

Plans - Proposed GA-E-04 WEST ELEVATION Plans received

Plans - Proposed GA-E-05 ELEVATIONS WITH CONTEXT Plans received

Plans - Proposed GA-S-01 SECTION A-A Plans received

Plans - Proposed GA-S-02 SECTION B-B Plans received

Plans - Proposed GA-S-03 SECTION C-C Plans received

Plans - Proposed GA-S-04 SECTION D-D AND E-E Plans received
 Plans - Proposed GA-S-05 SECTION F-F Plans received
 Plans - Proposed GA-S-06 SECTION G-G Plans received
 Plans - Proposed GA-S-07 SECTION H-H AND I-I Plans received
 Plans - Proposed GA-S-08 SECTION J-J AND K-K Plans received
 Plans - Proposed GA-S-09 SECTION A-A AND G-G WITH CONTEXT received
 Plans - Proposed D8 GENERAL ARRANGEMENT AFFORDABLE received
 Plans - Proposed GA-P-L00 5 received 17/03/2023
 2707-D11-L01 - TENURE 3 GA-P-L01 5 received 17/03/2023
 2707-D12-L02 - TENURE 3 GA-P-L02 5 received 17/03/2023
 2707-D14-L04 - TENURE 3 GA-FP-1B2P-1 - GENERAL ARRANGEMENT - FLAT received

Other Documents

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

2. Secure By Design Measures.

Before any work hereby authorised begins details of security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D11 (Safety, security and resilience to emergency) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality) and Policy P16 (Designing out Crime) of the Southwark Plan (2022).

3. Protection from Vibration

The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose

values in excess of 0.13 m/s during the night-time period of 23.00 - 07.00hrs. Prior to occupation a written report shall be submitted to and approved by the Local Planning Authority detailing acoustic predictions and mitigation measures to ensure the above standard is met. Following completion of the development but prior to residential occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing and the approved scheme shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

4. Plant Noise

The Rated sound level from any plant, together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019.

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

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

5. Sound transmission between commercial and residential properties

The habitable rooms within the development sharing a party floor or wall element with commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR20 when measured as a LAeq across any 5 minute period. A report shall be submitted in writing to and approved in writing by the LPA prior to commencement of works detailing acoustic predictions and mitigation measures to ensure the above standard is met. The development shall be carried out in accordance with the approval given. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing and the approved scheme shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

6. Enhanced Horizontal sound transmission between residential units

Prior to commencement of works details demonstrating that the habitable rooms within the development sharing a party wall element with adjoining habitable properties has been designed to provide reasonable resistance to the transmission of sound sufficient to ensure that the party wall meets a minimum of 5dB improvement on the Building Regulations standard set out in Approved Document E. The development shall be constructed accordingly.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

7. Construction Environmental Management Plan (CEMP)

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

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

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

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

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

- Section 61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Noise',

- BS 5228-2:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites. Vibration'
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant Stage emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended & NRMM London emission standards
<http://nrmm.london/>

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

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

8. Site Contamination - pre-approval

Prior to the commencement of any development, a phase 1 desktop study of the historic and current uses of the site and adjacent premises shall be carried out together with an associated preliminary risk assessment including a site walkover survey, identification of contaminants of the land and controlled waters and develop a conceptual model of the site with conclusion and recommendations whether a Phase 2 intrusive investigation is required.. This report shall be submitted to the Local Planning Authority for approval before the commencement of any intrusive investigations.

b) If the phase 1 site investigation reveals possible presence of contamination on or beneath the site or controlled waters, then, prior to the commencement of development works, an intrusive site investigation and associated risk assessment shall be completed to fully characterise the nature and extent of any contamination of soils and ground water on the site.

c) In the event that contamination is found that presents a risk to future users or controlled waters or other receptors, a detailed remediation and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing. The strategy shall detail all proposed actions to be taken to bring the site to a condition suitable for the intended use

together with any monitoring or maintenance requirements. The scheme shall also ensure that as a minimum, the site should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out and implemented as part of the development.

d) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

9. Internal noise levels

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

Bedrooms - 35dB LAeq T†, 30 dB L Aeq T*, 45dB LAFmax T *

Living and Dining rooms- 35dB LAeq T †

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

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

A report shall be submitted in writing to and approved by the LPA detailing acoustic predictions and mitigation measures to ensure the above standards are met. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing. The approved scheme shall be implemented and permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

10. Archaeological Mitigation

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works, an archaeological watching brief, in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Policy 23 Archaeology of the Southwark Plan and the National Planning Policy Framework 2021.

11. Drainage Strategy

No works (excluding demolition and site clearance) shall commence until full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should be devised with a full consideration of the drainage hierarchy outlined in the London Plan Policy SI 13, and should remain operational in all storm events up to, and including the 1 in 100-year plus 40% climate change allowance storm, as detailed in the Sustainable Drainage Statement, prepared by BWB Consulting (revision P05, dated May 2021). The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017) and Policy SI 13 of the London Plan (2021).

12. Prior to commencement of works details of tree planting, including speciers, a survey to identify below-ground services, tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period.

Reason: To ensure the proposed development preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity in accordance with Policy P60 Biodiversity of the Southwark Plan 2022.

13. MATERIALS

Details of the panels, balconies and windows to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

Permission is subject to the following Grade Condition(s)

14. GREEN ROOFS FOR BIODIVERSITY

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

- * biodiversity based with extensive substrate base (depth 80-150mm);
- * laid out in accordance with agreed plans; and

* planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

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

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

15. BREEAM REPORT AND POST CONSTRUCTION REVIEW

(a) Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

(b) Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason

To ensure the proposal complies with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021); Policy P69 (Sustainability Standards) and Policy P70 (Energy) of the Southwark Plan (2022).

16. HARD AND SOFT LANDSCAPING

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings, including the Medlar Street frontage and the first floor podium to the rear (including cross sections, available rooting space, tree pits, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

17. CYCLE STORAGE DETAILS

Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning

Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

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

18. Secured by Design Certification.

Prior to occupation a satisfactory Secured by Design inspection must take place. The resulting Secured by Design certificate shall be submitted to and approved in writing by the local planning authority.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with: the National Planning Policy Framework 2021 and Policy P16 Designing out crime of the Southwark Plan 2022.

19. Details of 12 internal swift nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

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

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

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing

the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

20. Drainage Verification Report

No dwelling shall be occupied until a drainage verification report prepared by a suitably qualified engineer has been submitted to and approved in writing by the Local Planning Authority. The report shall provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications (or detail any minor variations where relevant) as detailed in the Sustainable Drainage Statement, prepared by BWB Consulting (revision P05, dated May 2021), and shall include plans, photographs and national grid references of key components of the drainage network such as surface water attenuation structures, flow control devices and outfalls. The report shall also include details of the responsible management company.

Reason:

To ensure the surface water drainage complies with Southwark's Strategic Flood Risk Assessment and Policy SI 13 of the London Plan (2021).

21. OBSCURE GLAZING

Prior to occupation of any part of the development details of obscure glazing to windows and terraces the east and north elevations, including the first floor podium, shall be submitted to and approved in writing by the local planning authority.

The obscure glazed windows and privacy screens shall be fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises from undue overlooking in accordance with Chapter 8

(Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

22. PROVISION OF REFUSE STORAGE

Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the dwellings/premises. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P56 (Protection of amenity) and Policy P62 (Reducing waste) of the Southwark Plan (2022).

23. SERVICE MANAGEMENT PLAN

Before the first occupation of the building hereby permitted, a Service Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason:

To ensure compliance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2021); Policy T7 (Deliveries, servicing and construction) of the London Plan (2021) and Policy P50 (Highways Impacts) of the Southwark Plan (2022).

24. NOISE PROPOSED BALCONIES

The balconies overlooking or have a line of sight towards the road or the railway lines shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to

the flats does not excessively exceed 55dB Laeq 16hr. A report shall be submitted in writing to and approved in writing by the LPA prior to occupation detailing acoustic predictions and mitigation measures. The development shall be carried out in accordance with the approval given. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing and the approved scheme shall be permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises 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), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

25. Provision for alternatively fuelled vehicles

An electric vehicle charging point shall be provided to service a minimum of 20% of the car parking spaces, including the 4 disabled spaces, provided within or for the development.

Reason

To encourage the uptake of electric and hybrid vehicles and minimise the effect of the development on local air quality within the designated Air Quality Management Area in line with Policy 7.14 of the London Plan and to comply with parking standards in Policy 6.13 of the London Plan.

26. Servicing and waste - servicing hours

Any deliveries or collections to the commercial units shall only be between the following hours: 08:00 - 20:00 Monday to Saturday, 10:00 - 16:00 on Sundays and Bank Holidays.

Reason

To safeguard the amenity of neighbouring residential properties 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), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

27. Any external lighting system installed at the development shall comply with Institute of Lighting Professionals Guidance Note 01/20 'Guidance notes for the reduction of obtrusive light.

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with 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), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

28. RESTRICTION ON USE WITHIN THE USE CLASS HEREBY PERMITTED AND USE THEREOF

Notwithstanding the provisions of of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the office use hereby permitted shall be restricted to Use Class E(g) only and shall only be used as ancillary offices to the church.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use, 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), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

29. The 2 wheelchair accessible spaces shall be separated from those parking spaces retained for the church by lockable bollards the 2 wheelchair accessible spaces hereby permitted shall not be used for any purpose other than incidental to the wheelchair flats and no trade or business shall be carried on therefrom.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of nuisance in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy T6 (Car parking) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

30. RESTRICTION ON USE WITHIN THE USE CLASS HEREBY PERMITTED AND USE THEREOF

Notwithstanding the provisions of of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment of enactment of those Orders) the hall on the ground floor hereby permitted shall be restricted to Use Class F2(b) - halls or meeting places for the principal use of the local community - only and shall only be used ancillary to the church.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case and wishes to have the opportunity of exercising control over any subsequent alternative use, 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), Policy P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan (2022).

31. HOURS OF USE

The non-residential uses hereby permitted shall not be carried on outside of the hours of: 0800 and 2300 on Monday to Sundays and Bank Holidays.

Reason:

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

Permission is subject to the following Special Condition(s)

32. Archaeological Reporting

Within one year of the completion of the archaeological work on site, an assessment report detailing the proposals for the off-site analyses and post-excavation works, including publication of the site and preparation for deposition of the archive, shall be submitted to and approved in writing by the Local Planning Authority, and the works detailed in the assessment report shall not be carried out otherwise than in accordance with any such approval given. The assessment report shall provide evidence of the applicant's commitment to finance and resource these works to their completion.

Reason: In order that the archaeological interest of the site is secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); Strategic Policy 12 (Design and Conservation) of the Core Strategy (2011); and Saved Policy 3.19 (Archaeology) of the Southwark Plan (2007).and Policy P23 Archaeology) of the Southwark Plan (2022).

33. BREEAM REPORT AND POST CONSTRUCTION REVIEW

(a) Before any fit out works to the non-residential premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

(b) Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason:

To ensure the proposal complies with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 2 (Minimising greenhouse gas emissions) of the London Plan (2021); Policy P69 (Sustainability Standards) and Policy P70 (Energy) of the Southwark Plan (2022).

Informatives

- 1 Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact Iaan Smuts, Highway Development Manager on 020 7525 2135 to arrange.

Relevant Planning Policy

National Planning Policy Framework (NPPF, 2021)

- Chapter 2 Achieving sustainable development
- Chapter 6 Building a strong, competitive economy
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 16 Conserving and enhancing the historic environment

The London Plan (2021)

- Policy GG5 Growing a good economy
- Policy SD1 Opportunity Areas
- Policy SD4 The Central Activity Zone (CAZ)
- Policy SD5 Offices, other strategic functions and residential development in the CAZ
- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D10 Basement development
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise
- Policy E1 Offices
- Policy E3 Affordable workspace
- Policy HC1 Heritage conservation and growth
- Policy HC3 Strategic and local views
- Policy G5 Urban greening
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI13 Sustainable drainage
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the Plan and Planning Obligations

Southwark Plan (2022)

- Policy P13 Design of places
- Policy P14 Design quality
- Policy P16 Designing out crime
- Policy P18 Efficient use of land
- Policy P19 Listed buildings and structures

- Policy P20 Conservation areas
- Policy P21 Conservation of the historic environment and natural heritage
- Policy P23 Archaeology
- Policy P25 River Thames
- Policy P30 Office and business development
- Policy P31 Affordable workspace
- Policy P50 Highway impacts
- Policy P51 Walking
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P55 Parking standards for disabled people and the physically impaired
- Policy P56 Protection of amenity
- Policy P57 Open Space
- Policy P62 Reducing waste
- Policy P65 Improving air quality
- Policy P66 Reducing noise pollution and enhancing soundscapes
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy
- Policy IP3 Community Infrastructure Levy (CIL) and Section 106 planning obligations

APPENDIX 3

Relevant planning history

<p>20/AP/3483 The construction of a mixed use residential (43 flats) and office building, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and car and minibus parking spaces and back-of-house space for the adjacent church.</p>	<p>Pending decision</p>
<p>20/AP/3378 Variation of Conditions in respect of planning permission reference 16/AP/2030 for: Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of the original fullheight entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking</p> <p>Conditions varied: 5,6,7 and 9 For each condition to have the wording 'before any work hereby authorised begins' substituted by 'before any work to, or demolition of, the existing ground floor slab, foundations or any work to the ground begins'.</p>	<p>GRANTED - Major Application 27/01/2021</p>
<p>20/AP/3377 Variation of Conditions in respect of listed building consent reference 16/AP/2031 for: Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p> <p>Conditions varied: Conditions 2, 3, 4 and 5: For each condition To have the wording 'Prior to commencement of works,' substituted by 'Before any work hereby authorised begins (save for demolition to ground level of redundant single storey outbuildings)'</p>	<p>GRANTED- Listed Building Consent 29/01/2021</p>
<p>16/AP/2030 Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and</p>	<p>Granted with Legal</p>

<p>two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of the original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p>	<p>Agreement 01/02/2018</p>
<p>16/AP/2031 Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p>	<p>Granted 31/01/2018</p>

APPENDIX 4**Consultation undertaken**

Site notice date: 23/02/2021

Press notice date: 17/12/2020

Case officer site visit date: n/a

Neighbour consultation letters sent: 03/05/2022

Internal services consulted

Design and Conservation Team [Formal]

Archaeology

Community Infrastructure Levy Team

Ecology

Environmental Protection

Highways Development and Management

Flood Risk Management & Urban Drainage

Transport Policy

Waste Management

Local Economy

Community Infrastructure Levy Team

Statutory and non-statutory organisations

Thames Water

Environment Agency

London Fire & Emergency Planning Authori

Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

Flat 20 Squire House 290 Camberwell Road

Railway Arch 279 Camberwell Road London

Flat 3 276 Camberwell Road London

Flat 28 Squire House 290 Camberwell Road

Flat 4 311 Camberwell Road London

Basement Flat 276A Camberwell Road London

Flat 5 244-246 Camberwell Road London

Flat 3 244-246 Camberwell Road London

298 Camberwell Road London Southwark

284A Camberwell Road London Southwark

Flat 2 276 Camberwell Road London

Flat 4 244-246 Camberwell Road London

Flat 46 Squire House 290 Camberwell Road

Railway Arch 280 Camberwell Road London

Walworth Bus Garage Camberwell New Road London

Flat 6 Longson House 286 Camberwell Road

Flat 1 Longson House 286 Camberwell Road

Flat 16 Squire House 290 Camberwell Road

305-307 Camberwell Road London Southwark

Flat 37 Squire House 290 Camberwell Road

Flat 2 311 Camberwell Road London

7 Bullace Row London Southwark

4 Bullace Row London Southwark

294 Camberwell Road London Southwark

Railway Arch 331 Medlar Street London

Flat A First Floor 250 Camberwell Road London

Flat 21 Lamb House Elmington Estate Camberwell Road

Flat 2 Landor House Elmington Estate Camberwell Road

Flat 3 Cremona House 50 Medlar Street

Flat 40 Landor House Elmington Estate Camberwell Road

Railway Arch 332 Medlar Street London

Flat 17 Squire House 290 Camberwell Road

Flat 43 Squire House 290 Camberwell Road

Landor House Tenants Hall 1A Landor House Elmington Estate Camberwell Road

Flat C 313 Camberwell Road London

Flat 1 305-307 Camberwell Road London

Flat 6 305-307 Camberwell Road London

254-270 Camberwell Road London Southwark

Flat 2 305-307 Camberwell Road London

Flat 4 305-307 Camberwell Road
London

Flat 34 Lamb House Elmington Estate
Camberwell Road

Flat 24 Landor House Elmington Estate
Camberwell Road

Flat 13 Lamb House Elmington Estate
Camberwell Road

Third Floor Flat 315 Camberwell Road
London

Flat 7 303-305 Camberwell Road
London

Flat 1 244-246 Camberwell Road
London

Flat 1 276 Camberwell Road London

Flat 70 Emperor Apartments 3 Scena
Way

Flat 69 Emperor Apartments 3 Scena
Way

Flat 59 Emperor Apartments 3 Scena
Way

Flat 48 Emperor Apartments 3 Scena
Way

Flat 42 Emperor Apartments 3 Scena
Way

Flat 38 Emperor Apartments 3 Scena
Way

Flat 35 Emperor Apartments 3 Scena
Way

Flat 21 Emperor Apartments 3 Scena
Way

Flat 18 Emperor Apartments 3 Scena
Way

Flat 16 Emperor Apartments 3 Scena
Way

Flat 9 Emperor Apartments 3 Scena Way

Flat 3 Emperor Apartments 3 Scena Way

Flat 7 Landor House Elmington Estate
Camberwell Road

Flat 30 Landor House Elmington Estate
Camberwell Road

Flat 7 Lamb House Elmington Estate
Camberwell Road

Flat 32 Lamb House Elmington Estate
Camberwell Road

Flat 11 Lamb House Elmington Estate
Camberwell Road

Flat 1 Lamb House Elmington Estate
Camberwell Road

Flat 8 Landor House Elmington Estate
Camberwell Road

Flat 28 Landor House Elmington Estate
Camberwell Road

Flat 3 Longson House 286 Camberwell
Road

Flat 25 Landor House Elmington Estate
Camberwell Road

Flat 27 Squire House 290 Camberwell
Road

Flat 21 Squire House 290 Camberwell
Road

Flat 13 Squire House 290 Camberwell
Road

288 Camberwell Road London
Southwark

Flat 49 Emperor Apartments 3 Scena
Way

Flat 45 Emperor Apartments 3 Scena
Way

Flat 40 Emperor Apartments 3 Scena
Way

Flat 36 Emperor Apartments 3 Scena
Way

Flat 34 Emperor Apartments 3 Scena
Way

Flat 24 Emperor Apartments 3 Scena Way
Flat 12 Emperor Apartments 3 Scena Way
Flat 3 Lamb House Elmington Estate Camberwell Road
Flat 23 Lamb House Elmington Estate Camberwell Road
Flat 4 Landor House Elmington Estate Camberwell Road
Flat 11 Landor House Elmington Estate Camberwell Road
Flat 7 Squire House 290 Camberwell Road
Flat 2 Squire House 290 Camberwell Road
Flat 8 Longson House 286 Camberwell Road
Flat 5 Longson House 286 Camberwell Road
Flat 4 Lamb House Elmington Estate Camberwell Road
Flat 35 Lamb House Elmington Estate Camberwell Road
Flat 27 Lamb House Elmington Estate Camberwell Road
Flat 19 Lamb House Elmington Estate Camberwell Road
Flat 14 Lamb House Elmington Estate Camberwell Road
Flat 6 Landor House Elmington Estate Camberwell Road
Flat 12 Landor House Elmington Estate Camberwell Road
Flat 10 Landor House Elmington Estate Camberwell Road
227 Camberwell Road London Southwark

86

284 Camberwell Road London Southwark
Flat 29 Squire House 290 Camberwell Road
Flat 26 Squire House 290 Camberwell Road
Flat 18 Squire House 290 Camberwell Road
54 Medlar Street London Southwark
Flat 66 Emperor Apartments 3 Scena Way
Flat 51 Emperor Apartments 3 Scena Way
Flat 50 Emperor Apartments 3 Scena Way
Flat 37 Emperor Apartments 3 Scena Way
Flat 32 Emperor Apartments 3 Scena Way
Flat 26 Emperor Apartments 3 Scena Way
Flat 22 Emperor Apartments 3 Scena Way
Flat 20 Emperor Apartments 3 Scena Way
Flat 11 Emperor Apartments 3 Scena Way
Flat 7 Emperor Apartments 3 Scena Way
Flat 2 Emperor Apartments 3 Scena Way
Flat 8 Lamb House Elmington Estate Camberwell Road
Flat 26 Lamb House Elmington Estate Camberwell Road
Flat 27 Landor House Elmington Estate Camberwell Road
Flat 22 Squire House 290 Camberwell Road

Flat 44 Squire House 290 Camberwell Road

Flat 28 Lamb House Elmington Estate Camberwell Road

Flat 18 Landor House Elmington Estate Camberwell Road

Flat 3 305-307 Camberwell Road London

Flat 40 Squire House 290 Camberwell Road

Flat 1 Cremona House 50 Medlar Street

Flat 37 Lamb House Elmington Estate Camberwell Road

Flat 17 Lamb House Elmington Estate Camberwell Road

Flat 15 Lamb House Elmington Estate Camberwell Road

Flat 5 Landor House Elmington Estate Camberwell Road

Flat 31 Squire House 290 Camberwell Road

280 Camberwell Road London Southwark

Flat 39 Squire House 290 Camberwell Road

Flat 36 Squire House 290 Camberwell Road

Flat 9 Squire House 290 Camberwell Road

Flat 3 Squire House 290 Camberwell Road

272 Camberwell Road London Southwark

52 Medlar Street London Southwark

Flat 63 Emperor Apartments 3 Scena Way

Flat 62 Emperor Apartments 3 Scena Way

Flat 61 Emperor Apartments 3 Scena Way

Flat 54 Emperor Apartments 3 Scena Way

Flat 19 Emperor Apartments 3 Scena Way

Flat 1 Emperor Apartments 3 Scena Way

Flat 2 Cremona House 50 Medlar Street

Flat 25 Lamb House Elmington Estate Camberwell Road

Flat 16 Lamb House Elmington Estate Camberwell Road

Flat 10 Lamb House Elmington Estate Camberwell Road

Flat 37 Landor House Elmington Estate Camberwell Road

315 Camberwell Road London Southwark

Flat 33 Squire House 290 Camberwell Road

Flat 25 Squire House 290 Camberwell Road

Flat 10 Squire House 290 Camberwell Road

Flat 4 Squire House 290 Camberwell Road

Flat 10 Longson House 286 Camberwell Road

Ground Floor Flat 278 Camberwell Road London

313 Camberwell Road London Southwark

221-225 Camberwell Road London Southwark

Flat 42 Squire House 290 Camberwell Road

Flat 8 Squire House 290 Camberwell Road

Flat 1 Squire House 290 Camberwell Road

Railway Arch 281 Camberwell Road London

Flat 67 Emperor Apartments 3 Scena Way

Flat 55 Emperor Apartments 3 Scena Way

Flat 47 Emperor Apartments 3 Scena Way

Flat 43 Emperor Apartments 3 Scena Way

Flat 39 Emperor Apartments 3 Scena Way

Flat 6 Lamb House Elmington Estate Camberwell Road

Flat 33 Emperor Apartments 3 Scena Way

Flat 15 Emperor Apartments 3 Scena Way

Flat 14 Emperor Apartments 3 Scena Way

Living Accommodation 242 Camberwell Road London

Flat 40 Lamb House Elmington Estate Camberwell Road

Flat 38 Lamb House Elmington Estate Camberwell Road

Flat 31 Lamb House Elmington Estate Camberwell Road

Flat 9 Landor House Elmington Estate Camberwell Road

252 Camberwell Road London Southwark

Flat 15 Squire House 290 Camberwell Road

Flat 12 Squire House 290 Camberwell Road

Flat 2 Longson House 286 Camberwell Road

Flat 39 Lamb House Elmington Estate Camberwell Road

Flat 33 Lamb House Elmington Estate Camberwell Road

Flat 29 Lamb House Elmington Estate Camberwell Road

Flat 24 Lamb House Elmington Estate Camberwell Road

Flat 34 Landor House Elmington Estate Camberwell Road

Flat 32 Landor House Elmington Estate Camberwell Road

Flat 31 Landor House Elmington Estate Camberwell Road

Flat 3 Landor House Elmington Estate Camberwell Road

Flat 26 Landor House Elmington Estate Camberwell Road

Third Floor Flat 309 Camberwell Road London

Flat 21 Landor House Elmington Estate Camberwell Road

Flat 17 Landor House Elmington Estate Camberwell Road

Flat 3 311 Camberwell Road London

Second Floor Flat 278 Camberwell Road London

309 Camberwell Road London Southwark

Flat 45 Squire House 290 Camberwell Road

Flat 14 Squire House 290 Camberwell Road

Flat 5 Squire House 290 Camberwell Road

Flat 7 Longson House 286 Camberwell Road

60 Medlar Street London Southwark

280A Camberwell Road London Southwark

Flat 68 Emperor Apartments 3 Scena Way

Flat 57 Emperor Apartments 3 Scena Way

Flat 56 Emperor Apartments 3 Scena Way

Flat 52 Emperor Apartments 3 Scena Way

Flat 31 Emperor Apartments 3 Scena Way

Flat 28 Emperor Apartments 3 Scena Way

Flat 27 Emperor Apartments 3 Scena Way

Flat 25 Emperor Apartments 3 Scena Way

Flat 10 Emperor Apartments 3 Scena Way

Flat 8 Emperor Apartments 3 Scena Way

Flat 6 Emperor Apartments 3 Scena Way

Flat 5 Emperor Apartments 3 Scena Way

Flat 9 Lamb House Elmington Estate Camberwell Road

Flat 18 Lamb House Elmington Estate Camberwell Road

Flat 30 Squire House 290 Camberwell Road

Flat 29 Landor House Elmington Estate Camberwell Road

Flat 22 Landor House Elmington Estate Camberwell Road

Flat 1 Landor House Elmington Estate Camberwell Road

Flat B 313 Camberwell Road London

Flat 5 305-307 Camberwell Road London

Flat 30 Lamb House Elmington Estate Camberwell Road

Flat 12 Lamb House Elmington Estate Camberwell Road

Flat 39 Landor House Elmington Estate Camberwell Road

Flat 36 Landor House Elmington Estate Camberwell Road

Flat 23 Landor House Elmington Estate Camberwell Road

First Floor Flat 315 Camberwell Road London

276C Camberwell Road London Southwark

248 Camberwell Road London Southwark

1 Scena Way London Southwark

Flat 41 Squire House 290 Camberwell Road

Flat 19 Squire House 290 Camberwell Road

Flat 4 Longson House 286 Camberwell Road

292 Camberwell Road London Southwark

62 Medlar Street London Southwark

250 Camberwell Road London Southwark

Flat 53 Emperor Apartments 3 Scena Way

Flat 46 Emperor Apartments 3 Scena Way

Flat 29 Emperor Apartments 3 Scena Way

Flat 23 Emperor Apartments 3 Scena Way	Railway Arch 329 Blucher Road London
Flat 17 Emperor Apartments 3 Scena Way	244 Camberwell Road London Southwark
Flat 4 Emperor Apartments 3 Scena Way	Flat 34 Squire House 290 Camberwell Road
Flat 33 Landor House Elmington Estate Camberwell Road	Flat 23 Squire House 290 Camberwell Road
Flat 20 Landor House Elmington Estate Camberwell Road	Flat 11 Longson House 286 Camberwell Road
Flat 38 Landor House Elmington Estate Camberwell Road	Flat 65 Emperor Apartments 3 Scena Way
Flat 19 Landor House Elmington Estate Camberwell Road	58 Medlar Street London Southwark
278 Camberwell Road London Southwark	300 Camberwell Road London Southwark
Second Floor Flat 309 Camberwell Road London	Railway Arch 282 Camberwell Road London
Flat 20 Lamb House Elmington Estate Camberwell Road	Flat 64 Emperor Apartments 3 Scena Way
Flat 43 Landor House Elmington Estate Camberwell Road	Flat 60 Emperor Apartments 3 Scena Way
Flat 16 Landor House Elmington Estate Camberwell Road	Flat 58 Emperor Apartments 3 Scena Way
Flat 14 Landor House Elmington Estate Camberwell Road	Flat 44 Emperor Apartments 3 Scena Way
282 Camberwell Road London Southwark	Flat 41 Emperor Apartments 3 Scena Way
Flat 38 Squire House 290 Camberwell Road	Flat 1 311 Camberwell Road London
Flat 22 Lamb House Elmington Estate Camberwell Road	Flat 30 Emperor Apartments 3 Scena Way
Flat B 250 Camberwell Road London	Flat 13 Emperor Apartments 3 Scena Way
First Floor Flat 278 Camberwell Road London	The Nags Head 242 Camberwell Road London
252A Camberwell Road London Southwark	Living Accommodation The Planet Nollywood 319 Camberwell Road
Second Floor Flat 315 Camberwell Road London	Flat 24 Squire House 290 Camberwell Road

Flat 6 Squire House 290 Camberwell Road

Flat 36 Lamb House Elmington Estate Camberwell Road

Flat 41 Landor House Elmington Estate Camberwell Road

Flat 35 Landor House Elmington Estate Camberwell Road

Flat Above 298-300 Camberwell Road London

The Planet Nollywood 319 Camberwell Road London

Flat 35 Squire House 290 Camberwell Road

56 Medlar Street London Southwark

Flat 5 Lamb House Elmington Estate Camberwell Road

Flat 2 Lamb House Elmington Estate Camberwell Road

Flat 42 Landor House Elmington Estate Camberwell Road

Flat 15 Landor House Elmington Estate Camberwell Road

Flat 13 Landor House Elmington Estate Camberwell Road

First Floor Flat 309 Camberwell Road London

Flat A 313 Camberwell Road London

Flat 2 244-246 Camberwell Road London

238-240 Camberwell Road London Southwark

296 Camberwell Road London Southwark

54 Camberwell Green London Southwark

Flat 32 Squire House 290 Camberwell Road

Flat 11 Squire House 290 Camberwell Road

Flat 9 Longson House 286 Camberwell Road

280B Camberwell Road London Southwark

APPENDIX 5

Consultation responses received

Internal services

Design and Conservation Team [Formal]
 Archaeology
 Community Infrastructure Levy Team
 Ecology
 Environmental Protection
 Highways Development and Management
 Flood Risk Management & Urban Drainage
 Transport Policy
 Local Economy
 Community Infrastructure Levy Team

Statutory and non-statutory organisations

Thames Water
 Environment Agency
 London Fire & Emergency Planning Authority
 Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

37 Rochester house Manciple street London
 Flat 59 Emperor Apartments London SE5 0BF
 Flat 218 Aragon Tower George Beard Road London
 12 Pentridge Street Southwark London
 69 meeting House Lane Meeting House lane LONDON
 159 East Street London SE17 2SD

53 Emperor Apartments 3 Scena Way London
 23 Pearl Building London SE5 0BH
 Flat 67, Emperor Apartments 3 Scena Way London
 23, Sandlings Close London Se15 3sy
 254-270 Camberwell Road, London SE5 0DP
 FLAT 40,SHARAD ROAD ELTHAM London SE9 6EX
 Flat 22, Emperor Apartments 3 Scena Way London
 3 Scena way London SE5 0BF
 Flat 22, Gatekeeper Building, 5 Scena Way London SE5 0BJ
 2 fortune place 2 fortune Place Southwark
 4 Fortune Place London SE1 5JF
 32 Gatekeeper Buildings 5 Scena Way Camberwell
 53 Emperor Apartments London SE5 0BF
 83 new Church road london se5 7jr
 159 East Street. London SE 17 2SD
 Flat 23 Emperor Apartments 3 Scena Way LONDON
 Flat 14 Fritillary Apts London SE5 0BD
 35 laing house Camberwell SE5 0IF
 Flat 43, Emperor Apartments 3 Scena Way London
 Flat 70 Emperor Aptmens 3 Scena Way London
 Flat 12, Marvell House Camberwell Road SE5, 7JD
 28 Fritillary Apartments 2 Scena Way London
 76 London SE17 2QR
 FLAT 69 EMPEROR APARTMENTS 3 SCENA WAY LONDON
 2 Century House Abery Street London
 92 BARTH ROAD PLUM LONDON
 Flat 16 Maple Court 1 Lower Coombe Street CROYDON
 Flat 2 276 Camberwell Road London
 Flat 37 Emperor Apartments 3 Scena Way London
 23 Pearl Building London SE5 0BH
 Flat 43 Emperor Apartments 3 Scena Way London
 Flat 24 Ritchie House, Howland Estate London

Flat 12 Fritillary Apartments 2 Scena Way London
 46 Covesfield Kent DA11 0EG
 Flat 13 Emperor Apartments, 3 Scena Way London SE50BF
 Flat 30 Fritillary Apartments London Se50bd
 27 laid house London Se5 0ls
 2 fortune place 2 fortune Place London
 12a Holmewood Road London Se23rr
 254-270 Camberwell London SE5 0DP
 Wings Flat Camberwell Rd Camberwell London
 Flat 32 Emperor Apartments 3 Scena Way London
 Apartment 2 Giddens house 117 Loughborough park Stockwell London
 8 Rivet House London SE1 5HY
 Flat 16 Gatekeeper Buildings 5 Scena Way London
 Flat 24 Emperor Apartments 3 Scena Way London
 Denmark Hill Road Camberwell SE5 9RS
 Laing House london se5 0lf
 Flat 31, Maxwell Court Dulwich Common London
 Flat 4 Emperor Apartments London SE5 0BF
 Flat 27, Fritillary Apartments 2 Scena Way London
 23 Northchurch Dawes Street Walworth Road London
 Flat 4 Emperor Apartments 3 Scena Way Camberwell
 Flat 48, Emperor Apartments 3 Scena Way London
 Flat 55 Emperor Apartments 3 Scena Way London
 85 Chandler Way London SE15 6GB
 Flat 4, Emperor Apartments 3 Scena Way London
 270 Camberwell road London
 245 Camberwell road London
 Flat 31, Maxwell Court Dulwich Common London
 flat 13 marvell House Camberwell Road London
 Flat 17, Emperor Apartments 3 Scena Way London
 Flat 33 Fritillary Apartments 2 Scena Way London
 Flat 3 , 80 Camberwell Church Street London SE5 8QZ

46 Covesfield Kent DA11 0EG
 10 Fritillary Apts 2 Scena Way London
 London London Se22 Onh
 House of Praise 274 Camberwell road London
 Eglinton Road 231 London SE18 3SN
 12 Marvel house Elimington estate camberwell London
 Flat 63, Emperor Apartments London SE5 0BF
 16 County Grove London SE5 9LE
 44 Don Phelan Close LONDON se5 7az
 21 Livingstone house London SE5 0UY
 Flat 62 Emperor Apartments 3 Scena Way London
 Flat 33 Landor House Elmigton Estate Camberwell
 Flat 9 Fritillary Apartments London SE5 0BC
 33 Fritillary Apartments 2 Scena way London
 Flat 12 Fritillary Apartments 2 Scena Way London
 52 Emperor Apartments 3 Scena Way London
 23, Sandlings close London SE15 3SY
 254-270 Camberwell Road Camberwell London
 4 Fritillary Apartments London SE5 0BD
 52 Emperor Apartments 3 Scena Way London
 12 Pentridge Street Pentridge Street London
 Flat 13 Emperor Apartments 3 Scena Way London
 House Of Praise Camberwell Rd London
 Flat 50 emperor apartments 3 Scena way Camberwell
 26 Emperor Apartments 3 Scena Way London
 Flat 18, Emperor Apartments 3 Scena Way London
 Flat 27 Emperor Apartments 3 Scena Way London
 88 Samuel Jones Court Ferdinand Drive Peckham
 Ferdinand Drive Sam Jones Ct London
 158 Grove Lane London SE5 8BP
 3 Scena Way Flat 43 Emperor Apartments London
 Flat 43 Emperor Apartments 3 Scena Way London

Flat 69 emperor apartments 3 scena way London

Flat 4 Pearl Buildings 4 Scena Way London

16 County Grove London SE5 9LE

Flat 14 Emperor Apartments London Se5 0Bf

FLAT 24, COMBER HOUSE COMBER GROVE LONDON

88 Samuel Jones Court, Ferdinand Dr, Ferdinand Drive, Ferdinand Drive, Ferdinand Drive
Ferdinand Drive Peckham

Flat 3 Fritillary Apartments 2 Scena Way

43 Reedham Street London SE15 4PF

Flat 4 emperor apartments, 3 scena way London

Flat 12 Emperor Apartments 3 Scena Way London

158 Ruskin Park House Champion Hill Camberwell, LONDON

Flat 30 Fritillary Apartments London SE5 0BD

158 Grove lane London SE5 8BP

Flat 13 Emperor Apartments 3 Scena Way SE50BF

flat69 3 scena way london

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Item No. 6.2	Classification: Open	Date: 13 June 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management: Application 20/AP/3483 for: Listed Building Consent Address: 254-268 CAMBERWELL ROAD, LONDON SOUTHWARK Proposal: Construction of a mixed use residential (43 flats) and office building, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and service, plant, car and minibus parking spaces and back-of-house space for the adjacent church.		
Ward(s) or groups affected:	Camberwell Green		
From:	Director of Planning and Growth		
Application Start Date	17.06.2021	Expiry Date	16.09.2022
Earliest Decision Date	08.08.2022	PPA Date	

RECOMMENDATION

1. That listed building consent be granted subject to conditions.

EXECUTIVE SUMMARY

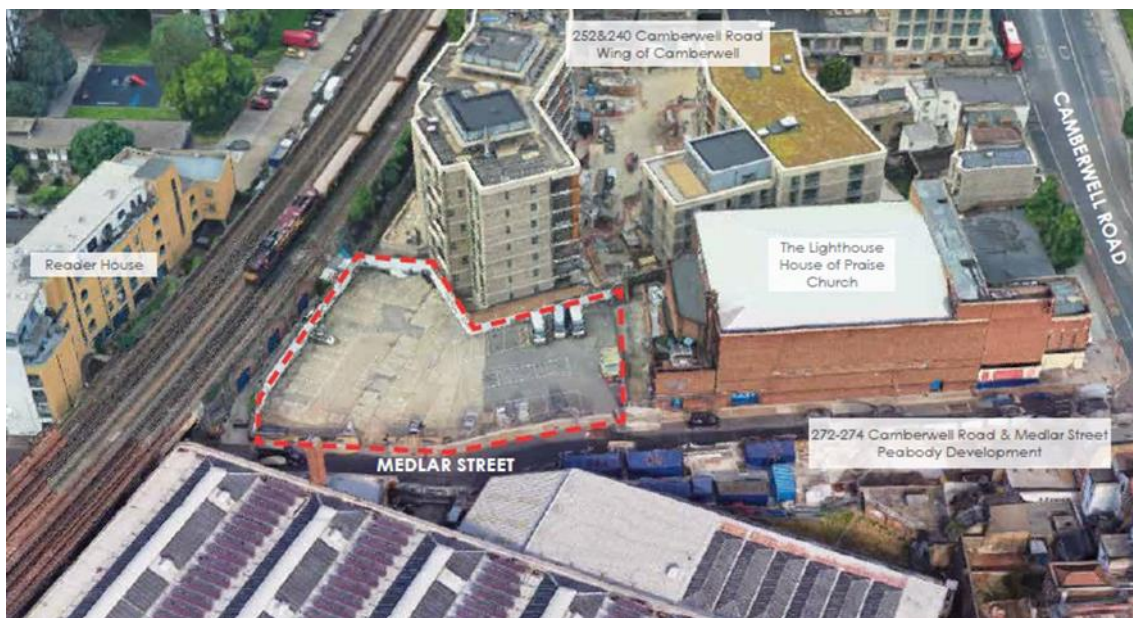
2. This application is for decision by the planning sub-committee as five or more objections have been received. An associated planning application, reference number 20/AP/3482, is also on the agenda.
3. The application is for the construction of a mixed use residential (43 flats), business, general industrial and storage and distribution building, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms, landscaping, car and minibus parking spaces and back-of-house space for the adjacent church.
4. The application in regards to the significance of the building would preserve the main features of the building. The proposed additional back of house areas would assist in the long term use of the church, and preservation of the listed building. In principle, the application is supported in this regard. Details of conditions regarding the finishes adjacent to the listed building are recommended.

BACKGROUND INFORMATION

Site location and description

5. The site has an area of 1,385sqm and consists of a car park to the rear, and serving, the place of worship at 254-268 Camberwell Road. The car park is accessed off Medlar Street. The car park comprises 40 car parking spaces, 8 minibus parking spaces and 2 wheelchair accessible parking spaces.
6. The site fronts Medlar Street to the south and is to the rear (west) of the Grade II listed place of worship at 254-268 Camberwell Road. The height of the listed building is expressed without storeys, but is generally taller than the surrounding buildings which range between three and five storeys. The site is not located within a conservation area.
7. A part seven storey block of flats with an eight floor set back, Emperor Apartments (Wing of Camberwell block C), is located directly to the north. The four storey wing of Fritillary Apartments (Wing of Camberwell block B) is located to the north east. A railway viaduct, with commercial and industrial units within the arches, is located to the west. The Low Line route would run along the railway arches. On the opposite (south) side of Medlar Street is a part two, part three, part four storey development at 272-274 Camberwell Road.
8. The area surrounding the site is a mix of predominantly residential, community and shops and other commercial uses.

Image of application site



Details of proposal

9. It is proposed to construct a mixed use residential and office building with a maximum height of nine storeys. The building would comprise of part three, part six and part eight storeys with a set-back ninth floor. The application provides

ground floor ancillary back of house extensions to the church, in particular the former stage/auditorium area of the listed cinema.

Image – Section through the proposed building



10. The proposed façade treatments for the building would be red brick, light brown clay facing brick, grey aluminium windows, black curtain windows, dark grey solid spandrel panels and dark grey balustrades. The red brick would match the adjacent church. The business frontage and entrance would be located towards the east of the site, with the car park entrance adjacent to the railway viaduct.

Consultation responses from members of the public and local groups

11. Support
- 8 comments of support have been received and the matters supported include:
 - Quality of the design would enrich the listed building
12. Objection
- 55 Comments of objection:
 - Design, height and massing

KEY ISSUES FOR CONSIDERATION

Summary of main issues

13. The main issues to be considered in respect of this application are:
- Design, including layout, building heights
 - Heritage considerations

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

Legal context

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

Planning policy

16. The statutory development plan for the Borough comprises the London Plan 2021 and The Southwark Plan (2022). The National Planning Policy Framework (2021) constitutes material considerations but is 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

Design

Height scale and massing

17. Objectors raised concerns that the development be overdevelopment, would be too high, significantly bigger than neighbouring properties, out of keeping with the local architecture and character of the area and detrimental to the streetscape.
18. Officers consider that it would be appropriate that the building would open to the street, would provide positive access and overlooking to the street and have green amenity space to the rear. The site to the south of the Elephant and Castle opportunity area, however it repeats the pattern and scale of the development along the railway viaduct that have been approved and built out further north. In the wider neighbourhood, including the development of the "Wave" site to the north, there are similar examples of this type and scale of development between Camberwell Road/Walworth Road, and the railway viaduct. Therefore the site layout would be appropriate and would make best use of the site, while responding in scale, massing and layout to the grade II listed building to the immediate east.

Architectural design and materials

19. The architectural design would include a "base" in buff brick. This would unify the ground floor street facing element. The residential entrance would be located in the centre of the proposed building. On the upper floors the arrangement of massing and heights, with the three storeys and office use adjacent to the grade II listed church and the taller uses away from this sensitive area, would be acceptable in principle. The use of contrasting brick with a vertical emphasis provided by balconies, windows and brick detailing would be acceptable in principle and it is recommended that details of the panels and balconies, plus windows area be required by condition.

Heritage considerations

20. There would be impact on the Grade II listed 254-268 Camberwell Road – a former cinema, now a church. The significance of the building is contained within the fabric as a good example of 1920s cinema with interior spaces and detailing, and brick external façade. Of particular interest is the front elevation, the foyer and the auditorium, plus the scale and simplicity of the external envelope. The main impact would be the loss of some of the rear elevation façade, including a small single storey extension and metal staircase. These elements however are secondary to the wider significance of the building, which would remain unaltered. The internal changes to the consented previous schemes are minor and would not harm the significance of the building.
21. Details including elevations of the existing listed building to be removed or altered with a method statement are required by condition to ensure that the fabric of the grade II listed building would be preserved.
22. In conclusion, subject to the details required above, the application would meet the requirements of the policies, and would have a neutral impact on the significance of the grade II listed building.

Human rights implications

23. 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.
24. This application has the legitimate aim of providing new homes and improved employment space. 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

25. 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.

26. 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.

27. **Positive and proactive engagement: summary table**

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

CONCLUSION

28. The impact on the Grade II listed building at 254-268 Camberwell Road, a former cinema and now a church, would be the loss of some of the rear elevation façade, including a small single storey extension and metal staircase. The proposed development would have a neutral impact on the significance of the grade II listed building. It is recommended that permission be granted subject to a condition of details of the alterations to the elevations of the existing listed building.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2064-E Application file: 20/AP/3483 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation (draft decision notice)
Appendix 2	Planning Policies
Appendix 3	Relevant Planning History
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Andre Verster, Team Leader	
Version	Final	
Dated	15 March 2023	
Key Decision		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		1 June 2023

Recommendation

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

This document is not a decision notice for this application.

Applicant	Pastor Andrew Adeleke RCCG House of Praise	Reg. Number	20/AP/3483
Application Type	Listed Building Consent		
Recommendation	GRANT consent	Case Number	2064-E

Draft of Decision Notice

Listed building consent is GRANTED for the following development:

The construction of a mixed use residential (43 flats) and office building, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and car and minibus parking spaces and back-of-house space for the adjacent church.

254-268 Camberwell Road London Southwark SE5 0DP

In accordance with application received on 26 November 2020 and Applicant's Drawing Nos.:

Existing Plans

Plans - Existing EX-E-03 WEST AND EAST ELEVATIONS received 18/02/2021

Proposed Plans

Floor Plans - Proposed GA-P-L00 - GENERAL ARRANGMENT - GROUND FLOOR PLAN 5 received 17/03/2023

Floor Plans - Proposed GA-P-L00-SUR - GENERAL ARRANGEMENT - GROUND

FLOOR PLAN WITH SURVEY received 26/11/2020

Floor Plans - Proposed GA-P-L01 - GENERAL ARRANGMENT - FIRST FLOOR
PLAN 5 received 17/03/2023

Floor Plans - Proposed GA-P-L02 - GENERAL ARRANGEMENT - SECOND FLOOR
PLAN 5 received 17/03/2023

Floor Plans - Proposed GA-P-L03 - GENERAL ARRANGEMENT - THIRD FLOOR
PLAN received 26/11/2020

Floor Plans - Proposed GA-P-L04 - GENERAL ARRANGEMENT - FOURTH FLOOR
PLAN received 26/11/2020

Floor Plans - Proposed GA-P-L05 - GENERAL ARRANGMENT - FIFTH FLOOR
PLAN received 26/11/2020

Floor Plans - Proposed GA-P-L06 - GENERAL ARRANGMENT - SIXTH FLOOR
PLAN received 26/11/2020

Floor Plans - Proposed GA-P-L07 - GENERAL ARRANGEMENT - SEVENTH FLOOR
PLAN received 26/11/2020

Floor Plans - Proposed GA-P-L08 - GENERAL ARRANGEMENT - EIGHTH FLOOR
PLAN received 26/11/2020

Plans - Proposed GA-P-L09 - GENERAL ARRANGEMENT - ROOF PLAN received
26/11/2020

Plans - Proposed EX-E-03 WEST AND EAST ELEVATIONS P received 18/02/2021

Plans - Proposed GA-E-02 SOUTH ELEVATION P received 18/02/2021

Plans - Proposed GA-E-03 EAST ELEVATION P received 18/02/2021

Plans - Proposed GA-E-04 WEST ELEVATION P received 18/02/2021

Plans - Proposed GA-E-05 ELEVATIONS WITH CONTEXT received 18/02/2021

Plans - Proposed GA-S-01 SECTION A-A P received 18/02/2021

Plans - Proposed GA-S-02 SECTION B-B P received 18/02/2021

Plans - Proposed GA-S-03 SECTION C-C P received 18/02/2021

Plans - Proposed GA-S-04 SECTION D-D AND E-E P received 18/02/2021

Plans - Proposed GA-S-05 SECTION F-F P received 18/02/2021

Plans - Proposed GA-S-06 SECTION G-G P received 18/02/2021

Plans - Proposed GA-S-07 SECTION H-H AND I-I received 18/02/2021

Plans - Proposed GA-S-08 SECTION J-J AND K-K received 18/02/2021

Plans - Proposed GA-S-09 SECTION A-A AND G-G WITH CONTEXT received
18/02/2021

Plans - Proposed D8 GENERAL ARRANGEMENT AFFORDABLE ALLOCATION
received 18/02/2021

Other Documents

Air quality assessment AIR QUALITY ASSESSMENT received 26/11/2020

Design and access statement DESIGN & ACCESS STATEMENT received 26/11/2020

Document CONSTRUCTION LOGISTICS PLAN received 26/11/2020

Document DELIVERY AND SERVICING PLAN received 26/11/2020

Document FINANCIAL VIABILITY ASSESSMENT received 26/11/2020

Document HISTORIC ENVIRONMENT ASSESSMENT received 26/11/2020

Document PARKING HIRE AGREEMENT received 26/11/2020

Drainage SUSTAINABLE DRAINAGE STATEMENT received 26/11/2020

Sustainability statement SUSTAINABILITY & ENERGY STATEMENT received 26/11/2020

Heritage statement HERITAGE STATEMENT received 26/11/2020

Planning statement PLANNING STATEMENT AND COVERING SUBMISSION received 26/11/2020

Transport assessment/statement TRANSPORT STATEMENT received 26/11/2020

Daylight/Sunlight assessment DAYLIGHT, SUNLIGHT & OVERSHADOWING received 26/11/2020

Daylight/Sunlight assessment PROPOSED SCHEME DAYLIGHT, SUNLIGHT AND OVERSHADOWING received 26/11/2020

Flood risk assessment FLOOD RISK ASSESSMENT received 26/11/2020

Noise impact assessment NOISE IMPACT ASSESSMENT received 26/11/2020

Document STATEMENT OF COMMUNITY ENGAGEMENT received 26/11/2020

Document DESIGNING OUT CRIME received 18/02/2021

Document SCHEDULE OF AREAS DETAILED BY UNIT received 18/02/2021

Document WASTE CALCULATIONS received 18/02/2021

Time limit for implementing this permission and the approved plans

2. The development hereby permitted shall be begun before the end of three years from the date of this permission. Reason:As required under Section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990 as

amended.

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

3. Prior to commencement of the development hereby approved shop drawings (scale 1:5) for all new panels, balconies and window areas shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order to ensure that the design and details are in the interest of the special architectural or historic qualities of the listed building in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P21 Conservation of the historic environment and natural heritage, P20 Conservation areas, P19 Listed buildings and structures, P13: Design of places and P14: Design quality of the Southwark Plan (2022).

4. Prior to commencement of the development hereby approved details, including elevations, of elements of the existing listed building to be removed or altered, together with a method statement, shall be submitted to this Local Planning Authority and approved in writing; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that the fabric of the grade II listed building would be preserved in accordance with Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy HC1 (Heritage conservation and growth) of the London Plan (2021); P21 Conservation of the historic environment and natural heritage, P20 Conservation areas, P19 Listed buildings and structures, P13: Design of places and P14: Design quality of the Southwark Plan (2022).

Informatives

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

Planning Policies

National Planning Policy Framework (NPPF, 2021)

- Chapter 16 Conserving and enhancing the historic environment

The London Plan (2021)

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy HC1 Heritage conservation and growth
- Policy HC3 Strategic and local views

Southwark Plan (2022)

- Policy P13 Design of places
- Policy P14 Design quality
- Policy P18 Efficient use of land
- Policy P19 Listed buildings and structures
- Policy P20 Conservation areas
- Policy P21 Conservation of the historic environment and natural heritage
- Policy P23 Archaeology

Relevant planning history

<p>20/AP/3483 The construction of a mixed use residential (43 flats) and office building, with a height of three to nine storeys, with bin stores, bike stores, car parking, plant rooms and landscaping serving the flats and car and minibus parking spaces and back-of-house space for the adjacent church.</p>	<p>Pending decision</p>
<p>20/AP/3378 Variation of Conditions in respect of planning permission reference 16/AP/2030 for: Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of the original fullheight entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking</p> <p>Conditions varied: 5,6,7 and 9 For each condition to have the wording 'before any work hereby authorised begins' substituted by 'before any work to, or demolition of, the existing ground floor slab, foundations or any work to the ground begins'.</p>	<p>GRANTED - Major Application 27/01/2021</p>
<p>20/AP/3377 Variation of Conditions in respect of listed building consent reference 16/AP/2031 for: Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p> <p>Conditions varied: Conditions 2, 3, 4 and 5: For each condition To have the wording 'Prior to commencement of works,' substituted by 'Before any work hereby authorised begins (save for demolition to ground level of redundant single storey outbuildings)'</p>	<p>GRANTED- Listed Building Consent 29/01/2021</p>

<p>16/AP/2030 Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of the original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p>	<p>Granted with Legal Agreement 01/02/2018</p>
<p>16/AP/2031 Demolition of redundant single storey outbuildings and erection of part two/part three storey extension to front, 4 storey extension to the rear and two storey extension to the northern flank to accommodate ancillary cafe, community facilities and office space, extension of basement, re-instatement of original full-height entrance hall and the original entrance canopy and entrance doors on Medlar Street, with front roof garden at the second floor level and associated parking.</p>	<p>Granted 31/01/2018</p>

Consultation undertaken

Site notice date: n/a.

Press notice date: 24/12/2020

Case officer site visit date: n/a

Neighbour consultation letters sent: 16/02/2021

Internal services consulted

Design and Conservation Team [Formal]

Statutory and non-statutory organisations

Neighbour and local groups consulted:

Flat 10 Reader House 18 Medlar Street	Flat 40 Squire House 290 Camberwell Road
Flat 18 Reader House 7 Badsworth Road	Flat 1 Cremona House 50 Medlar Street
Flat 66 Emperor Apartments 3 Scena Way	Flat 38 297A Camberwell New Road London
Flat 51 Emperor Apartments 3 Scena Way	Flat 20 295B Camberwell New Road London
Flat 50 Emperor Apartments 3 Scena Way	Flat 13 295A Camberwell New Road London
Flat 37 Emperor Apartments 3 Scena Way	9 Hodister Close London Southwark
Flat 32 Emperor Apartments 3 Scena Way	6 Hodister Close London Southwark
Flat 26 Emperor Apartments 3 Scena Way	280 Camberwell Road London Southwark
Flat 22 Emperor Apartments 3 Scena Way	Railway Arch 326 Blucher Road London
Flat 20 Emperor Apartments 3 Scena Way	Flat 20 Marinel House Comber Estate Comber Grove
Flat 11 Emperor Apartments 3 Scena Way	Flat 1 Marinel House Comber Estate Comber Grove
Flat 7 Emperor Apartments 3 Scena Way	Flat 8 Arnot House Comber Estate Comber Grove
Flat 2 Emperor Apartments 3 Scena Way	Flat 18 Arnot House Comber Estate Comber Grove
Flat 44 Squire House 290 Camberwell Road	Flat 13 Arnot House Comber Estate Comber Grove
Flat 6 Marinel House Comber Estate Comber Grove	Flat 39 Squire House 290 Camberwell Road
Flat 15 Arnot House Comber Estate Comber Grove	Flat 36 Squire House 290 Camberwell Road
Railway Arch 325 Blucher Road London	Flat 31 Squire House 290 Camberwell Road

Flat 9 Squire House 290 Camberwell Road
 Flat 3 Squire House 290 Camberwell Road
 272 Camberwell Road London Southwark
 52 Medlar Street London Southwark
 1 Pearson Close London Southwark
 Flat 6 Reader House 18 Medlar Street
 Flat 16 Reader House 7 Badsworth Road
 Flat 11 295A Camberwell New Road London
 Flat 63 Emperor Apartments 3 Scena Way
 Flat 62 Emperor Apartments 3 Scena Way
 Flat 61 Emperor Apartments 3 Scena Way
 Flat 54 Emperor Apartments 3 Scena Way
 Flat 19 Emperor Apartments 3 Scena Way
 Flat 1 Emperor Apartments 3 Scena Way
 Flat 2 Cremona House 50 Medlar Street
 7 Hodister Close London Southwark
 12 Hodister Close London Southwark
 21 Badsworth Road London Southwark
 Flat 2 Arnot House Comber Estate Comber Grove
 Flat 12 Arnot House Comber Estate Comber Grove
 14A Medlar Street London Southwark
 305-307 Camberwell Road London Southwark
 294 Camberwell Road London Southwark
 Flat 33 Squire House 290 Camberwell Road
 Flat 25 Squire House 290 Camberwell Road
 Flat 5 Reader House 18 Medlar Street
 Ground Floor Flat 278 Camberwell Road London
 Railway Arch 324 Blucher Road London
 8 Hodister Close London Southwark
 12 Medlar Street London Southwark
 254-270 Camberwell Road London Southwark
 Flat 23 Arnot House Comber Estate Comber Grove
 Flat 11 Arnot House Comber Estate Comber Grove
 Flat 2 305-307 Camberwell Road London
 Flat 42 Squire House 290 Camberwell Road
 Flat 8 Squire House 290 Camberwell Road
 Flat 1 Squire House 290 Camberwell Road
 Railway Arch 281 Camberwell Road London
 2 Pearson Close London Southwark
 Flat 9 Reader House 18 Medlar Street
 Flat 11 Reader House 18 Medlar Street
 Flat 19 295B Camberwell New Road London
 Flat 18 295B Camberwell New Road London
 Flat 67 Emperor Apartments 3 Scena Way
 Flat 55 Emperor Apartments 3 Scena Way
 Flat 47 Emperor Apartments 3 Scena Way
 Flat 43 Emperor Apartments 3 Scena Way
 Flat 39 Emperor Apartments 3 Scena Way
 Flat 33 Emperor Apartments 3 Scena Way
 Flat 15 Emperor Apartments 3 Scena Way
 Flat 14 Emperor Apartments 3 Scena Way
 Living Accommodation 242 Camberwell Road London
 Ground Floor Flat 15 Medlar Street London
 Ground Floor West 301 Camberwell New Road London
 252 Camberwell Road London Southwark
 Flat 10 Arnot House Comber Estate Comber Grove
 Ground Floor Flat 11 Medlar Street London

Third Floor Flat 309 Camberwell Road
 London
 Second Floor Flat 278 Camberwell Road
 London
 20 Badsworth Road London Southwark
 13 Medlar Street London Southwark
 10 Medlar Street London Southwark
 309 Camberwell Road London
 Southwark
 Flat 7 Marinel House Comber Estate
 Comber Grove
 Flat 22 Marinel House Comber Estate
 Comber Grove
 Railway Arch 330 Blucher Road London
 Flat 11 Marinel House Comber Estate
 Comber Grove
 15A Badsworth Road London Southwark
 Flat 4 305-307 Camberwell Road
 London
 Flat 45 Squire House 290 Camberwell
 Road
 Flat 14 Squire House 290 Camberwell
 Road
 Flat 5 Squire House 290 Camberwell
 Road
 Flat 7 Longson House 286 Camberwell
 Road
 60 Medlar Street London Southwark
 280A Camberwell Road London
 Southwark
 Flat 24 Reader House 7 Badsworth
 Road
 Flat 36 297A Camberwell New Road
 London
 Flat 29 297 Camberwell New Road
 London
 Flat 22 295B Camberwell New Road
 London
 Flat 9 295A Camberwell New Road
 London
 Flat 68 Emperor Apartments 3 Scena
 Way
 Flat 57 Emperor Apartments 3 Scena
 Way
 Flat 56 Emperor Apartments 3 Scena
 Way
 Flat 52 Emperor Apartments 3 Scena
 Way
 Flat 31 Emperor Apartments 3 Scena
 Way
 Flat 28 Emperor Apartments 3 Scena
 Way
 Flat 27 Emperor Apartments 3 Scena
 Way
 Flat 25 Emperor Apartments 3 Scena
 Way
 Flat 10 Emperor Apartments 3 Scena
 Way
 Flat 8 Emperor Apartments 3 Scena Way
 Flat 6 Emperor Apartments 3 Scena Way
 Flat 5 Emperor Apartments 3 Scena Way
 8 Medlar Street London Southwark
 Flat 8 Marinel House Comber Estate
 Comber Grove
 Flat 23 Marinel House Comber Estate
 Comber Grove
 Flat 30 Squire House 290 Camberwell
 Road
 Flat 34 297A Camberwell New Road
 London
 14 Badsworth Road London Southwark
 Flat 12 Marinel House Comber Estate
 Comber Grove
 15A Medlar Street London Southwark
 13A Medlar Street London Southwark
 Flat 41 Squire House 290 Camberwell
 Road
 Flat 19 Squire House 290 Camberwell
 Road
 Flat 4 Longson House 286 Camberwell
 Road
 292 Camberwell Road London
 Southwark
 62 Medlar Street London Southwark
 4 Pearson Close London Southwark
 Flat 4 Reader House 18 Medlar Street
 Flat 26 Reader House 7 Badsworth
 Road
 Flat 21 Reader House 7 Badsworth
 Road
 Flat 35 297A Camberwell New Road
 London
 Flat 39 297A Camberwell New Road
 London
 Flat 53 Emperor Apartments 3 Scena
 Way
 Flat 46 Emperor Apartments 3 Scena
 Way

Flat 29 Emperor Apartments 3 Scena Way
 Flat 23 Emperor Apartments 3 Scena Way
 Flat 17 Emperor Apartments 3 Scena Way
 Flat 4 Emperor Apartments 3 Scena Way
 Flat 32 297 Camberwell New Road London
 Flat 23 Reader House 7 Badsworth Road
 278 Camberwell Road London Southwark
 Flat 24 295B Camberwell New Road London
 Flat 10 295A Camberwell New Road London
 Second Floor Flat 309 Camberwell Road London
 18 Badsworth Road London Southwark
 Flat 4 Marinel House Comber Estate Comber Grove
 Flat 13 Marinel House Comber Estate Comber Grove
 Flat 9 Arnot House Comber Estate Comber Grove
 Flat 7 Arnot House Comber Estate Comber Grove
 282 Camberwell Road London Southwark
 15B Badsworth Road London Southwark
 Flat 38 Squire House 290 Camberwell Road
 9 Pearson Close London Southwark
 Flat 8 Reader House 18 Medlar Street
 Flat 30 297 Camberwell New Road London
 Flat 28 297 Camberwell New Road London
 Flat B 250 Camberwell Road London
 Flat 15 295A Camberwell New Road London
 276C Camberwell Road London Southwark
 248 Camberwell Road London Southwark
 First Floor Flat 278 Camberwell Road London
 Railway Arch 329 Blucher Road London
 3 Hodister Close London Southwark
 10 Hodister Close London Southwark
 16 Badsworth Road London Southwark
 244 Camberwell Road London Southwark
 Flat 9 Marinel House Comber Estate Comber Grove
 Flat 16 Marinel House Comber Estate Comber Grove
 Flat 19 Arnot House Comber Estate Comber Grove
 Flat 1 Arnot House Comber Estate Comber Grove
 252A Camberwell Road London Southwark
 Flat 34 Squire House 290 Camberwell Road
 Flat 23 Squire House 290 Camberwell Road
 Flat 11 Longson House 286 Camberwell Road
 58 Medlar Street London Southwark
 Railway Arch 282 Camberwell Road London
 8 Pearson Close London Southwark
 Flat 40 297A Camberwell New Road London
 Flat 65 Emperor Apartments 3 Scena Way
 Flat 64 Emperor Apartments 3 Scena Way
 Flat 60 Emperor Apartments 3 Scena Way
 Flat 58 Emperor Apartments 3 Scena Way
 Flat 44 Emperor Apartments 3 Scena Way
 Flat 41 Emperor Apartments 3 Scena Way
 Flat 30 Emperor Apartments 3 Scena Way
 Flat 13 Emperor Apartments 3 Scena Way
 The Nags Head 242 Camberwell Road London
 Flat 18 Marinel House Comber Estate Comber Grove
 Flat 21 Arnot House Comber Estate Comber Grove

5 Hodister Close London Southwark
Flat 24 Squire House 290 Camberwell
Road
Flat 6 Squire House 290 Camberwell
Road
7 Badsworth Road London Southwark
12 Pearson Close London Southwark
Flat Above 298-300 Camberwell Road
London
Flat 21 Marinel House Comber Estate
Comber Grove
Flat 35 Squire House 290 Camberwell
Road
56 Medlar Street London Southwark
Flat 14 Reader House 18 Medlar Street
First Floor Flat 309 Camberwell Road
London
First Floor Flat 11 Medlar Street London
Flat 2 244-246 Camberwell Road
London
238-240 Camberwell Road London
Southwark
17 Badsworth Road London Southwark
13 Hodister Close London Southwark
11 Hodister Close London Southwark
296 Camberwell Road London
Southwark
Railway Arch 323 Blucher Road London
Flat 5 Marinel House Comber Estate
Comber Grove
Flat 3 Arnot House Comber Estate
Comber Grove
Flat 32 Squire House 290 Camberwell
Road
Flat 11 Squire House 290 Camberwell
Road
Flat 9 Longson House 286 Camberwell
Road
280B Camberwell Road London
Southwark
14 Pearson Close London Southwark
Flat 2 Reader House 18 Medlar Street
Railway Arch 333 To 335 Medlar Street
London
Flat 26 297 Camberwell New Road
London
Flat 17 295B Camberwell New Road
London
Flat 16 295A Camberwell New Road

London
Flat 25 297 Camberwell New Road
London
Flat 24 Marinel House Comber Estate
Comber Grove
Flat 1 276 Camberwell Road London
Flat 3 276 Camberwell Road London
Railway Arch 327 Blucher Road London
Flat 13 Reader House 18 Medlar Street
Flat 37 297A Camberwell New Road
London
Flat 28 Squire House 290 Camberwell
Road
Flat 20 Squire House 290 Camberwell
Road
Flat 5 244-246 Camberwell Road
London
Flat 3 244-246 Camberwell Road
London
Basement Flat 276A Camberwell Road
London
284A Camberwell Road London
Southwark
Flat 2 276 Camberwell Road London
Flat 22 Squire House 290 Camberwell
Road
Flat 4 244-246 Camberwell Road
London
Flat 46 Squire House 290 Camberwell
Road
Railway Arch 280 Camberwell Road
London
Flat 25 Reader House 7 Badsworth
Road
Flat 20 Reader House 7 Badsworth
Road
Flat 22 Reader House 7 Badsworth
Road
Flat 17 Reader House 7 Badsworth
Road
Walworth Bus Garage Camberwell New
Road London
Flat 21 295B Camberwell New Road
London
2 Hodister Close London Southwark
9 Medlar Street London Southwark
Flat 6 Longson House 286 Camberwell
Road
Flat 1 Longson House 286 Camberwell

Road
 Flat 16 Squire House 290 Camberwell
 Road
 Flat 37 Squire House 290 Camberwell
 Road
 Flat 7 Reader House 18 Medlar Street
 Flat 15 Reader House 18 Medlar Street
 11 Pearson Close London Southwark
 Flat 3 New Palm House 303A
 Camberwell New Road
 Flat 1 New Palm House 303A
 Camberwell New Road
 Railway Arch 338 Medlar Street London
 Railway Arch 339 Medlar Street London
 299 Camberwell New Road London
 Southwark
 Flat 2 New Palm House 303A
 Camberwell New Road
 Flat 4 New Palm House 303A
 Camberwell New Road
 Railway Arch 331 Medlar Street London
 Flat 17 Marinel House Comber Estate
 Comber Grove
 Flat 24 Arnot House Comber Estate
 Comber Grove
 Flat 1 Reader House 18 Medlar Street
 Railway Arch 332 Medlar Street London
 Flat 17 Squire House 290 Camberwell
 Road
 Flat 3 Cremona House 50 Medlar Street
 Flat 19 Reader House 7 Badsworth
 Road
 Railway Arch 279 Camberwell Road
 London
 First Floor West 301 Camberwell New
 Road London
 Flat 12 Reader House 18 Medlar Street
 Flat 43 Squire House 290 Camberwell
 Road
 303 Camberwell New Road London
 Southwark
 Flat 7 303-305 Camberwell Road
 London
 Flat 1 244-246 Camberwell Road
 London
 Flat 3 305-307 Camberwell Road
 London
 Flat 5 305-307 Camberwell Road
 London
 Flat 7 Squire House 290 Camberwell
 Road
 Flat 2 Squire House 290 Camberwell
 Road
 Flat 8 Longson House 286 Camberwell
 Road
 Flat 5 Longson House 286 Camberwell
 Road
 Flat 10 Squire House 290 Camberwell
 Road
 Flat 4 Squire House 290 Camberwell
 Road
 Flat 10 Longson House 286 Camberwell
 Road
 Flat 15 Squire House 290 Camberwell
 Road
 Flat 12 Squire House 290 Camberwell
 Road
 Flat 2 Longson House 286 Camberwell
 Road
 6 Pearson Close London Southwark
 13 Pearson Close London Southwark
 10 Pearson Close London Southwark
 1 Scena Way London Southwark
 250 Camberwell Road London
 Southwark
 5 Pearson Close London Southwark
 3 Pearson Close London Southwark
 Flat A First Floor 250 Camberwell Road
 London
 Flat 22 Arnot House Comber Estate
 Comber Grove
 Flat 70 Emperor Apartments 3 Scena
 Way
 Flat 69 Emperor Apartments 3 Scena
 Way
 Flat 59 Emperor Apartments 3 Scena
 Way
 Flat 48 Emperor Apartments 3 Scena
 Way
 Flat 42 Emperor Apartments 3 Scena
 Way
 Flat 38 Emperor Apartments 3 Scena
 Way
 Flat 35 Emperor Apartments 3 Scena
 Way
 Flat 21 Emperor Apartments 3 Scena
 Way
 Flat 18 Emperor Apartments 3 Scena

Way
 Flat 16 Emperor Apartments 3 Scena
 Way
 Flat 9 Emperor Apartments 3 Scena Way
 Flat 3 Emperor Apartments 3 Scena Way
 Flat 14 Marinel House Comber Estate
 Comber Grove
 22 Badsworth Road London Southwark
 14 Medlar Street London Southwark
 15 Medlar Street London Southwark
 Flat 19 Marinel House Comber Estate
 Comber Grove
 Flat 4 Arnot House Comber Estate
 Comber Grove
 Flat 12 295A Camberwell New Road
 London
 Flat 20 Arnot House Comber Estate
 Comber Grove
 Flat 1 305-307 Camberwell Road
 London
 Flat 27 Squire House 290 Camberwell
 Road
 Flat 21 Squire House 290 Camberwell
 Road
 Flat 13 Squire House 290 Camberwell
 Road
 Flat 3 Longson House 286 Camberwell
 Road
 288 Camberwell Road London
 Southwark
 7 Pearson Close London Southwark
 Flat 31 297 Camberwell New Road
 London
 Flat 27 297 Camberwell New Road
 London
 Flat 49 Emperor Apartments 3 Scena
 Way
 Flat 45 Emperor Apartments 3 Scena
 Way
 Flat 40 Emperor Apartments 3 Scena
 Way
 Flat 36 Emperor Apartments 3 Scena
 Way
 Flat 34 Emperor Apartments 3 Scena
 Way
 Flat 24 Emperor Apartments 3 Scena

Re-consultation:

Way
 Flat 12 Emperor Apartments 3 Scena
 Way
 Flat 14 Arnot House Comber Estate
 Comber Grove
 Flat 14 295A Camberwell New Road
 London
 Flat 15 Marinel House Comber Estate
 Comber Grove
 303-309 Camberwell New Road London
 Southwark
 4 Hodister Close London Southwark
 Flat 10 Marinel House Comber Estate
 Comber Grove
 Flat 17 Arnot House Comber Estate
 Comber Grove
 Flat 3 Reader House 18 Medlar Street
 Flat 33 297A Camberwell New Road
 London
 Flat 23 295B Camberwell New Road
 London
 Railway Arch 328 Blucher Road London
 19 Badsworth Road London Southwark
 284 Camberwell Road London
 Southwark
 Flat 3 Marinel House Comber Estate
 Comber Grove
 Flat 2 Marinel House Comber Estate
 Comber Grove
 Flat 6 Arnot House Comber Estate
 Comber Grove
 Flat 5 Arnot House Comber Estate
 Comber Grove
 Flat 16 Arnot House Comber Estate
 Comber Grove
 Flat 6 305-307 Camberwell Road
 London
 Flat 29 Squire House 290 Camberwell
 Road
 Flat 26 Squire House 290 Camberwell
 Road
 Flat 18 Squire House 290 Camberwell
 Road
 54 Medlar Street London Southwark

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

Design and Conservation Team [Formal]

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

43 Emperor Apartments 3 Scena Way
London

16 County Grove London SE5 9LE

53 Emperor Apartments 3 Scena Way
London

Flat 56, Emperor Apartments 3 Scena
Way London

23 Pearl Building London SE5 0BH

Flat 18, Emperor Apartments 3 Scena
Way London

Flat 27, Fritillary Apartments 2 Scena
Way London

4 Fritillary Apartments London SE5 0BD

11 Emperor Apartments 3 Scena Way
London

Flat 22, Emperor Apartments 3 Scena
Way London

8 Medlar Street Camberwell London

17 Hartley road Welling London

Flat 43 Emperor Apartments 3 Scena
Way London

Crossway Court Endwell Road London

54 Medlar Street London Southwark

Flat 7, Bedford House Solon New Road
Estate London

Flat 70 Emperor Apartments 3 Scena
way London

Flat 13 Emperor Apartments 3 Scena
Way London

Flat 23, Emperor Apartments 3 Scena
Way, London

44 Hill House Defence close

12 Pentridge Street London SE15 6JF

Flat 6, Fritillary apartments London
SE50BD

Flat 6 Fritillary Apartments 2 Scena Way
London

Flat 30 Fritillary Apartments London
Se50bd

Flat 27 Emperor Apartments 3 Scena
Way London

Flat 22 Gatekeeper Buildings 5 scena
way London

FLAT 69 EMPEROR APARTMENTS 3
SCENA WAY LONDON

33 Fritillary Apartments 2 Scena Way
London

Flat 12, Fritillary Apartments 2 Scena
Way London

Flat 22, Gatekeeper Building, 5 Scena
Way London SE5 0BJ

235 Fishguardway London

Flat 19 Emperor Apartments 3 Scena
Way London

Flat 23 Emperor Apartments 3 Scena
Way LONDON

Flat 19 Emperor Apartments 3 Scena
Way London

Flat 4 Emperor Apartments London SE5
0BF

10 Fritillary Apartments London Se5 0bd

Flat 14 Fritillary Apartments London SE5
0BD

12 MEDLAR STREET LONDON
SE50JU

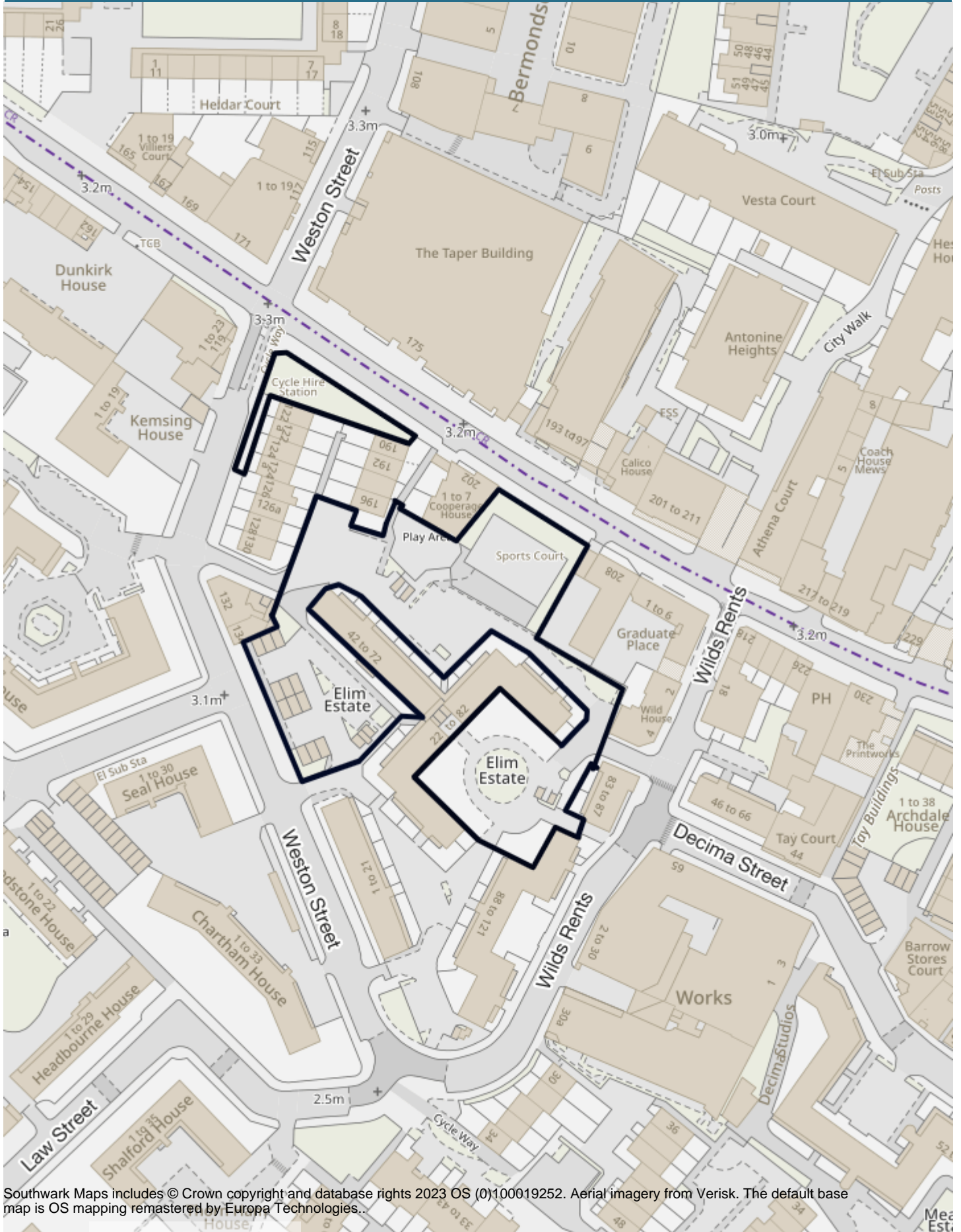
60 MEDLAR STREET LONDON SE5
0BA

Flat 4, Emperor Apartments 3 Scena
Way London

Flat 55 Emperor Apartments 3 Scena

Way London
 Flat 13 Emperor Apartments, 3 Scena
 Way London SE50BF
 Flat 11 2 Scena Way London
 Flat 33 Fritillary Apartments 2 Scena
 Way London
 Flat 17, Emperor Apartments 3 Scena
 Way London
 Flat 4 Emperor Apartments 3 Scena Way
 Camberwell
 53 emperor apartments 3 Scena way
 SE50BF
 Flat 25 fritillary apts 2 Scena way
 London
 21 Cherry Tree Court Fairlawn London
 Flat 3, Emperor Apartments 3 Scena
 Way London
 Flat 9 Fritillary Apartments London SE5
 0BC
 Flat 32 Emperor Apartments 3 Scena

Way London
 Flat 62 Emperor Apartments 3 Scena
 Way London Flat 12 Fritillary Apartments
 2 Scena Way London
 28 Fritillary Apartments 2 Scena Way
 London
 23 Pearl Building London SE5 0BH
 Flat 63, Emperor Apartments London
 SE5 0BF
 Flat 48, Emperor Apartments 3 Scena
 Way London
 Flat 59 Emperor Apartments London
 SE5 0BF
 71 Camberwell Grove London se5 8je
 158 Ruskin Park House Champion Hill
 Camberwell
 108 Day House Bethwin Road London
 Flat 12 Emperor Apartments 3 Scena
 Way London



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Scale = 1:100 000 000 000

31-May-2023

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Item No. 6.3	Classification: Open	Date: 13 June 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management: Application 22/AP/1887 for: Full Planning Application Address: ELIM ESTATE, ELIMSTREET, LONDON SOUTHWARK Proposal: The construction of 34 social rented homes across two separate buildings, along with the provision of external community / sports / play facilities and associated landscaping and car parking.		
Ward(s) or groups affected:	Chaucer		
From:	Director of Planning and Growth		
Application Start Date	17.06.2021	Expiry Date	16.09.2022
Earliest Decision Date	08.08.2022	PPA Date	N/A

RECOMMENDATION

1. a) That planning permission be granted, subject to conditions and the applicant entering into an appropriate legal agreement by no later than 13 December 2023.
- b) In the event that the requirements of (a) are not met by the 13 December 2023, that the Director of Planning and Growth be authorised to refuse planning permission, if appropriate, for the reason set out at paragraph 246 of this report.

EXECUTIVE SUMMARY

2. This application is for decision by the Planning Committee (Smaller Applications) as five or more objections have been received.
3. The application is for the construction of 34 homes at social rent on Elim Estate on two sites (called site 1 and 2). Four other sites (3, 4, 5 and 6) would have landscaping improvements. There are 31 trees on the site of which 11 trees would be removed and 35 new trees would be planted. The initial Capital Asset Valuation of Amenity Trees (CAVAT) assessment was incorrect and an updated CAVAT assessment by the council shows a net loss of £52,485 amenity tree value.
4. The ball court / Multi-Use Games Area (MUGA) at site 2 would be replaced by

a new external MUGA / community / sports / play facility. The existing children's play area on the estate which is in close proximity to site 2 would be replaced by a new children's play area to the east and a new children's play area on site 4.

5. The principle of the proposed residential use would be acceptable as this use is established on the wider estate and the proposed development would be an efficient use of land in this central London location.
6. The scale of the proposed development would be suitable for this urban setting and would not result in an unacceptable impact on daylight or sunlight on the surrounding properties while providing a high quality of accommodation for future occupiers. All flats would be affordable housing, at social rent and although the dwelling mix would not be in line with policy it would be acceptable as over the estate the dwelling mix would be in accordance with policy.
7. The proposal would not result in any significant transport impacts on the surrounding highway network and overall, the scheme would be of a high quality with the significant public benefit of providing 34 social rent affordable dwellings.

Table: Site 1 dwelling mix Weston Street

	Flats	% of total
1 bed	9	56%
2 bed	2	13%
3 bed+	5	31%
Total	16	

Table: Site 2 dwelling mix Long Lane

	Flats	Homes Total (% of total)
1 bed	7	39%
2 bed	7	39%
3 bed	4	22%
Total	18	

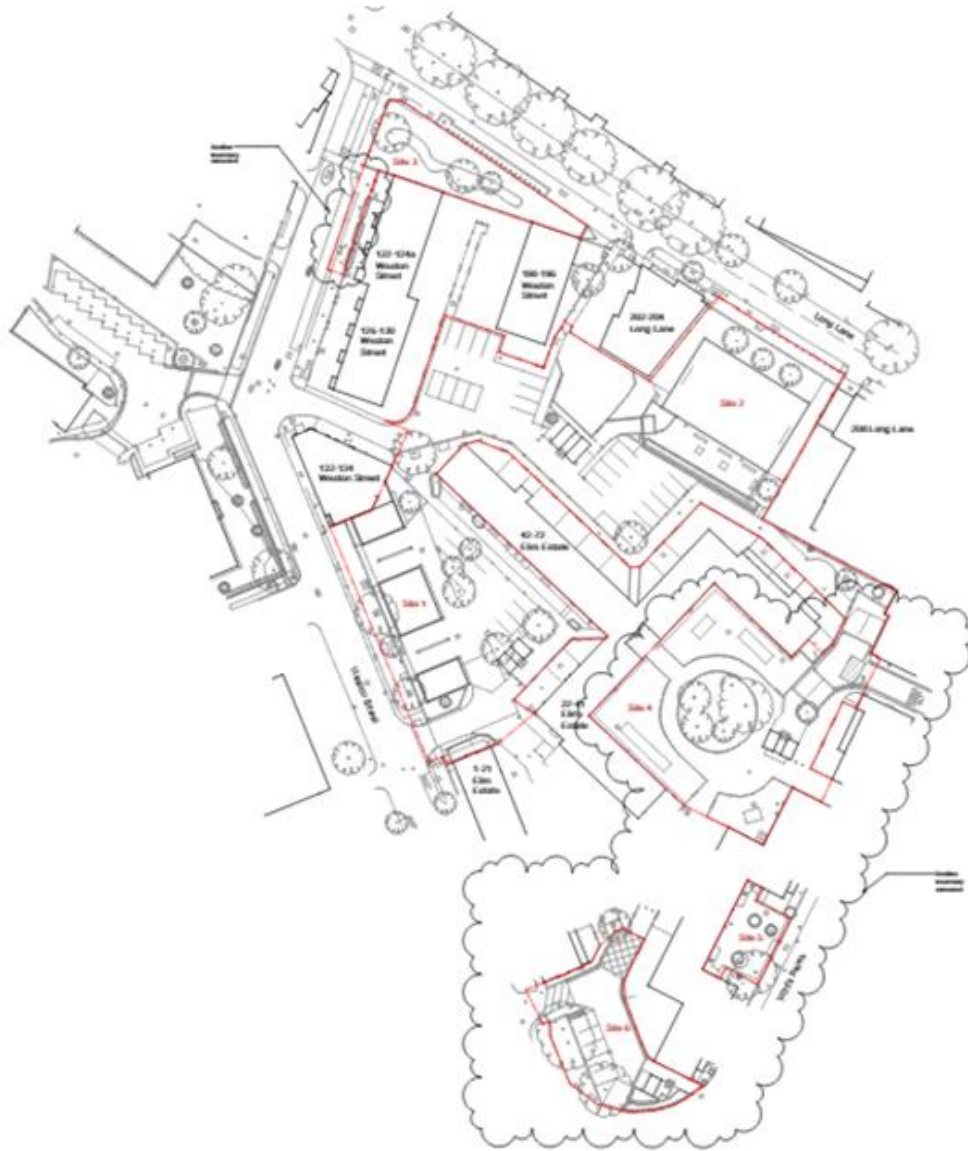
	Use Class	Existing sqm	Proposed sqm	Change +/-
10.	MUGA	344	300	- 4
				4

	Children play space	170	935	+ 765
11.	CO2 Savings beyond part L Bldg. Regs.	%		
	Trees lost	11: 6 category B trees and 5 category C trees		
	Trees gained	35		
12.		Existing	Proposed	Change +/-
	Urban Greening Factor	0	0.433	+0.433
	Green/Brown Roofs	0	462sqm	+ 462sqm
	Electric Vehicle Charging Parking Spaces (on site)	0	3	+3
	Car parking	35	38	+3
	Cycle parking spaces	0	58	+58
13.	CIL (estimated)	£ 784,289.72		
	MCIL (estimated)	£ 190,348.88		
	S106	£ 120,115.00		

BACKGROUND INFORMATION

Site location and description

14. The application covers six sites within the Elim Estate. The Elim Estate is not listed and is not within a conservation area, although the boundary of the Bermondsey Street conservation Area stretches westwards to include the northeast section of Wild's Rents. The Elim Estate comprises 4 four storey blocks with a total of 119 flats, 35 off-street car parking spaces, refuse stores, communal gardens and a Multi-Use Games Area (MUGA) on site 2. The façade treatment on Elim Estate is pre-dominantly brown-orange / yellow stock brick and a mix of yellow stock brick, white brick, render and black brick. There are 31 trees on the site of which 16 are category B trees and 15 are category C trees.

Site location

15. Site 1 fronts onto Weston Street and comprises three single storey garage buildings with space for 12 cars set in hard and soft landscaping. The submitted existing plan show three trees on the pavement along Weston Street, but a fourth tree has been planted by the council since the application has been submitted. There are six trees on the rear part of site 1. The council maintains all of these trees. The site is accessed via a vehicular crossover off Weston Street.

Image: Site 1- Fronting Weston Street



16. Site 2 contains a MUGA of 344sqm and a landscaped area. A children's play area of approximately 200sqm is to the south west of site 2. The site fronts Long Lane to the north and backs onto an access road and parking area within the estate. There are six trees on the site. The site lies away from the Transport for London and Strategic Road Networks (TLRN and SRN) but there is a Santander Cycles docking station directly adjacent to the site. There is a part six, part nine storey building to the north, on the opposite side of Long Lane. The eastern boundary of site 2 comprises a brick boundary wall and a six storey residential building, 208 Long Lane. A four storey residential block, 202-204 Long Lane, lies to the west of the site.

Image: Site 2- Fronting Long Lane

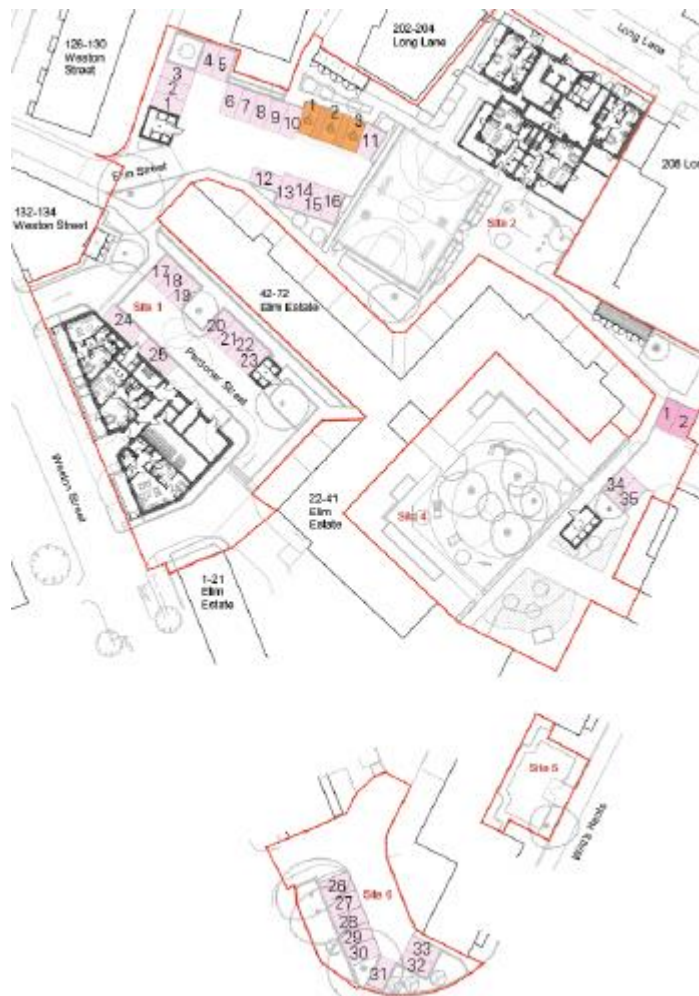


17. Site 3 is located on the corner of Weston Street and Long Lane and comprises grass, planting and trees. Weston Street forms part of the London Cycle Network (LCN route 22).
18. Sites 4, 5 and 6 are in the south-eastern part of the estate and comprise landscaped areas, trees, off-street car parking and refuse stores.
19. The area surrounding the application site is predominantly residential in nature with a small number of local shops and other commercial uses along Long Lane (to the north of the site). There are a number of parks and open spaces in the wider area, but the closest and most significant park, Tabard Gardens (approximately 1900sqm) is just over 200m to the south west.
20. The site is subject to the following planning designations:
 - Central Activity Zone
 - Archaeological Priority Zone
 - Air Quality Management Area, and
 - Flood Zone 3 benefiting from flood defences
 - Controlled Parking Zone (CPZ); and
 - Public Transport Accessibility Level (PTAL) varies from 6a to 6b across the estate

Details of proposal

21. Sites 1 and 2 would respectively provide 16 and 18 council homes at social rent. The dwelling mix over the two sites would be 16 one bedroom flats, 9 two bedroom flats, 8 three bedroom flats and 1 four bedroom flat. The new buildings would have photovoltaic panels and air source heat pumps (ASHP) and green roofs.
22. A total of 11 trees would be removed of which 6 are category B trees and 5 are category C trees. Landscaping enhancements would include sites 3, 4 and 6 comprising soft landscaping, planting and a total of 35 new trees would be planted.
23. Three new bin stores are proposed. On site 1 the refuse lorry would circulate Pardoners Street. For site 2 bins would be collected from Long Lane with the aid of a new dropped kerb and from the western side off Elim Street.
24. A total 58 cycle parking spaces would be provided - 40 double stacked, 14 Sheffield cycle stands, 2 accessible parking hoops and 2 cargo cycle parking hoops.
25. The site is located within the Controlled Parking Zone D, where parking restrictions operate between 08:30 and 18:30 hours Monday to Friday. There are 121 properties on the estate. Each property is allowed 1 resident permit and 1 visitor permit. Resident permits are valid for a year and visitors are valid for 3 months at a time. No new residents for the new proposed scheme will be offered car park spaces, with the exception of 3 accessible spaces that are proposed as part of this application (site 2). It is proposed to re-provide 35 formal spaces that are currently existing on the estate. In addition to these 35 spaces, the 3 additional blue badge parking spaces are proposed. The proposal also includes formalising 2 "informal" parking spaces on site 4 that have been used by existing residents with parking permits for more than 10 years. The bin store at site 6 is redundant and not used and its removal would facilitate the re-provision of two existing car parking spaces on site 2 that would be displaced by the re-provision of the MUGA / ball court.

Image: Proposed car parking



Site 1

Image: Site 1- Fronting Weston Street Proposed ground floor



26. The proposed building would be six storeys with the top floor set back from the north west elevation. A total of 16 flats with a dwelling mix of 9 one bedroom flats, 2 two bedroom flats, 4 three bedroom flats and 1 four bedroom flat are proposed. It is proposed to locate 11 air source heat pumps (ASHP) and 40sqm of photovoltaic panels on the roof. A green roof is proposed to the fifth and sixth floors.
27. The ground floor would comprise the lower level of 3 maisonettes / duplex homes, a refuse store, cleaners' store, two plant rooms, rear entrance lobby, staircase, a lift and a cycle store for 40 cycle spaces. The proposed first floor would comprise the upper floor of the 3 maisonettes (1 four bed and 2 three bed) and a one bedroom flat. The proposed second and third floors would each comprise 4 flats, 3 one bedroom and 1 two bedrooms. The proposed fourth floor would comprise 2 one bed flats and the lower floors of 2 three bedroom duplexes. The proposed fifth floor would comprise the upper floors of the 2 three bedroom duplexes. Each flat would have a balcony.

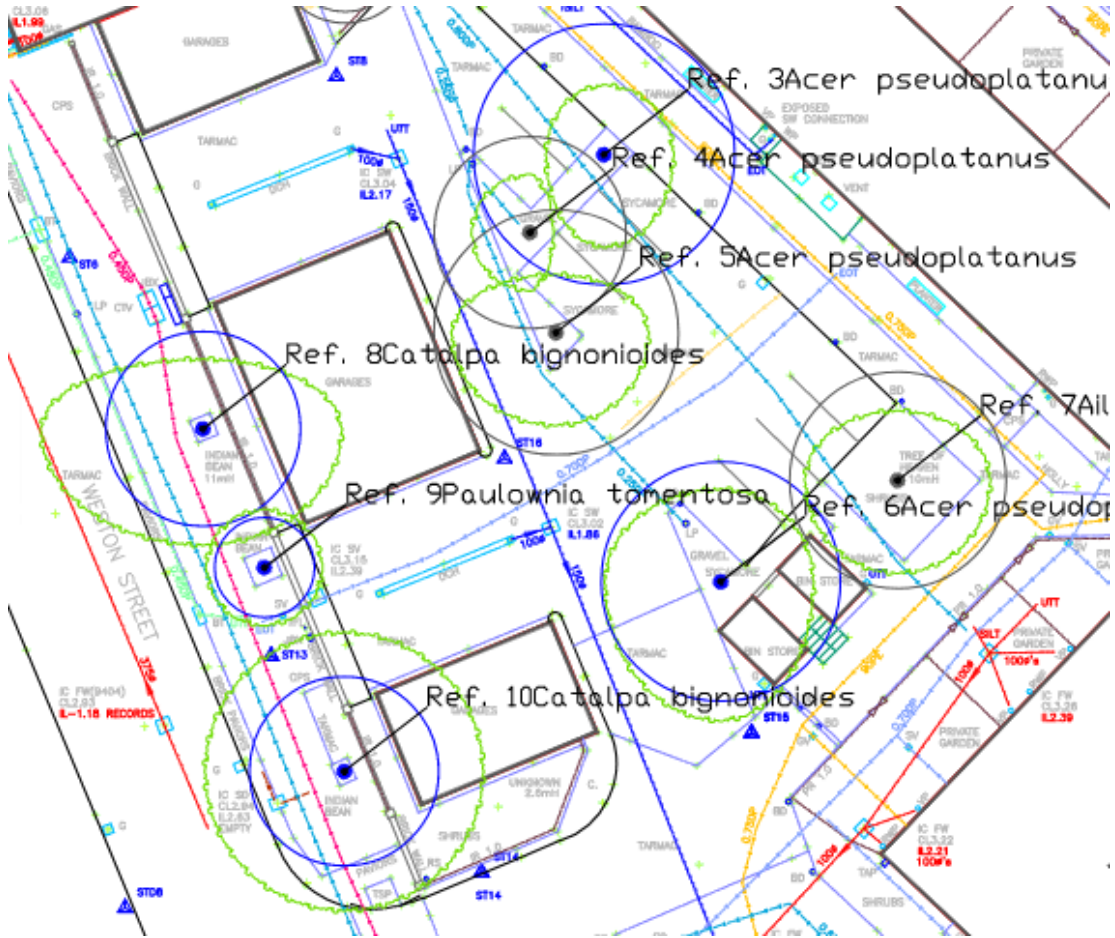
28. The proposed façade treatments for the building would be horizontal bricks and masonry and green roofs are proposed.

Image – Site 1 proposed development viewed from Weston Street



29. An existing single storey refuse store on the north side of the site would be re-provided and would comprise facing brickwork to match the main building. The external door would be galvanised steel with a PPC finish. The area to the north of the proposed refuse building would be landscaped. A second refuse store would be provide within the proposed building. A new one-way vehicular route with access off Weston Street is proposed and the existing 9 off-street car parking spaces on the site would be re-provided.
30. The development of site 1 would lead to the loss of 6 trees of which four are category B trees (T6 Sycamore, T8 (Indian bean), T9 Foxglove and T10 Indian bean) and two are category C Sycamore trees (T4 and T5). The species or category of the fourth tree along Weston Street, which has been planted since the application was submitted, is not known but it would also be removed. Three of the existing 9 trees shown on the plan below would be retained.

Image: trees to be removed site 1 (circled in blue)



- 31. The existing 12 garages, used for storage, would be demolished and the proposed development would not result in a reduction of parking spaces on the estate.

Site 2

Image: Site 2 – Fronting Long Lane Proposed ground floor



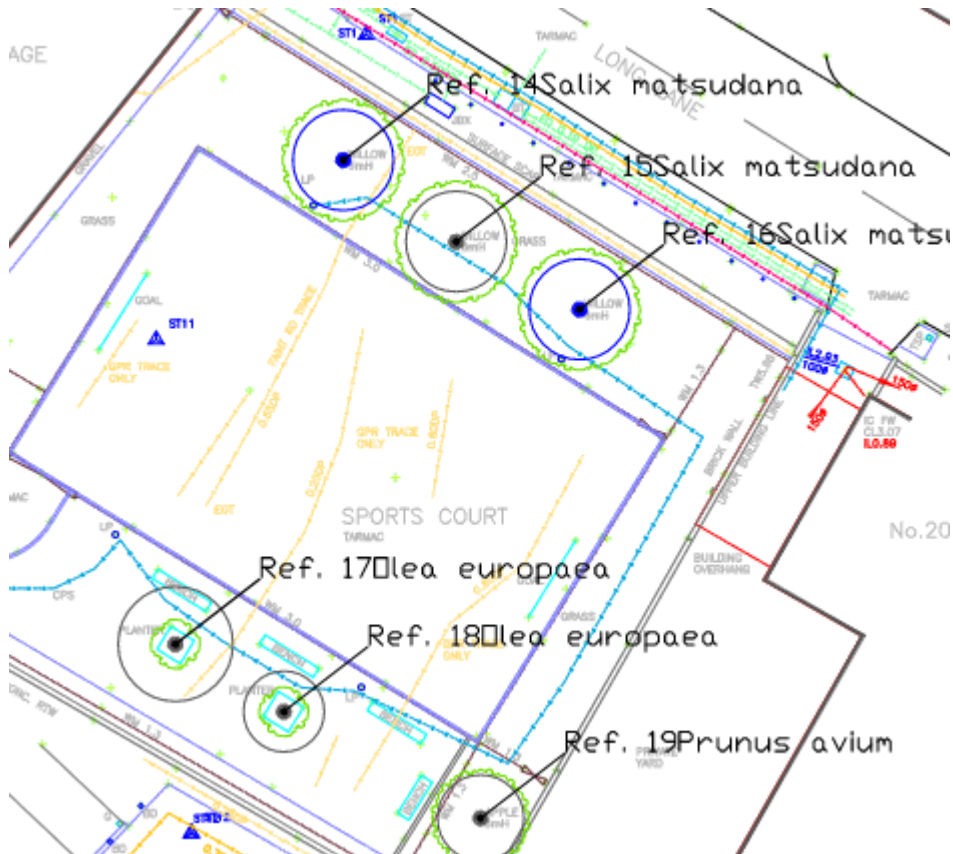
32. A part five, part six storey residential building of 18 flats is proposed. The dwelling mix would be 7 one bedroom flats, 7 two bedroom flats and 4 three bedroom flats. The ground floor would comprise two entrance lobbies, plant room, refuse store, stairs, two lifts and the lower floors of 4 three bedroom duplexes. The main access would be from Long Lane. A secondary entrance would be provided to the south within the Elim Estate. The first floor would comprise the upper floor of the duplexes and the second, third and fourth floors would each comprise 2 one bed and 2 two bed flats. The fifth floor would comprise 1 one bed and 1 two bed flat.
33. Each flat would have balconies at locations facing away from Long Lane where noise and air pollution is the greatest.
34. The proposed façade treatments for the building would be horizontal bricks and masonry and green roofs are proposed.

Image – Site 2 proposed development viewed from Long Lane



35. The existing MUGA / ball court is 344sqm and the replacement MUGA / ball court would be 300sqm.
36. The development of site 2 would lead to the loss of 4 trees, one category B Olive tree (T17), two category Willow trees (T14 and T16) and one category C Willow tree (T15). The proposed enhancement landscaping scheme on the site would include planting of three new trees.

Image: tree removal



Site 3

Image: Site 3 On the corner of Long Lane and Weston Street



37. The three existing trees on the triangular part of the site and one recently planted tree to the west would be retained and eight new trees would be planted.

Site 4

38. It is proposed to remove 1 tree (T26) and to relocate and provide an upgraded bin store. It would be less than half a meter from its current position.

Three extra heavy standard Birch replacement trees are now proposed to be semi-mature Pyrus

Cycle stores introduced externally to sites 1 and 2

Location plan of the existing and proposed bin stores on Site 4.

Existing and proposed elevations (all sides) of bin stores

Details of proposed bin stores (materiality)

A plan for site 1 showing the euro bins being manoeuvred out of the bin store and capacity of bin store

Updated Capital Asset Valuation of Amenity Trees (CAVAT) Assessment (carried out by the council)

Public consultation

42. Support

97 comments of support have been received and the matters supported include:

- Much needed Social Housing.
- Improvements to landscape and the inclusion of green space
- Biodiversity improvements
- Quality of the design
- Enhanced sports facility
- Supporters have also commended the applicant on their public consultation

43. Objection

45 comments of objection raising the following:

44. *Amenity impacts*

- Loss of privacy
- Loss of daylight and sunlight
- Noise from ball court
- Too close to existing buildings.
- Loss of open space
- The new location of the dog area would be under the windows of many other properties
- The ball court is a well-used outdoor space for residents (site 2)
- Doubtful that external community/play/sports facilities would be delivered to the same standards as the current court or be as accessible as the current ball court to the local community. (site 2)

45. *Air quality*

- The development would impact air quality

46. *Consultation*

- Not all neighbouring properties were consulted and only a few site notices were displayed
- There is currently no Tenants and Resident Association functioning on the Elim Estate, and the Decima Street TRA hall is out of use at present. This raises an important question of whether there is an appropriate forum on the estate for dissemination of information and discussion of the proposals
- There has been no designated Resident Project Group for this project - There has been one for most of Southwark Council's own new homes building projects

47. *MUGA*

- If the council is 'minded to approve', the ball court be "Conditioned" so that it cannot be removed (site 2)

48. *Design issues*

- Design, height and massing
- Out of keeping with character of area
- The scale and massing of the Weston Street site would be out of proportion with surrounding buildings (site 1)
- Six stories it would be out of character with almost anything south of Long Lane (site 2)
- Overdevelopment along Long Lane (site 2)

49. *Ecology*

- Impact on biodiversity and ecology

50. *Flood risk*

- Increase danger of flooding

51. *Quality of accommodation*

- Reduction of play space would impact older children more
- Poor quality for future occupiers

52. *Security*

- The development would create a corridor behind some properties that would increase crime

53. *Trees*

- Loss of mature trees
- Questions whether more mature trees can be saved (site 1)

54. *Urban Greening Factor (UGF)*

- The application includes one of the existing new Southwark Council trees already planted on Weston Street. This is a misleading UGF

- calculation
 - The addition of more green items on already green space seems questionable
- 55. *Right to light*
 - Estate residents have a right to light
- 56. *Fire*
 - Fire safety
- 57. *Transport*
 - Increase in traffic
 - The loss of estate parking space would create parking problems for the Elim residents
 - Inadequate public transport provisions
 - The site of the ball court also extending onto the street a long way. The current sidewalk is already narrow and this will make it worse. It will make it very difficult for a wheelchair to make it down easily (site 2)
- 58. *Other*
 - Equality Impact Assessment not submitted. There are residents in the Elim Estate with severe mental disabilities and underlying psychiatric conditions (social anxiety, agoraphobia, severe depression), who would be severely disadvantaged and singled out if this proposed development would go ahead
 - Strain on existing community facilities
 - Conflict with local plan
 - General dislike of proposal
 - Information missing from plans
 - Pre-application submission not provided

KEY ISSUES FOR CONSIDERATION

Summary of main issues

59. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use;
 - Environmental impact assessment
 - Housing mix, density and residential quality
 - Affordable housing and development viability
 - Amenity space and children's play space
 - Design, including layout, building heights, landscaping and ecology;
 - Heritage considerations
 - Archaeology
 - Impact of proposed development on amenity of adjoining occupiers
 - Transport and highways, including servicing, car and cycle parking

- Environmental matters
- Energy and sustainability, including carbon emission reduction
- Ecology and biodiversity
- Planning obligations (S.106 undertaking or agreement)
- Mayoral and borough community infrastructure levy (CIL)
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights

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

Legal context

60. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
61. 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

62. The statutory development plan for the Borough comprises the London Plan 2021 and The Southwark Plan (2022). The National Planning Policy Framework (2021) constitutes material considerations but is not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

63. Objectors raised concerns that sites 1 and 2 should not be used for housing and instead the council should prioritise provision of open green space in accordance with policy P56 Open Space of the Southwark Plan and that the development would be contrary to the Southwark Plan as it is not identified within Council site allocations for potential housing development.

Housing

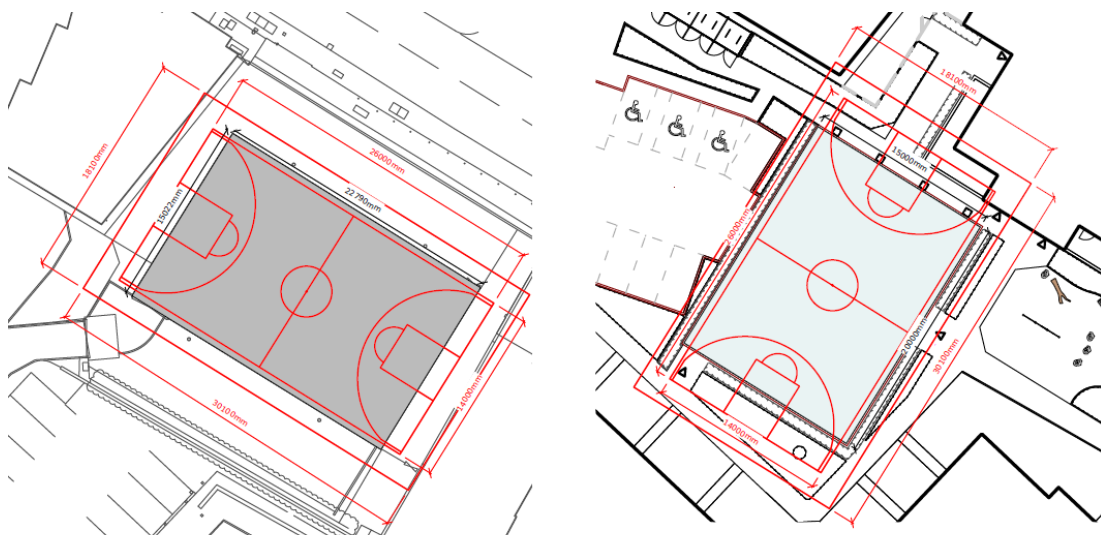
64. Sites 1 and 2 are not designated as other open space and Policy P56 Open

Space of the Southwark Plan does not apply. The sites are part of a housing estate and as the principle of residential use has been established it would be appropriate to build new social housing in this context.

Multi Use Games Area (MUGA) / ball court

65. The proposed development would comply with Policy 45 Healthy developments of the Southwark Plan which states that development must retain or pre-provide existing health, community, sport and leisure facilities.
66. Policy S4 Play and informal recreation of the London states that development proposals for schemes that are likely to be used by children and young people should not result in the net loss of play provision, unless it can be demonstrated that there is no ongoing or future demand.
67. The existing MUGA / ball court is 344sqm and the replacement MUGA / ball court would be 300sqm. In terms of Policy S4 of the London Plan the development would result in a net loss of 44sqm of play provision. Neither the existing MUGA / ball court or the proposed MUGA / ball court can fit a Sport England sized basketball court or a 5-a-side pitch. However the new MUGA would be marked at both goal ends for basketball and football and although smaller than the existing it is considered that the community provision on the Estate would be improved as the surface would be of a better quality than the existing. The MUGA would be built before the existing ball court is closed for construction of council homes. This arrangement would be secured by a legal agreement.

Image: existing (left) and proposed (right) MUGA / ballcourt



68. Objectors requested that If the council is minded to approve, the ball court be conditioned so that it cannot be removed. It is however not appropriate to grant permission subject to such a condition as any material change of use to the ball court would require planning permission and this is sufficient to maintain its continued use.

69. The existing children's play area on the estate of 170sqm, which is in close proximity to site 2, would be replaced by a new children's play area on site 2 of 119sqm. A new play area of 814sqm is also proposed on site 4. Both the existing and new residents of the Elim Estate will benefit from these newly enhanced spaces and an increased play area of 765sqm.
70. Objectors advised that they petitioned (the applicant) for the retention of the existing MUGA and alleged that planning officers ignored this request. The role of planning officers however is to assess planning applications submitted and in this case the proposal is for the replacement of the MUGA, (albeit slightly smaller is size) the principle of which is agreed given the planning balance resulting in the addition of new council homes.

Environmental impact assessment (EIA)

71. The proposed development does not meet or exceed any of the thresholds set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and as such an EIA is not required in this instance.

Design quality

72. Objectors raised concerns that the lack of outdoor space constitutes overdevelopment, the buildings would be too high, detailed design of the façades would be too linear and repetitive and would not take into account contextual design and local character of the surrounding area and would be poor quality architectural design. There are also concerns that the scale and massing of the developments would be unsuitable and would harm the street scene. These matters are addressed in the assessment of sites 1 and 2 below.

Site 1 Weston Street frontage

Site context

73. The site is surrounded by 4 and 5 storey estate apartment blocks and just to the north, further up Weston Street at a prominent bend in the street, a former pub dating from the Victorian era, now converted to flats. The post war buildings of the estate are largely in a stripped down 'art deco' style with stripes of contrasting brickwork to the facades emphasising the horizontal proportions of the blocks. The buildings are set back from the street fronts behind grass planting strips and street trees add a degree of leafiness to the estate. Within the context set out above, site 1 stands out as a gap in the townscape.

Height scale, massing, architectural design and materials

Image – Emerging context



74. The proposed part five, part six storey building would present a broadly similar length of frontage to Weston Street as existing blocks and the general height of the building of five storeys would be comparable to the highest blocks of the estate, which are also five storeys. The sixth floor would only cover part of the footprint and would be set back so as to be subservient. The building would thus be of the same order of height as existing estate buildings and would be acceptable.
75. The wedged shaped footprint would result in a bulkier building than the relatively narrow estate buildings and the footprint would be a product of the geometry that is set up by the adjacent bend in the road of Weston Street. The building would have a dramatic 'flat iron' profile that would rise above the adjacent former pub in views from the north along Weston Street and the landmark status that would result from this would be justified by prominence of the site adjacent to the bend. Elsewhere the bulk of the scheme would not be particularly obvious.
76. Irrespective of bulk and height, the setting of the building would be softened by generous setback behind small front gardens as existing estate buildings. The elevations of the building would be a successful modern interpretation of existing estate architecture and would match the general simplicity of existing estate buildings and would follow a similar aesthetic of horizontal bands of contrasting brick with windows set into alternating bands. Balconies inset within the banding would provide additional depth. The ground floor frontage to Weston Street would be enlivened by front doors of duplexes, the recessed main entrance to upper floor apartments and by small front gardens behind low brick walls. This would

add some interest and life to the street and would be an acceptable design approach.

Site 2 Long Lane frontage

Site context

77. Site 2 comprise an open games area and forms a gap in the building frontage of Long Lane. Long Lane has a varied scale and fractured appearance, comprising elements of traditional Victorian townhouses and larger converted Victorian warehouses mainly to the east of the estate; pockets of open space and car parking associated with Council estates that back onto the road (including Elim Estate); and larger scaled mixed-use developments of the early 2000s that intervene and form the main street frontage along the north side of Long Lane.

Height scale, massing, architectural design and materials

Image – view from the south



78. The location of an open games area forms a gap in the building frontage of Long Lane and the proposed development offers the opportunity to improve the townscape of this part of Long Lane.
79. The proposed building would infill the frontage by conjoining the neighbouring building to the east, a robust traditional warehouse 4 and half storeys in height, and would leave a small gap with the neighbouring building to the west, a smaller four storey modern residential building. Like both these buildings it would come right forward to the street frontage with a residential entrance that would enliven the street scene.

80. The massing, at five main storeys with the sixth floor set back, would be comparable to that of the adjacent warehouse building, albeit a little higher. The building would rise considerably higher than the building to the west, but would be conspicuously less tall and bulky than the modern commercial/ residential building on the opposite side of Long Lane. In general therefore its height mass and relationship to Long Lane would be acceptable.
81. The building would have a T shaped footprint with the end of the T presenting itself on Long Lane as an additional sixth storey set back and would therefore be a secondary element and would be relatively inconspicuous.
82. The rear of the site is the location of estate car parking, landscaping and a play area and is thus relatively spacious such that the proposed building would not be unduly dominant or overbearing on the somewhat smaller four storey estate buildings to the south. In general, therefore the proposed massing and footprint of the building would be acceptable.
83. The architecture of the Long Lane frontage of the building would feature large deep set windows, the size and depth of which would be emphasised by recessed and stepping brickwork. The ground floor of the building would be emphasised by the prominent communal residential entrance and large windows and doors to the ground floor flats. The recessed top floor would have brickwork that would consist of projecting vertical brick courses.
84. This arrangement of a tough base, a middle and a top is one typically seen on classical buildings, including some warehouses. In this respect the proposed front elevation would be a successful modern day interpretation of traditional and tough warehouse architecture seen in Southwark and elsewhere. Given its location alongside one such building, this would be appropriate.
85. The rear elevations of the building would be simplified as compared to the front elevation. Above the recessed balconies windows would line up in horizontal bands. This aesthetic would be derived from existing estate architecture, although due to the use of one single material, brick, and the scale of the building it would be somewhat tougher.
86. A condition of detailed designs and material finishes is therefore recommended.

Trees and landscaping

87. There are currently 31 trees on sites 1, 2 and 4, of which 11 trees would be removed across sites 1 and 2. Three trees would be removed on site 1 along Weston Street, including one that was recently replaced. Six trees are category B trees and five are category C trees.
88. The proposed enhancement landscaping would include planting of 35 new trees.
89. Objectors raised concerns that the capital asset value for amenity trees (CAVAT) assessment calculation was incorrect, that the loss of trees would further reduce Southwark tree canopy coverage, the development would lead to a loss of

Photo – tree T9 (Foxglove) to be removed site 1



Photo – tree to be removed site 1 (planted since the application was submitted – not shown above)



Site 2

93. The development of site 2 would lead to the loss of 4 trees, one category B Olive tree (T17), two category willow trees (T14 and T16) and one category C Willow tree (T15). The proposed enhancement landscaping scheme on the site would be acceptable and would include planting of three new trees. A suitable arrangement of play equipment has also been proposed within the vicinity of trees and the MUGA would be screened by planting.

Image: tree removal



94. A suitable replacement planting plan for the estate has been proposed to help mitigate the loss of canopy cover.

Image: proposed landscaping plan



Site 3

95. Eight new trees would be planted on site 3. It is recommended that permission be subject to conditions relating to hard and soft landscaping, landscape management plan, an Arboricultural Method Statement and details of tree planting to ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity.

Site 4

96. There is no objection to the removal of tree T26 as it has low vigour and is unsuitable for retention.

Urban Greening Factor (UGF)

97. Objectors raised concerns that the inclusion of one existing new Southwark Council tree, already planted on Weston Street (site 3), is a misleading UGF calculation and question the addition of more green items on already green space, in particular sites 3,4,5 and 6. Objectors also raised concerns about the significant weighting of the green roofs in the Urban Greening calculations.
98. Policy G5 Urban greening of the London Plan states that a major development proposal should contribute to the greening of London by including urban greening

as a fundamental element of site and building design and recommends a target score of 0.4 for developments that are predominately residential. For the purposes of calculating the UGF green roofs can be used to form part of the calculation.

99. The proposed development would incorporate measures such as high-quality landscaping, trees and green roofs (462sqm) and would achieve an urban greening factor of 0.433. It was agreed with the Southwark tree officer that planting a tree on Weston Street (site 3) would be part of the project, but the tree has already been planted. The reason why the proposal includes sites 3, 4, 5 and 6 is that landscape enhancement are proposed across the estate as part of the planning application.

Affordable housing

100. All 34 proposed flats would be social rented affordable units. The emphasis of the New Homes Programme is to provide as many homes for social rent as would be viable to meet the needs of the Borough. This proposal is in line with the current objectives of the council and the direction set out within the New Southwark Plan and to meet the council's overall objective to provide more affordable housing. Importantly, the proposal would help address the housing need that there is within the estate as some households are in overcrowded homes.
101. The 34 social-rent homes to be provided as part of the Elim scheme will contribute to meeting the very high levels of housing need on the Elim Estate (including families living in bedsits with 2 or 3 children on the Elim Estate). The homes will also contribute to meeting the very high levels of housing needs across the wider Leathermarket JMB area and across Southwark - where there are over 3,300 households in temporary accommodation waiting for suitable housing and over 13,000 households on the waiting list for a home that meets their needs.

Mix of dwellings

102. London Plan policies H10 and GG4 highlights the requirement to provide a mix of dwelling sizes and types to cater for the range of housing needs of the area. In terms of local policy, Policy P2 of the New Southwark Plan sets out that major developments must provide a minimum of 60% of homes with two or more bedrooms, a minimum of 20% family homes with three or more bedrooms and a maximum of 5% studios.
103. Sites 1 and 2 are assessed as one proposal with a total of 34 flats. The dwelling mix over the two sites would be 16 one bedroom flats, 9 two bedroom flats, 8 three bedroom flats and 1 four bedroom flat.

Unit type	Number of units	Percentage of units %
1-bed	16	47%
2-bed	9	26.5%
3-bed +	9	26.5%
Total	34	

104. The proposal would not comply with the dwelling mix as per policy P2 New family homes of the Southwark Plan as only 53% two or more bedroom flats would be provided. The provision of 26.5% three beds and more flats would be policy compliant. However, the proposed mix is provided following a survey on housing need by Leathermarket Community Benefit Society. The survey identified 38% of Elim Estate residents as living in homes that do not meet their needs. The proposed dwelling mix would be acceptable as over the estate the dwelling mix of the proposals with the existing estate, 62.3% of the properties would be two bed or more and 26.5% would be three beds and more, which would be in accordance with policy.

Wheelchair accessible housing

105. As 3 of the 34 proposed flats would be wheelchair accessible flats an 9% provision would be marginally below the 10% required by London Plan policy D7 and policy P7 of the Southwark Plan. These policies state that proposals must be designed to ensure ease of access and movement for people with disabilities, both physical and sensory. The development would also provide one lift per core as a suitably sized fire evacuation lift to be used to evacuate people who require level access from the building, in accordance with London Plan policy D5 Inclusive design.

Quality of accommodation

106. Objectors raised concerns that the development would provide a poor quality of accommodation for future occupiers.

Unit sizes

107. All the flats would meet or exceed the minimum dwellings size standards of policy D6 of the London Plan, the Mayor's Housing SPG and the Residential Design Standards Supplementary Planning Document. The proposed development would also comply with policy P14 of the Southwark Plan as it would provide a high standard of quality of accommodation for living conditions. The flats would be dual aspect, apart from two south facing flats, with windows to all habitable rooms and the proposed dwellings would therefore be afforded good levels of light and outlook.

Flats	SPD minimum sqm	Proposed unit sizes sqm
1-bed	50	51-53
2-bed	61-79	62-74
3-bed	74-102	97- 114
4-bed	115	136

Site 1

108. Four of the 6 one bedroom flats proposed would have undersized open plan living/kitchen/dining rooms and would provide 23sqm where 24sqm would be required for one bedroom flats. This shortfall would be acceptable as the overall unit sizes and internal storage spaces would exceed the minimum requirements and would provide good quality internal space. The other 10 flats proposed would meet or exceed the minimum internal space standards set out in policy D6 of the London Plan, the Mayor's Housing SPG and the Residential Design Standards Supplementary Planning Document.

Site 2

109. All the proposed flats, apart from three two bedroom wheelchair flats on the first, second and third floors would have undersized open plan living/kitchen/dining rooms and would provide 25.5sqm where 27sqm is required. This a small shortfall and on balance these three flats would provide generous storage space and a pragmatic layout that would provide good quality of accommodation for future occupiers. All flats would meet or exceed the minimum internal space standards Set out in policy D6 of the London Plan and the Mayor's Housing SPG and the Residential Design Standards Supplementary Planning Document.

Internal daylight and sunlight

Daylight

110. The Daylight Illuminance method utilises climactic data for the location of the site, based on a weather file for a typical or average year, to calculate the illuminance at points within a room on at least hourly intervals across a year. The illuminance is calculated across an assessment grid sat at the reference plane (usually desk height).
111. BRE guidance provides target illuminance levels that should be achieved across at least half of the reference plane for half of the daylight hours within a year.¹ The targets set out within the national annex are as follows:
- Bedrooms – 100 Lux
 - Living Rooms – 150 Lux
 - Kitchens – 200 Lux

Site 1

112. The applicant included 49 habitable rooms of the proposed flats in the assessment. Of these only 2 (4%) would fall short of the BRE criteria in that

respectively one kitchen/dining room (R6) on the ground floor and one other rooms (R6) on the first floor that would fall below the recommended level. Room R6 on the first floor would have a window located beneath an external balcony.

Site 2

113. The applicant included 55 habitable rooms of the proposed flats in the assessment. Of these 55 habitable rooms only 5 (9%) would fall short of the BRE criteria in that respectively three kitchen/dining rooms (R2, R5 and R6) on the ground floor and two other rooms (R4 and R11) on the first floor that would fall below the recommended level. Rooms R4 and R11 would both have windows located beneath external balconies.

Sunlight

114. In respect of direct sunlight, the 2022 BRE guidance reflects the BS EN17037 recommendation that a space should receive a minimum of 1.5 hours of direct sunlight on a selected date between 1 February and 21 March with cloudless conditions. It is suggested that 21 March (equinox) be used for the assessment.

Site 1

115. The applicant included 16 living rooms in the assessment with a 100% meeting the above target.

Site 2

116. The applicant only included 18 living rooms / open plan kitchen / living /dining rooms in the assessment of which 3 (17%) not meeting the above target. The 3 living rooms that would fall below the sunlight target would have windows located beneath external balconies.

Privacy and overlooking

Site 1

117. No issues identified as the layout would not lead to any mutual overlooking from the proposed flats.

Site 2

118. Obscured windows are proposed to bedrooms in close proximity to the proposed balconies of flats to the front half of the proposed building. It is recommended that this be secured by condition to prevent mutual overlooking within the proposed development.

Amenity space

Site 1

119. The four ground and first floor maisonettes would have front gardens of respectively 13.18sqm, 9.51sqm and 9.68sqm. The maisonettes and all the one bedroom flats on the first floor and all flats on the second, third and fourth floors would have balconies of respectively 5.86sqm, 5.44sqm and 7.91sqm. The other flats on these floors would have 5.71sqm balconies and the two maisonettes over the fourth and fifth floor would also have terraces of respectively 18.3sqm and 13.58sqm. The location of the site fronting Weston Street and within a hard landscaped parking area would severely constrain the potential locations to provide a communal amenity space in a safe and practical manner. It is therefore a requirement to provide an s106 contribution of £22,700 towards the shortfall of 60.73sqm private amenity space and shortfall of 50sqm of communal amenity space.

Site 2

120. Each flat would either have a 6.11sqm, 6.15sqm or 6.25sqm balcony, apart from two flats which would have an additional roof terrace (on the top floor) of respectively 16.52sqm and 18.5sqm. Not all flats would have adequate private amenity space and no communal amenity space would be provided. The two proposed 'maintenance terraces' on the roof would not be communal amenity spaces. It is therefore a requirement to provide an s106 contribution of £23,540 towards the shortfall of 64.83sqm private amenity space and shortfall of 50sqm of communal amenity space.

Child play space

121. Objectors raised concerns that the development would lead to a reduction of play space which would impact older children more.
122. The GLA's play space calculator sets out that the development would need to provide a total of 319.5sqm of child play space broken down as follows:

Age group	Playspace requirement (sqm)
Under 5	145
5-11	106
12+	63

123. The existing children's play area on site 2 on the estate is 170sqm and would be replaced by a new children's door step play area to the west which would exceed the requirement of 145sqm play space as it would provide 814sqm play space for children under 5 on housing amenity land on site 4.
124. A second play space would be located on site 2 comprising 119sqm for children aged 5-11. This would exceed the required plays space of 106sqm for children aged 5-11.
125. The proposed development would not provide new play space for children aged 12+ and the proposed MUGA / ball court would be 44sqm smaller than the existing MUGA / ball court. However the new MUGA would be marked at both

goal ends for basketball and football and although smaller than the existing it is considered that the community provision on the Estate would be improved as the surface would be of a better quality than the existing. Planning officers consider that MUGA / ball court would provide a good quality play area for children aged 12+ and would be of a better quality than the existing ball court.

126. The total area of play space would comprise 935sqm and both these play areas would be accessible to existing and future occupiers of the estate. Details of the proposed hard and soft landscaping and play equipment on site 2 and site 4 would be secured by a pre-commencement condition.

Noise

127. The Noise and Impact Assessment indicate that the specified glazing and ventilation system would produce an internal noise environment that would meet with the council criteria and it is recommended that permission be subject to a compliance condition to ensure that internal noise levels of the new flats are not exceeded due to environmental noise.
128. The noise report indicates that the noise level of some of the balconies to the proposed flats on site 2 would not meet the 50- 55dB(A) LAeq, 16hr. The applicant would be required to apply further attenuation works to achieve the best possible noise level and should consider use of imperforate high balustrades and absorption on balcony soffits. It is recommended that permission be granted subject to a prior to occupation condition that private and communal external amenity areas be designed to attain 50dB(A) LAeq, 16hr †. †Daytime - 16 hours between 07:00-23:00hrs.

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

129. Southwark Plan policy P56 protection of amenity states that planning permission will not be granted where it would cause loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Policy P14 design quality of the Southwark Plan requires development to be of a high standard of design with adequate daylight, sunlight and outlook for new and existing occupiers.

Impact of proposed use

130. The proposed residential use and associated child play space would be acceptable in principle given its location within the estate.
131. The proposed replacement MUGA would be acceptable subject to an assessment on its impact on proposed and existing residential properties.

Privacy and overlooking

132. The Residential Design Standards SPD contains guidance stating that:
To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:
- A minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
 - A minimum distance of 21 metres at the rear of the building. Where these minimum distances cannot be met, applicants must provide justification through the Design and Access Statement.
133. Objectors raised concerns with regards to loss of privacy and that the proposed buildings would be in close proximity to adjoining properties.

Site 1

134. The rear elevation that would face 42-72 and 22-41 Elim Estate would offer limited views as a large section of the façade would comprise communal corridors and internal stairs. The remainder of the façade would pre-dominantly comprise kitchen and bedroom windows and balconies at first, second, third and fourth floors on the eastern corner. The rear elevation of the fifth floor would have no openings. The distance between the balconies on the eastern corner and 22-41 Elim Estate would be 11.7m and 16.6m to 42-72 Elim Estate.
135. The closest neighbouring property is No. 134 Weston Street to the north west of the site and comprises a contemporary mixed use part three, part four storey building with a lightweight top floor comprising a roof terrace and large glass windows and doors. It is recommended that permission is subject to a condition of details of glazed screening 1.8m above the finished floor of the north facing balconies of the proposed development to prevent overlooking to No. 134 Weston Street.
136. The distance between the balconies on the front / southern corner and 1-21 Elim Estate would be 9.65m but no significant overlooking would occur as the balconies would face eight small windows.

Site 2

137. Objectors raised concerns that the proposed development would lead to a loss of privacy as residents on the opposite side of Long Lane would be overlooked and that the development would lead to an increase in footway traffic causing privacy issues for ground floor flats and homes in the area.
138. The layout of the proposed building, with ground to fourth bedroom and kitchen windows facing the street and living and dining areas facing the rear of the site,

and the top floor bedroom with side facing windows, would not lead to significant overlooking to neighbouring properties. Furthermore, the proposed building would follow the front building line of the street and would have the same relationship with properties on the other side of Long Lane as its adjoining neighbours and would be acceptable as it would not be detrimental to the amenity of neighbouring properties.

139. The gardens of the proposed ground floor flats would either have 1100mm high metal railing fence or an 1100mm high brick wall with a 400mm high metal railing above. The eastern façade of number 202-204 Long Lane does not have habitable rooms on the ground floor overlooking the site and the proposed fence height would be acceptable.
140. The rear balconies on the upper floors would be 15.8m from 22-82 Elim Estate. The end panel of the balconies on the eastern elevation would have screens in excess of 1.7m above the finished floor level and this would ensure that neighbouring properties would not be overlooked.

Impact on daylight and sunlight of existing properties and spaces

141. Objectors raised concerns with regards to loss of daylight and sunlight.
142. Both site 1 and site 2 are currently underdeveloped resulting in the neighbouring residential buildings having the benefit of a relatively open and unobstructed outlook, and receiving very good levels of natural daylight and sunlight. These existing levels are above Building Research Establishment (BRE) Guidelines targets and reasonable expectations for a built-up urban environment. Any meaningful redevelopment of the site would thus likely result in some loss of light and the BRE recommendations is assessed as in this context.
143. The adequacy of daylight received by existing neighbouring dwellings is measured using two methods of measurement. The first is the use of Vertical Sky Components (VSC) which is then followed by the measurement of internal Daylight Distribution. The authors of the daylight and sunlight assessment did not have access to the interior of any of the existing neighbouring buildings and have therefore relied upon a measured survey, architects' drawings, site photographs and Ordnance Survey information. This is general practice in producing these type of assessments.

Daylight

144. Vertical Sky Component (VSC) is the amount of skylight reaching a window expressed as a percentage. The guidance recommends that the windows of neighbouring properties achieve a VSC of at least 27%, and notes that if the VSC is reduced to no less than 0.8 times its former value (i.e. 20% reduction) following the construction of a development, then the reduction will not be noticeable.
145. No-Sky Line (NSL) is the area of a room at desk height that can see the sky. The

guidance suggests that the NSL should not be reduced to less than 0.8 times its former value (i.e. no more than a 20% reduction). This is also known as daylight distribution, and where windows do not pass the VSC test the NSL test can be used.

Sunlight

146. Annual probable sunlight hours (APSH) is a measure of sunlight that a given window may expect over a year period. The BRE sunlight tests should be applied to all main living rooms and conservatories which have a window which faces within 90 degrees of due south. The guide states that kitchens and bedrooms are less important, although care should be taken not to block too much sunlight. However, the BRE guide explains that if the main window faces within 90 degrees of due north, but a secondary window faces within 90 degrees of due south, sunlight to the secondary window should be checked. The tests should also be applied to non-domestic buildings where there is a particular requirement for sunlight.
147. The BRE's recommendation for sunlight is:
 'If this window reference point can receive more than a quarter (25%) of annual probable sunlight hours (APHS), including at least 5% of annual probable sunlight hours during the winter months of 21 September and 21 March, then the room should receive enough sunlight...any reduction in sunlight access below this level should be kept to a minimum. If the availability of sunlight hours are both less than the amounts given and less than 0.8 times their former value, either over the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight'.

Site 1

148. The submitted daylight and sunlight assessment considers the impact on daylight and sunlight for neighbouring residents.

Daylight

149. The results of the daylight and sunlight report show that 32-41 Elim Estate, 132 Weston Street, Seal House, Eastwell House and 1-13 Elim Estate would receive marginal impacts to daylight and sunlight and remain generally consistent with BRE guidance.
150. The results of the VSC assessment for 32-41 Elim Estate show that the ground and first floor windows are below balconies and 23 windows would receive impacts that go beyond the standard BRE criteria. However, when the daylight levels were measured without the balconies in place, only 7 windows at ground and first floor would see marginal reductions and would retain values between 0.6 and 0.7.

151. 8 windows at 42-68 Elim Estate are located beneath balconies on the ground and first floor. The results of the VSC assessment show that these windows would receive impacts that go beyond the standard BRE criteria, but when the daylight levels were measured without the balconies in place, the majority of the windows would not be reduced to less than 0.8 times its former value.

VSC test 132 Weston Street

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	9	9	0	0	0
		(100%)	(0%)	(0%)	(0%)

VSC test 134 Weston Street

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	23	21	2	2	0
		(91%)	(90%)	(9%)	(0%)

VSC test 32-41 Elim Estate

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	23	5	18	0	18
		(22%)	(78%)	(0%)	(78%)

VSC test 1-13 Elim Estate

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	24	16	8	1	7
		(67%)	(33%)	(4%)	(29%)

VSC test Seal House, Weston Street

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	55	51	4	3	1
		(93%)	(7%)	(5%)	(2%)

VSC test Eastwell House, Weston Street

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	50	50	0	0	0
		(100%)	(0%)	(0%)	(0%)

VSC test 42-68 Elim Estate

	Windows tested	Pass	Fail	No. of Failures between 21% - 38% loss	No. of Failures > 38% loss
	52	26	26	13	13
		(50%)	(50%)	(25%)	(25%)

Daylight distribution (NSL)

152. The NSL test can be used where windows do not pass the VSC test.

No Sky Line (NSL) 134 Weston Street

Room	Pass	BRE compliant	20-30%	31-40%	40% +
Total	7	100%	0	0	0

No Sky Line (NSL) 32-41 Elim Estate

Room	Pass	BRE compliant	20-30%	31-40%	40% +
Total	33	94%	2	0	0

No Sky Line (NSL) 1-13 Elim Estate

Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
7	7	100%	0	0	0

No Sky Line (NSL) Seal House, Weston Street					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
39	31	79%	2	6	0

No Sky Line (NSL) 42-68 Elim Estate					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
47	27	57%	9	5	6

153. The assessment of daylight amenity within the neighbouring properties has been assessed for all habitable rooms and 103 out of 133 (77%) of windows are shown to achieve levels of daylight commensurate with their predominant use. There are 13 windows that would marginally fall below the target values and 17 that would fall significantly below the target values.

Sunlight

154. The sunlight assessment has shown that:
- 5 windows located in 42-68 Elim Estate would fall short of the BRE criteria. These rooms have windows beneath or adjacent to balconies.
 - No windows located in 32-41 Elim Estate which would overlook the proposed development are orientated within 90 degrees of due south.
 - All relevant rooms in 1-13 Elim Estate, Seal House, Weston Street, Eastwell House, Weston Street, 132 Weston Street and 134 Weston Street would retain good levels of sunlight consistent with the BRE criteria.
155. The sunlight assessment has shown that 42 out of 76 windows from buildings surrounding the site would achieve the recommended level of 25% of annual probable sunlight hours and 46 out of 76 windows would receive 5% winter sunlight. As such, the levels of daylight and sunlight provided within the proposed accommodation would on balance be acceptable.

	Window s tested	Passes both tests	Fail Total annual	Fail Winte r hours
Total	76	41 (54%)	34 (44.7%)	30 (39.4)

%)

Overshadowing

156. The BRE guidance recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21st March.
157. The daylight, sunlight and overshadowing report was not supplemented by an overshadowing design note.

Site 2

Daylight

158. The results of the daylight and sunlight assessments show that all the windows assessed at 190-196 Long Lane would retain high levels of daylight in excess of the BRE criteria. The properties below would experience some reductions in daylight and sunlight that go beyond the standard BRE targets.

VSC test 202-204 Long Lane

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
24	9	38%	0	3	12

VSC test 193-197 Long Lane

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
47	42	89%	5	0	0

VSC test Calico House 199 Long Lane

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
10	9	90%	1	0	0

VSC test 208 Long Lane

Vertical Sky Component (VSC)					
Window			Loss		
Total	Pass	BRE compliant	20-30%	31-40%	40% +
38	23	61%	8	5	2

VSC test Elim Estate

Vertical Sky Component (VSC)					
Window			Loss		

Total	Pass	BRE compliant	20-30%	31-40%	40% +
68	61	90%	7	0	0

159. The facing windows of 202-204 Long Lane are set in the flank elevation very close to the boundary with the development site, meaning that any material form of development would necessarily result in large impacts to daylight to 15 of the 24 windows tested. Most of the rooms in this elevation are served by other mitigating windows and would continue to receive good levels of daylight as a whole, although there is one ground floor bedroom that is wholly reliant upon the development site. In these situations, the BRE guide suggests comparing the proposals against a 'mirror image' of the neighbouring building to demonstrate whether it is a good neighbour or 'takes more than its fair share of light'. The mirror assessment shows that the proposals will have significantly less impact on this property than it would have upon itself, so the impact is considered consistent with BRE guidance.
160. The results of the VSC assessment have shown that 23 of the 38 windows assessed would retain levels of VSC above the standard BRE targets. The 15 windows that would fall below the standard targets would receive reductions to between 0.4 and 0.7 times their former value.
161. The properties at Elim Estate and 193-197 Long Lane have windows that are overhung by balconies or external walkways. When these overhangs are removed from the assessment all of the facing windows will either meet the BRE guidance or retain good levels of VSC.

Daylight distribution (NSL)

162. The NSL test can be used where windows do not pass the VSC test.

No Sky Line (NSL) 202-204 Long Lane					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
12	7	58%	1	2	2

No Sky Line (NSL) 193-197 Long Lane					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
40	36	90%	1	2	1

No Sky Line (NSL) Calico House 199 Long Lane					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
10	8	80%	1	1	0

No Sky Line (NSL) 208 Long Lane					
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Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
26	17	65%	9	0	0

163. A No Sky Line (NSL) test was not carried out for Elim Estate as when the daylight levels of the 7 windows were measured without the balconies in place, all 7 windows would not be reduced to less than 0.8 times its former value.
164. The assessment of daylight amenity within the neighbouring properties has been assessed for all habitable rooms and 68 out of 88 (77%) of windows are shown to achieve levels of daylight commensurate with their predominant use. There are 12 windows that would marginally fall below the target values and 8 that would fall significantly below the target values.

Sunlight

165. The sunlight assessment has shown that:
- 2 rooms located in 202-204 Long Lane would fall short of the BRE criteria. These rooms have windows beneath balconies
 - No windows located in Elim Estate which would overlook the proposed development are orientated within 90 degrees of due south
 - All relevant rooms in 190-196 Long Lane, 193-197 Long Lane, Calico House, 199 Long Lane, 208 Long Lane would retain good levels of sunlight consistent with the BRE criteria.
166. The sunlight assessment has shown that 87 out of 97 windows from buildings surrounding the site would achieve the recommended level of 25% of annual probable sunlight hours and 72 out of 97 windows would receive 5% winter sunlight. As such, the levels of daylight and sunlight provided within the proposed accommodation would on balance be acceptable.

	Windows tested	Passes both tests	Fail Total annual	Fail Winter hours
Total	97	68 (70%)	10 (10%)	24 (24.7%)

Overshadowing

167. The BRE guidance recommends that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21 March.
168. The daylight, sunlight and overshadowing report was not supplemented by an overshadowing design note.

Conclusion on daylight and sunlight

169. Overall, the proposed development would not result in a significant impact on the surrounding residential properties.

Impact on existing properties and spaces

170. Objectors raised concerns with regards to loss of open space.
171. Site 1 comprises three single storey garage blocks, a circulation road, off-street car parking and small pockets of trees. No space on site 1 is currently used as estate amenity land and the proposed building would only lead to the tarmac to access the existing single storey garage blocks.
172. Site 2 comprises a play space, ball court and a strip of landscaped land between the street and the ball court. Whilst the proposed development would lead to the loss of the ball court it would be replaced by a new MUGA / ball court to the south, on part of land currently occupied by off-street car parking.
173. The proposed development would not result in the loss of any protected open space.

Right to light

174. Objectors raised concerns that the development would does not take into account that estate residents have a right to light. Right to light is a civil rather than a planning matter, the report has considered the amenity of the existing residential units in terms of daylight and sunlight.

Access and permeability

175. Objectors raised concerns that the proposed ball court would restrict wheelchair access on this part of the estate (site 2). The proposed development would not result in any wheelchair access restrictions on either of the sites.

External lighting

176. It is recommended that permission be subject to condition requiring the submission of details of any lighting system to be installed. This would ensure that the Council would be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance.

Noise, vibration and disturbance

177. The applicant have provided a noise impact assessment which reviews the background noise levels and the potential impacts from noise generating elements of the proposed development.

Site 1

178. The proposed residential building would not create undue noise to surrounding properties and it is recommended that permission be granted subject to a Construction Management Plan condition to deal with noise and vibration during construction. The council's environmental protection team also recommended that permission be granted subject to a conditions relating to sound level from any plant and associated ducting to ensure that the amenity of neighbouring properties would not be affected. The proposed plans only show indicative areas for air source heat pumps on the roof and as such the aforementioned condition would include details of the number, size and location of air source heat pumps.

Site 2

179. Objectors raised concerns that the proposed development would lead to noise nuisance and would cause harmful noise, especially the new MUGA (site 2) which would be closer to flats within Elim estate than the existing outdoor ball court, and sound pollution during construction.
180. The proposed residential building would not create undue noise to surrounding properties and it is recommended that permission be granted subject to a Construction Management Plan condition to deal with noise and vibration during construction. The council's environmental protection team also recommended that permission be granted subject to a conditions relating to sound level from any plant and associated ducting to ensure that the amenity of neighbouring properties would not be affected. The proposed plans only show indicative areas for air source heat pumps on the roof and as such the aforementioned condition would include details of the number, size and location of air source heat pumps.
181. The new MUGA (site 2) would be closer to flats within Elim estate and in close proximity to the new flats on site 2. The existing MUGA has no time restrictions. If the application is approved objectors would want the new MUGA to be subject to a condition to restrict opening hours. The noise report indicate that the impact of the new MUGA would be similar to existing conditions and as such there is no need to control the hours of use.
182. The MUGA would have a specialist sports fence, Duo Sports from Zaun, 3m high to goal ends and 1.8m high to sides. The applicant advised that the Duo Sports product has been developed to overcome the rattle that can be a problem with ball court fencing. Every 200mm to the lower 1.2m high impact area ensures minimum movement between the panel and post with fixings. Furthermore, each fixing uses a synthetic EPDM insert to insulate the panel from the post and reduce noise by circa 29%. The overall design has been developed with input from the secure by design advisor. Part of making the sports court appealing to use is making it feel safe through good visibility on the court and to allow for passive surveillance across the court. For this reason the MUGA has been

designed with mesh fencing and not walls. This is considered an appropriate design solution which would be expected to result in similar noise conditions post-construction to the existing conditions on site. It is recommended that permission be granted subject to details of the proposed fencing to the MUGA.

Image: new MUGA



Ecology

183. Objectors raised concerns that the development would have an impact on biodiversity and ecology.
184. The council's ecology officer raised no objection and advised that the ecological survey is acceptable and recommended that planning permission be granted subject to conditions in relation to green roofs, invertebrate habitats for biodiversity, ground level landscaping, ecological management plan, precautionary survey for details of six bats bricks, bee bricks and details of twelve internal swift bricks. The council's ecology officer recommended that the native hedge Dog rose, included in the mix of Hawthorn/ Wild cherry/ Field maple// Hazel/ Dogwood and Holly be replaced with Guilder Rose, that more native tree and hedge species be used and that the location of the flower rich planting be considered. These matters are to be addressed by tree planting and landscaping conditions. The proposal would be in keeping with policy G6 Biodiversity and access to nature of the London Plan and policy P60 Biodiversity of The Southwark Plan.

Transport

Site layout

185. The footway adjoining these sites on Weston Street is wide and connects with Tabard Gardens at their proximate western side and, northerly across Long Lane joins with the nearby Leathermarket Street Community Park and Guy Street Park and eventually to London Bridge train/tube station and the riverside walk/riverboat service along River Thames. Albeit with narrow width, there is a north-south pedestrian walkway from the north-western side of these sites on Long Lane linking the two sites and the neighbouring communities together. These sites are also surrounded by various cycle routes in this locality including the Cycle Superhighway. There are few pedestrian safety measures in this vicinity demonstrated by a raised entry treatment at Weston Street/Long Lane junction and a zebra crossing at the western side of this intersection.

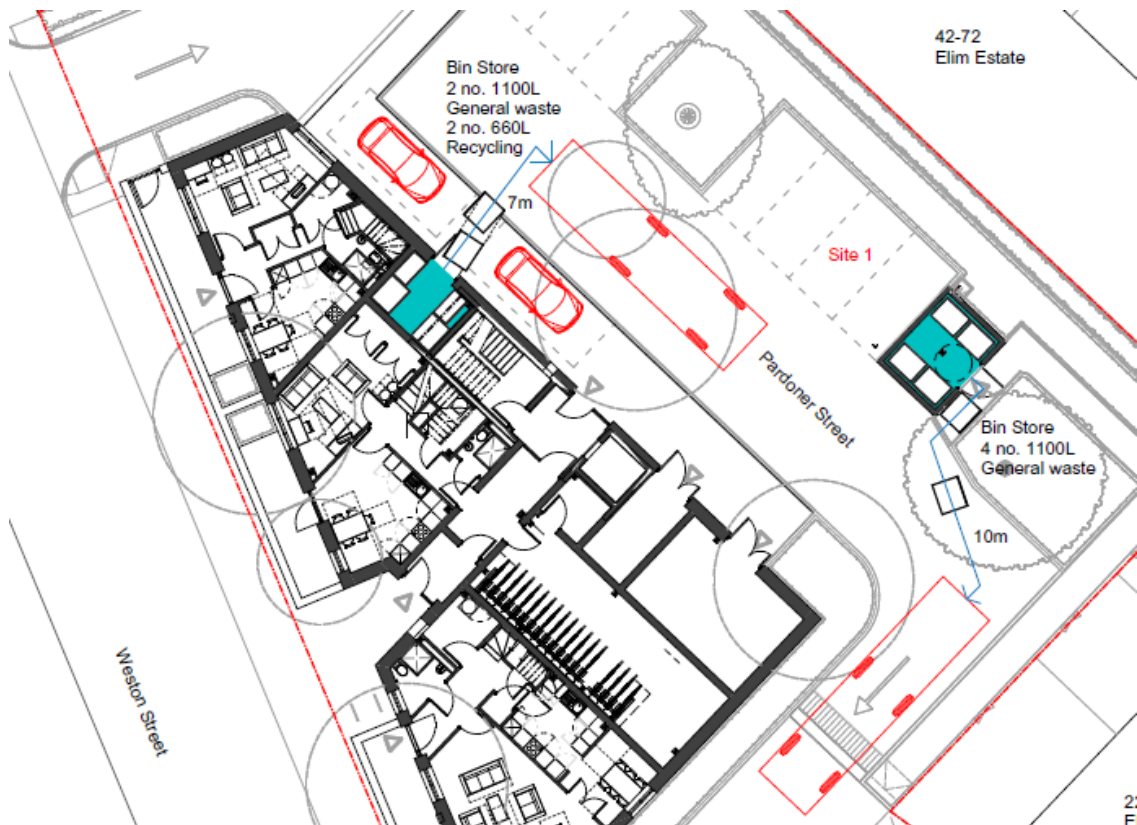
Servicing, deliveries and refuse storage

186. Policy P50 of the Southwark Plan sets out that development must ensure safe and efficient delivery and servicing that minimises the number of motor vehicle journeys. This is also reiterated in London Plan policy T7.

Site 1

187. The servicing and refuse bin collection would take place within this estate's internal courtyard and a second access would be created off Weston Street.
188. The Swept Path Analysis for a refuse vehicle on Pardoner Street shows the vehicle overhanging the landscaped area at the northern access. The applicant confirmed that the boundary treatment on the northern side of the northern access (the new road) would be a low growing plant species that would not exceed 300mm in height. It would also not be woody in nature as to prevent damage to the vehicle. An example species is *Ophiopogon planiscapus* 'Nigrescens', which is a low growing grass.

Image: Site 1 proposed bin stores



Site 2

189. The servicing and refuse bin collection would take place within this estate's internal courtyard and service vehicles accessing the internal car park from Elim Street would be able to enter and exit in forward gear. Swept path plans show that a 10.7m refuse vehicle would be able to turn on-site. It is noted that service/delivery vehicles are typically much smaller (6.5m in length for a 3.5t vehicle such as a Sainsbury's food delivery van) and would also be accommodated within the turning area provided
190. Refuse bin collection would also take place from Long Lane. A new dropped kerb would be created and the drag distance for the refuse bins would be 7m. This would be well below the maximum drag distance requirement of 10m.

Site 2: Bin collection off Long Lane



191. The footway outside Long Lane would be slightly widened, which is welcomed. The Council wishes to adopt the additional strip of land which lies beyond the planters and outward opening doors. This would be included in the legal agreement.

Site 4

192. The existing bin store is used by approximately 60 flats and the distance from the common entrance of the residential block to the existing bin store is 42 meters. In this case the distance would remain the same because the positioning of the entrance to the upgraded bin store is in a better access location for residents. Policy P50 of the Southwark Plan stipulates that development should ensure safe and efficient delivery and servicing and the council's Waste Management Team advised that drag distances for all refuse bins should not exceed 10m. The proximity of the new bin store to the carriage way, which is currently used by the refuse truck, would reduce the drag distance from 12.5m to 12m. The council's waste team comments advised that a turning head be provided as part of this proposal and that this could be achieved by removing four existing car parking spaces. The applicant however advised that this would not be possible as the existing four parking spaces north of the bin store have been used by existing residents for more than 12 years and forms part of the 35 established car parking spaces on the estate.

Image: Site 4 proposed bin store



193. The supplementary delivery vehicle movements, from the proposed development would not have any noticeable adverse impact on the existing vehicular movements on the adjoining roads. It is considered any additional uplift in waste and recycling is not expected to be high and therefore, can be easily accommodated within the existing refuse and recycling collection route. Details of refuse storage are to be secured by condition.

Trip generation

194. Objectors raised concerns that the development would result in an increase in traffic.
195. The supplementary vehicular traffic from the proposed development would not have any noticeable adverse impact on the existing vehicular movements on the adjoining roads.

New road

196. Objectors raised concerns to the building a 5th road entrance (to site 1) into a 134 unit estate which does not want or need it and which endangers all users of the site and Weston Street itself, whether on foot or bicycle.
197. The council's highways team did not raise any concerns to the principle of the creation of a new road to site 1. The applicant however submitted a 2m x 2m pedestrian inter-visibility splays at the exit from Pardoner Street to Weston Street

and agreed that there would be no obstruction to visibility above 600mm within this zone.

Car parking

198. Objectors raised concerns that the parking provision would be inadequate, no car club scheme has been proposed, no electric vehicle charging points would be provided, the development would lead to an increase in traffic and would lead to the loss of estate parking space which would create parking problems for the Elim residents.
199. The site has a PTAL of 6a/6b. The London Plan policy calls for 'car free' but limited Blue Badge spaces in inner Southwark.
200. On the existing estate currently, there are three car parks. The central car park adjacent to site 2 contains 21 spaces, the car park adjacent to site 1 contains 9 spaces and the southernmost car park on site 6 contains 5 spaces. It is proposed to re-provide 35 formal spaces that are currently existing on the estate. In addition to these 35 spaces, the 3 additional blue badge parking spaces are proposed. The proposal also includes formalising 2 "informal" parking spaces on site 4 that have been parked on by existing residents with parking permits for more than 10 years. The bin store at site 6 is redundant and not used and its removal would facilitate the re-provision of two existing car parking spaces on site 2 that would be displaced by the re-provision of the MUGA / ballcourt. The proposed parking provision would therefore be adequate and as the number of off-street car parking spaces would only increase from 35 to 38 any increase in traffic would be insignificant.
201. The application sites are located within a controlled parking zone. To accord with London Plan policy, and to reflect the vast majority of other recent residential permissions in similar areas of the borough, it is recommended that any new residents should not be able to own a car and be excluded from obtaining on-street parking permits. This would be secured in the legal agreement.
202. The Swept Path Analysis drawings for each of the car park areas show that there is sufficient space for vehicles to reverse in or out of spaces with a 6m clearance or gap between rows of parking.
203. The 3 new wheelchair spaces would have electric vehicle charging points.

Cycle parking

204. Objectors raised concerns that no cycle parking would be provided and that active travel is not encouraged.
205. In terms of cycle parking, London Plan policy T5 sets out the minimum cycle parking standards for new residential development. The proposed development

would provide a total of 58 long-stay residential cycle parking spaces and 16 short-stay spaces, which is in accordance with policy. Policy P53 of the Southwark Plan also sets out that development should provide cycle parking that is secure, weatherproof, conveniently located, well-lit and accessible. Both development sites provide internal cycle stores within the building and at ground floor level, details of which would be secured by condition.

206. Transport for London recommends free Santander Cycles membership for each initial household for a minimum of 2 years and that the protection of cyclists on LCN22 during construction should be ensured via a construction logistics plan.

Transport infrastructure

207. Objectors raised concerns that the development would provide inadequate public transport provisions.
208. The proposed development would not have any noticeable adverse impact on the existing public transport infrastructure.

Highways works

209. The applicant would need to enter into a section 278 agreement to undertake the highway works such as:
- Repave the footway including new kerbing fronting the development on Weston Street and Long Lane in accordance with the Southwark Streetscape Design Manual (SSDM) standards - precast concrete paving slabs and with 150mm wide granite kerbs
 - Construct new vehicular entrance at Weston Street in accordance with the SSDM standards
 - Reconstruct existing vehicle exit at Weston Street in accordance with the SSDM standards
 - Upgrade street lighting to current LBS standards (including on private roads). Please contact Perry Hazell at Perry.Hazell@southwark.gov.uk for further details
 - Review existing and proposed signage fronting the development and investigate the possibility to install any existing / proposed signs on the building walls in order to improve effective footway widths
 - Refresh road markings following kerb installation
 - Detailed drawings should be submitted as part of the s278 application confirming that surface water from private areas would not flow onto public highway in accordance with Section 163 of the Highways Act 1980
 - Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development
 - The creation of a raised entry treatment at Weston Street / Elim Street

junction

- The upgrade of the zebra crossing on Long Lane to a raised zebra crossing.

210. It is recommended that permission be granted subject to these matters being included in the legal agreement.
211. The council's highways team advised that prior to works commencing on site, including any demolition, a joint survey should be arranged with the highways team to catalogue condition of streets and drainage gullies. Informative about this, the need to design to SSDM standards, and the section 278 agreement would be included on any permission.

Air quality

212. Objectors raised concerns that the development would impact air quality.
213. Policy P65 of the Southwark Plan sets out 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 exposure to and mitigating the effects of poor air quality. This is also reiterated in London Plan policy SI1 which sets out that development proposals should minimise increased exposure to existing poor air quality.
214. The environmental air quality assessment shows that the predicted air pollutants are likely to exceed the National Standards. Mitigation measures are therefore required and it is recommended that permission be granted subject to a condition relating to internal ventilation to ensure that that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity. Potential air pollution associated with construction works would also be covered by a Construction Management Plan condition.

Flood risk

215. The site is located within Flood Zone 3 as identified by the Environment Agency flood map, which indicates a high probability of flooding however it benefits from protection by the Thames Barrier.
216. The green roofs would collect and direct flows towards permeable paved parking bays. Surface water would be collected in below ground attenuation tanks and discharge at a restricted rate of 2l/s to the Thames Water combined sewer via a single connection point.
217. Objectors raised concerns that the proposed development would increase the risk of flooding.

Sustainable development implications

218. Objectors raised concerns that the loss of trees would be contrary to the Local Authority's nominal commitment to planting 10,000 trees as its contribution to regional and national requirements to plant millions of trees to achieve zero carbon and reduce global warming.
219. The London Plan Policy SI 2 requires all major developments to be net zero carbon. This should be achieved through reducing operational greenhouse gas emissions and energy demand, in accordance with the Mayor's 'Be Lean' 'Be Clean' 'Be Green' and 'Be Seen' energy hierarchy.
220. The Southwark Plan Policy P70 requires major residential development to reduce carbon emissions on site by 100% against Building Regulations and major non-residential development on site by 40% against Building Regulations. In exceptional circumstances, any shortfall must be secured off site through planning obligations or as a financial contribution.
221. The applicants have submitted an Energy Strategy which sets out how the proposed development would achieve a 71.4% reduction in carbon dioxide emission on site. As it does not meet the requirement for 100% on site savings to achieve net carbon zero the applicant has agreed to an offset payment in-lieu to cover this shortfall. This will be secured through a clause in the legal agreement.

Be Lean

222. The first stage of the energy hierarchy is to use less energy through passive and active design measures.
223. The submitted Energy Strategy sets out the measures taken to reduce energy consumption. This would include enhanced levels of insulation beyond Building Regulation requirements, low air tightness levels, improved thermal bridging, mechanical ventilation heat recovery (MHVR), efficient lighting as well as energy saving controls for space conditioning and lighting. Waste water heat recover Systems (WWHRS) are also being proposed.
224. The on-site saving achieved at the Be Lean stage is calculated to be 24.9% beyond 2021 Building Regulations.

Be Clean

225. The next stage of the energy hierarchy is to identify opportunities for connection to an area wide heat network or on-site energy centre, to supply a clean and decentralised source of energy. This aligns with part 7 of Southwark Plan Policy P70 which requires major development to incorporate decentralised energy.

Be Green

226. The third stage of the energy hierarchy is to incorporate renewable energy technologies on site. The installation of air source heat pumps to each flat would provide a renewable source of hot water and heating. In addition, the development proposes to utilise flat roofs for the installation of photovoltaic (PV) panels. The carbon saving achieved at the Be Green stage would be 46.5%.

Exceptional circumstances

227. In accordance with Southwark Plan Policy P70 the application must meet exceptional circumstances for proposing a financial contribution in lieu of the 29.6% on site carbon savings shortfall.
228. The design of the proposed development incorporates energy efficiency measures to reduce energy consumption on site.

Carbon payment calculation

- 229.
- | | |
|-------------------------------|-------------------------|
| | Off-set payment |
| Residential | £21,390.00 at £95/tonne |
| 7.51 tonnes/annum | |
| 225.15 tonnes across 30 years | |

230. Overall, it is therefore considered that the proposed on site carbon saving of 71.4% is acceptable for this site, subject to the applicant agreeing to a financial contribution that would deliver the remaining shortfall through the Council's carbon offset fund.

Be Seen (Monitor and review)

231. The development will be required to monitor, verify and report on its energy performance, to demonstrate that the agreed carbon savings are delivered on site. This requirement will be secured through the legal agreement, requiring the submission of details to monitor energy performance.

Conclusion on energy strategy

232. It is recommended that permission be granted subject to a clause in the legal agreement for the submission of details to monitor energy performance.

Fire safety

233. Objectors raised concerns with regard to fire safety.
234. The submitted planning statement states that an outline fire strategy report sets out that the scheme complies with the functional requirement of the Building Regulations 2010 and further design development will be required in the next design stage. The details of these measures will be secured through the Building

Control process. The London Fire Brigade (LFB) had no observations.

Security and anti-social behaviour

235. Objectors raised concerns that the development would create a corridor behind some properties that would increase crime.
236. The Metropolitan Police did not raise any issues and recommended that permission be granted subject to a condition of details of security measures to improve community safety and crime prevention.

Community facilities

237. Objectors raised concerns that the development would put strain on existing community facilities. The Community Infrastructure Levy can be used to fund a wide range of local and strategic infrastructure that is needed to support growth and development in the borough. This includes transport facilities, flood defences, schools and other educational facilities, medical facilities, sporting and recreational facilities and open spaces.

Archaeology

238. Groundworks are proposed within an Archaeological Priority Zone and an archaeology assessment was reviewed by the council's archaeology officer. The proposed development would be acceptable subject to conditions relating to monitoring of initial site investigation work, a programme of archaeological evaluation and any subsequent mitigation works, design of foundations and an archaeological report.

Land contamination

239. The land contamination report and assessment indicated elevated levels of contamination and it is recommended that the application be granted subject to a remediation strategy condition.

Other

240. Objectors raised concerns that the development would conflict with the local plan. The proposed development has been assessed against all relevant policies including the Southwark Plan 2022.
241. Objectors raised a general dislike of the proposal. This is noted and specific concerns raised by objectors have been addressed in the relevant sections of the report.
242. Objectors raised concerns that information was missing from plans. The objections were not specific as to what information was missing but officers have adequate information to make an informed recommendation.

Planning obligations (S.106 agreement)

243. Policy IP3 of the Southwark Plan and Policy DF1 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy IP3 of the Southwark Plan is reinforced by the Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

244. Following the adoption of Southwark's Community Infrastructure Levy (SCIL) on 1 April 2015, much of the historical toolkit obligations such as Education and Strategic Transport have been replaced by SCIL. Only defined site specific mitigation that meets the tests in Regulation 122 can be given weight.

Planning obligation	Mitigation	Applicant's position
Affordable housing	100% social rent	Agreed
Site 1 Outdoor amenity space	£22,700	Agreed
Site 2 Outdoor amenity space	£23,540	Agreed
Site 2 MUGA	To be built before the existing ball court is closed for commencement of works of proposed development	Agreed
Tree loss	CAVAT payment of £52,485.00	Agreed
Carbon offset fund	£21,390.00	Agreed
Energy performance	Monitor, verify and report to demonstrate that the agreed carbon savings are delivered on site	Agreed
Adopt pavement	Site 2 The footway outside Long Lane would be widened. The Council wishes to adopt the additional strip of land which	Agreed

	lies beyond the planters and outward opening doors.	
Parking permits	This development be excluded from those eligible for car parking permits under the CPZ operating in this locality	Agreed
Santander Cycles membership	Free for each initial household for a minimum of 2 years	Agreed
Highway works	<ul style="list-style-type: none"> • Repave the footway including new kerbing fronting the development on Weston Street and Long Lane in accordance with the Southwark Streetscape Design Manual (SSDM) standards - precast concrete paving slabs and with 150mm wide granite kerbs. • Construct new vehicular entrance at Weston Street in accordance with the SSDM standards. • Reconstruct existing vehicle exit at Weston Street in accordance with the SSDM standards. • Upgrade street lighting to current LBS standards (including on private roads). Please contact Perry Hazell at Perry.Hazell@southwark.gov.uk for further details. • Review existing and proposed signage fronting the development and investigate the possibility to install any existing / proposed signs on the building walls in order to improve effective footway widths. • Refresh road markings following kerb installation. 	Agreed

	<ul style="list-style-type: none"> • Detailed drawings should be submitted as part of the s278 application confirming that surface water from private areas would not flow onto public highway in accordance with Section 163 of the Highways Act 1980. • Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development. • The creation of a raised entry treatment at Weston Street / Elim Street junction. • The upgrade of the zebra crossing on Long Lane to a raised zebra crossing. 	
Total financial contributions	£120,115	Agreed
Administration and monitoring fee (excluding affordable housing monitoring fee and servicing bond)	2% of total financial contributions	Agreed

245. In the event that an agreement has not been completed by 16 December 2023, the committee is asked to authorise the Director of Planning and Growth to refuse permission, if appropriate, for the following reason:
246. In the absence of a signed S106 legal agreement there is no mechanism in place to mitigate against the adverse impacts of the development including through contributions, and it would therefore be contrary to policy DF1 'Delivery of the Plan and Planning Obligations' of the London Plan 2021, Policy IP3 'Community Infrastructure Levy (CIL) and Section 106 planning obligations' of the Southwark Plan 2022, and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and borough community infrastructure levy (CIL)

247. 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
248. The site is located within Southwark CIL Zone 2 and MCIL2 Central London Zone. Based on the applicant's CIL Form1 (GIA) dated 16-May-22, the gross amount of CIL is approximately £974,638.60 (pre-relief). Subjecting to the correct CIL forms being submitted on time, CIL Social Housing Relief can be claimed for a number of types of affordable housing, and since all 34 units would be social rented, 100% of CIL relief is anticipated once the claimants complete relief claim procedures. It should be noted that this is an estimate, and the floor areas will be checked when related CIL Assumption of Liability Form and Relief Claim Form are submitted, after planning approval has been obtained.

Community involvement and engagement

249. Objectors raised concerns that:
- Not all neighbouring properties were consulted and only a few site notices were displayed;
 - There is currently no Tenants and Resident Association (TRA) functioning on the Elim Estate, and the Decima Street TRA hall is out of use at present. This raises an important question of whether there is an appropriate forum on the estate for dissemination of information and discussion of the proposals; and
 - There has been no designated Resident Project Group for this project - there has been one for most of Southwark Council's own new homes building projects.
250. The local planning authority advertised the application in the press on 30 June 2022, displayed site notices on 6 July 2022 and consulted neighbouring properties within a 100m radius of the site by letter on 18 July 2022 in accordance with Southwark's Statement of Community Involvement.
251. A Tenants and Resident Association (TRA) or a designated Resident Project Group are not a prerequisite for adequate dissemination of information of the proposed development.
252. The applicant engaged with the local community on twelve occasions:
253. November to December 2018: The applicant carried out door knocking on Elim Estate.
254. 13 December 2018: The applicant held a drop-in event.

- 255. January 2019: Consultation with Decima Street TRA and Leathermarket JMB board.
- 256. February 2019: Design brief consultation leaflets were mailed to Elim Estate residents and follow-ups were held with residents via door-knocking, email or texts.
- 257. March 2019: Follow-ups were held with residents via door-knocking and phone calls.
- 258. June 2019: Update and discussions/consultation was held at Decima Street TRA meeting.
- 259. August 2019: Two estate walkabouts with residents.
- 260. 10 September 2019: A drop-in consultation event was held.
- 261. January 2020: Consultation held at Decima Street Tenants Residents Association.
- 262. June to August 2020: Leaflet with an update sent to residents and follow-ups made via phone calls/email.
- 263. 30 September 2020: Webinar held between the developer, architect, landscape architect and the public.
- 264. October 2020: Letter sent to residents.

Consultation responses from external and statutory consultees

Environment Agency

- 265. No objection but advised that the applicant confirm Finished Floor Levels (FFLs) across the development as this will help inform any emergency plans and aid in identifying areas which may or may not inundate in a flood event.

Natural England

- 266. No comments received.

Thames Water

- 267. No comments received.

Greater London Authority

- 268. No comment received.

Health and Safety Executive

- 269. No comment received.

London Fire and Emergency Planning Authority

270. The London Fire Brigade (LFB) had no observations.

Metropolitan Police

271. No objection as the proposal would not negatively impact the potential for crime and anti-social behaviour within the proposed development.

Consultation responses from internal consulteesEnvironmental Protection Team

272. No objection and recommended conditions in relation to internal noise levels and plant noise.

Transport Policy

273. No objection in principle and recommended permission be granted subject to conditions. The following concerns were raised:

Concerns as follows:

- The creation of a new one-way through road within this estate's internal courtyard beside Site 1 is unacceptable.
- The footway adjoining Site 2 on Long Lane is substandard with uneven surface and will therefore be reconstructed and, the recurring bollards on it will have to be removed.
- The section of the adjacent footway forming the dropped kerb into the building abutting the eastern periphery of Site 2 on Long Lane is badly damaged and experiencing significant ponding and should therefore be reconstructed with improved drainage.
- Pedestrians would also benefit from the creation of a raised entry treatment at Weston Street/Elim Street junction plus the upgrade of the zebra crossing on
- Long Lane to a raised zebra crossing as there is currently no speed reduction mechanism on this road segment.

Ecology

274. No objection and recommend permission be granted subject to conditions.

Highways Team

275. Required pedestrian inter-visibility splays at the exit from Pardoner Street to Weston Street, Swept Path Analysis drawings, bin stores and items to be included in a S278 agreement.

Flood Risk Management

276. Final comments to be submitted.

Urban Forester

277. No objection and advised that a net loss in CAVAT value of £52,485 should be agreed via a legal agreement.

Waste Management

278. Clarification sought on dropped kerbs in relation to bin stores and reversing distances for Elim Street.

Policy Team

279. No objection.

Community impact and equalities assessment

280. Objectors raised concerns that an Equality Impact Assessment was not initially submitted and that the Equality Impact Assessment Objectors state that there are residents in the Elim Estate with severe mental disabilities and underlying psychiatric conditions (social anxiety, agoraphobia, severe depression), who would be severely disadvantaged and singled out if this proposed development would go ahead. Objectors also raised concerns with regards the infringement of the rights of children and young people. Objectors raised concerns that the ball court on site 2 is a well-used outdoor space for residents and are doubtful that external community/play/sports facilities would be delivered to the same standards as the current court or be as accessible as the current ball court to the local community.

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

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

283. 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.
284. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
285. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
286. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The positive impacts have been identified throughout this report:
- Accessible accommodation: 9% of all flats would be wheelchair accessible, 2 cycle parking spaces and 3 wheelchair parking space would be provided.

Human rights implications

287. 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.
288. This application has the legitimate aim of providing new homes and improved employment space. 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

289. 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.

290. 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.

291. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the agreed Planning Performance Agreement date?	YES

CONCLUSION

292. The proposal would be acceptable in principle. The massing and height of the proposed buildings on both sites would be acceptable.

293. The development would provide a high standard of quality of accommodation for living conditions. The total shortfall in private and communal outdoor amenity space would however require a financial contribution, which would be included in the legal agreement.

294. Overall, the proposed development would not result in a significant impact on the surrounding residential properties.

295. The development would not have a detrimental impact on the transport network and as it would not meet the requirement for 100% on site savings to achieve net carbon zero the shortfall of 28.6% would be offset by a payment in-lieu.

296. It is therefore recommended that planning permission be granted, subject to conditions and the completion of a S106 Agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents TP/H21 22/AP/1887	Planning and Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Recommendation Draft Decision Notice
Appendix 2	Planning Policy
Appendix 3	Planning History
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Andre Verster, Team Leader Major and New Homes Team	
Version	Final	
Dated	30 May 2023	
Key Decision		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		31 May 2023

APPENDIX 1**Draft Recommendation**

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

This document is not a decision notice for this application.

Applicant	Leathermarket Community Benefit Society	Reg. Number	22/AP/1887
Application Type	Major application		
Recommendation	GRANT permission	Case Number	H21

Draft of Decision Notice

planning permission is GRANTED for the following development:

Construction of 34 new social rented homes across two separate buildings, along with the provision of external community/play/sports facilities and associated landscaping and car parking. (resub)

Elim Estate Weston Street London Southwark

In accordance with application received on 30 May 2022 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Plans - Proposed 0612-BPA-BB-DR-A-(P1)200 P01 received

Plans - Proposed 0612-BPA-BB-DR-A-(P1)100 P02 received

Plans - Proposed 0612-BPA-BB-DR-A-(P1)101 P01 received

Plans - Proposed 0612-BPA-BB-DR-A-(P1)102 P01 received

Plans - Proposed 0612-BPA-BB-DR-A-(P1)103 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)104 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)105 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)106 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)200 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)201 P01 received
Plans - Proposed 0612-BPA-BB-DR-A-(P1)300 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)111 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)112 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)113 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)114 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)115 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)116 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)210 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)211 P02 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)305 P02 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)200 P01 received
Plans - Proposed 0612-BPA-CC-DR-A-(P1)110 P02 received
Plans - Proposed 0612-BPA-XX-DR-A-(P1)001 P02 received
Plans - Proposed 1991-HRW-02-XX-DR-C-0500 P07 received
Plans - Proposed 1991-HRW-BB-XX-DR-C-0501 P03 received
Plans - Proposed 2036-WWA-ZZ-XX-DR-L-0128 PL02 received
Plans - Proposed 2036-WWA-ZZ-XX-DR-L-0137 PL08 received
Plans - Proposed 2036-WWA-ZZ-XX-DR-L-0138 PL03 received
Plans - Proposed 2036-WWA-ZZ-XX-DR-L-0134 PL07 received
Plans - Proposed 2036-WWA-ZZ-XX-DR-L-0502 P02 received
Plans - Proposed SK08 received
Plans - Proposed SK09 received

Other Documents

Time limit for implementing this permission and the approved plans

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

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

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

3. Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority. a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal. b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant. c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation. The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations. If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of The Southwark Plan 2022: P56 Protection of amenity; P57: Open space; P58: Open water space; P59: Green infrastructure, P66 Reducing noise pollution and enhancing soundscapes, P13: Design of places; P14: Design quality; P15: Residential design, P20: Conservation areas; P21: Conservation of the historic environment and natural heritage and P60 Biodiversity.

4. Details of bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted permission. No less than six nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open Water space, P59 Green infrastructure, P60 Bioiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

5. Details of Swift nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted permission. No less than 18 nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The Swift nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition

will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open water space, P59 Green infrastructure, P60 Biodiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

6. Construction Management

Construction Environmental Management Plan (CEMP) - pre approval

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

- a) The protection of cyclists on LCN22 during construction;
- b) A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
 - o Site perimeter continuous automated noise, dust and vibration monitoring;
 - o Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
 - o Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
 - o A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;

- o Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.

- o A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London

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

- o Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/construction>

- o Section 61 of Control of Pollution Act 1974,

- o The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',

- o The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',

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

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

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

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

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

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

Reason

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2021.

7. Details of the proposed play equipment on site 2 and site 4 and associated hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted permission.

Reason

To ensure that present or future users of the play area do not suffer a loss of amenity in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2021.

8. Details of the fence of the Multi Use Games Area on site 2 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby granted permission.

Reason:

In order to protect the amenity of the occupiers of the adjoining residential premises from undue noise in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021) and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

9. MATERIALS

Details of the detailed designs and material finishes (2 copies) to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

10. Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation. To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity

Permission is subject to the following Grade Condition(s)

11. **HARD AND SOFT LANDSCAPING**

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, available rooting space, tree pits, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. Details of the soft landscaped area at the northern access on Pardoner Street (site 1) should include a low growing plant/grass species of no more than a height of 300mm and not of a woody nature. This would be secured by a condition. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the equivalent stem girth and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation

to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason: So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

12. GREEN ROOFS FOR BIODIVERSITY

Part 1: Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:

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

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

Part 2: Full Discharge of this condition will be granted once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure), G5 (Urban Greening) of the London Plan 2021; Policy P59 (Green Infrastructure) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

13. ECOLOGICAL MANAGEMENT PLAN

Before any above grade work hereby authorised begins, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority. The scheme shall include the following elements: the urban greening, habitat features and ground level landscaping.

Reason: This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is an mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan.

14. Invertebrate habitats

Details of Bee bricks and/or invertebrate hotels shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

No less than 6 Bee bricks and/or invertebrate hotels shall be provided and the details shall include the exact location, specification and design of the habitats. Bee bricks and/or invertebrate hotels shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Bee bricks and/or invertebrate hotels shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the invertebrate features and mapped locations and Southwark Council agreeing the submitted plans, and once the invertebrate features are installed in full in accordance to the agreed plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: G6 of the London Plan 2021, Policy P59 and P60 of the Southwark Plan 2022.

15. PROVISION OF REFUSE STORAGE

Before any above grade work hereby authorised begins, details (1:50 scale drawings), including storage capacity, elevation and external materials, of the facilities to be provided for refuse storage shall be submitted to and approved in writing by the Local Planning Authority. The refuse storage arrangements shall be provided as detailed on the drawings approved and shall be made available for use by the occupiers of the dwellings. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P56 (Protection of amenity) and Policy P62 (Reducing waste) of the Southwark Plan (2022).

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

16. Private and communal external amenity areas shall be designed to attain 50dB(A) LAeq, 16hr †.

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

Prior to the commencement of use of the amenity area/s a proposed scheme of sound reduction shall be submitted to the local planning authority. The scheme of sound reduction shall be installed and constructed in accordance with any approval given and shall be permanently maintained thereafter. Following completion of the development but prior to the commencement of use of the

amenity area/s, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing.

Reason

To ensure that the occupiers of the proposed development do not suffer a loss of amenity by reason of excess environmental noise in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

Note - A reduced standard - 55dB(A) LAeq 16hr † can be used to secure appropriate development. If Balcony/private garden area cannot meet 55dB(A) LAeq 16hr † then further attenuation works should be required to achieve best possible noise level. Consider requiring winter gardens or imperforate high balustrades and absorption on balcony soffit or approval but the space will not count towards the planning policy objective for private amenity space.

17. The use hereby permitted shall not commence until full particulars and details of a scheme for the internal ventilation of the development which shall include; appropriately located plant, inlets and outlets; filtration and treatment of incoming air to ensure it meets the national standards for external air quality; plant noise output levels; and a management and maintenance plan have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approval given.

Reason

In order that the Local Planning Authority may be satisfied that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P65 (Improving air quality), and the National Planning Policy Framework 2021.

18. **LANDSCAPE MANAGEMENT PLAN**

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

Details of an irrigation schedule shall be provided for all trees to ensure successful establishment.

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

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

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2021; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

19. AIR SOURCE HEAT PUMPS

Prior to the occupation of the development or any phase of the development, whichever is the sooner, details of the number, size and location of air source heat pumps shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021

20. PRIVACY SCREEN

Prior to the occupation of the development or any phase of the development, whichever is the sooner, details of privacy screens to the all balconies on the

east side elevation of the building on site 1 shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at from undue overlooking in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

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

Bedrooms - 35dB LAeq T†, 30 dB L Aeq T*, 45dB LAFmax T *

Living and Dining rooms- 35dB LAeq T †

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

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

A report shall be submitted in writing to and approved by the LPA detailing acoustic predictions and mitigation measures to ensure the above standards are met. Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing. The approved scheme shall be implemented and permanently maintained thereafter.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021.

22. Plant Noise -

The Rated sound level from any plant, including air source heat pumps, together with any associated ducting, shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and

Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014+A1:2019.

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

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2021

23. OBSCURE GLAZING TO BE PROVIDED

The windows on the side (east and west) elevations of the building on site 2 shall be obscure glazed and fixed shut and shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at from undue overlooking in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

Permission is subject to the following Special Condition(s)

24. External Lighting

Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance Note 1 for the reduction of obtrusive light (2021). Details of any external lighting (including: design; power and position of luminaries; light intensity contours) of all affected external areas (including areas beyond the boundary of the development) shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise than in accordance with any such approval given. Prior to the external lighting being

used, a validation report shall be shall be submitted to the LPA for approval in writing.

The basketball court shall be lit in accordance with the IES or related standards for the sport

Reason

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with the Southwark Plan 2022 Policy P16 (Designing out crime); Policy P56 (Protection of amenity), and the National Planning Policy Framework 2021.

25. Site Contamination

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

b) Following the completion of the works and measures identified in the approved remediation strategy, a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.

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

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other

off-site receptors in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2021.

Informatives

- 1 The hard and soft landscaping details should specify a low growing plant species, for example *Ophiopogon planiscapus* 'Nigrescens', that would not exceed 300mm in height, and that would not be woody in nature.

Planning Policy

National Planning Policy Framework (NPPF, 2021)

- Chapter 2 Achieving sustainable development
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 16 Conserving and enhancing the historic environment

The London Plan (2021)

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D10 Basement development
- Policy D11 Safety, security and resilience to emergency
- Policy D12 Fire safety
- Policy D14 Noise
- Policy HC1 Heritage conservation and growth
- Policy G5 Urban greening
- Policy SI1 Improving air quality
- Policy SI2 Minimising greenhouse gas emissions
- Policy SI7 Reducing waste and supporting the circular economy
- Policy SI13 Sustainable drainage
- Policy T5 Cycling
- Policy T6 Car Parking
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the Plan and Planning Obligations

Southwark Plan (2022)

- Policy P1 Social rented and intermediate housing
- Policy P8 Wheelchair accessible and adaptable housing
- Policy P13 Design of places
- Policy P14 Design quality
- Policy P16 Designing out crime
- Policy P18 Efficient use of land
- Policy P23 Archaeology
- Policy P50 Highway impacts
- Policy P51 Walking
- Policy P53 Cycling
- Policy P54 Car parking

- Policy P55 Parking standards for disabled people and the physically impaired
- Policy P56 Protection of amenity
- Policy P57 Open Space
- Policy P62 Reducing waste
- Policy P65 Improving air quality
- Policy P66 Reducing noise pollution and enhancing soundscapes
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy
- Policy IP3 Community Infrastructure Levy (CIL) and Section 106 planning obligations

APPENDIX 3**Planning History**

Reference and Proposal	Status
<p>20/AP/3616 The construction of 32 social rented homes across two separate buildings (16 flats each), along with the provision of community facilities, landscaping and associated development.</p>	<p>Application withdrawn 17/03/2022</p>
<p>83/AP/1092 Court Yard Improvements 1-121 Elim Estate (LBS Reg 1092-83)</p>	<p>GRANT - Regulation 3/4 18/10/1983</p>

APPENDIX 4**Consultation undertaken****Site notice date:** 06/07/2022**Press notice date:** 30/06/2022**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 18/07/2022**Internal services consulted**

Flood Risk Management & Urban Drainage

Environmental Protection

Community Infrastructure Levy Team

Transport Policy

Design and Conservation Team [Formal]

Local Economy

Ecology

Planning Enforcement

Highways Development and Management

Flood Risk Management & Urban Drainage

Urban Forester

Waste Management

Flood Risk Management & Urban Drainage

Highways Development and Management

Waste Management

Waste Management

Environmental Protection

Statutory and non-statutory organisations

Environment Agency

Great London Authority

London Fire & Emergency Planning Authority

Natural England - London & South East Region

Metropolitan Police Service (Designing Out Crime)

Transport for London

Thames Water

Neighbour and local groups consulted:

Apartment 58 Taper Building 175 Long Lane
86 Elim Estate Weston Street London
Flat 63 Eastwell House Weston Street
105 Elim Estate Weston Street London
Apartment 78 Taper Building 120 Weston Street
132 Weston Street London Southwark
39 Elim Estate Weston Street London
Flat 2 195 Long Lane London
Flat 2 Sadlers Court 30A Wilds Rents
Apartment 3 Calico House 199 Long Lane
Flat 5 Thurnham House Law Street
Flat 11 Wrotham House Law Street
Flat 17 Shalford House Law Street
Flat 12 Shalford House Law Street
5 Graduate Place London Southwark
78 Elim Estate Weston Street London
76 Elim Estate Weston Street London
67 Elim Estate Weston Street London
Flat 38 Eastwell House Weston Street
Flat 26 Eastwell House Weston Street
Flat 18 Eastwell House Weston Street
Flat 17 Godstone House Pardoner Street
55 Rothsay Street London Southwark
Flat 18 Chartham House Weston Street
3 Elim Estate Weston Street London
41 Rothsay Street London Southwark
39 Rothsay Street London Southwark
21 Rothsay Street London Southwark
44 Rothsay Street London Southwark
38 Rothsay Street London Southwark
93 Elim Estate Weston Street London

130 Weston Street London Southwark
Office 17 30B Wilds Rents London
122 Weston Street London Southwark
Apartment 23 Taper Building 175 Long Lane
Apartment 15 Taper Building 175 Long Lane
Apartment 77 Taper Building 120 Weston Street
Apartment 27 Taper Building 175 Long Lane
Flat 33 Sadlers Court 30A Wilds Rents
Flat 24 Sadlers Court 30A Wilds Rents
Apartment 10 Calico House 199 Long Lane
Apartment 5 Calico House 199 Long Lane
Flat 3 195 Long Lane London
Apartment 9 208 Long Lane London
Flat 2 Tangerine House 119 Weston Street
Unit K 175 Long Lane London
211 Long Lane London Southwark
52 Elim Estate Weston Street London
Flat 40 Eastwell House Weston Street
Apartment 91 Taper Building 120 Weston Street
Flat 22 Tangerine House 176 Long Lane
Apartment 86 Taper Building 120 Weston Street
6 Cooperage House 202 Long Lane London
Apartment 4 Taper Building 175 Long Lane
Flat 69 Eastwell House Weston Street
Flat 30 Eastwell House Weston Street
Flat 13 Kemsing House Weston Street
Flat 7 Seal House Weston Street
Flat 6 Thurnham House Law Street
Flat 8 Godstone House Pardoner Street
Flat 16 Godstone House Pardoner Street
Flat 3 Chartham House Weston Street

33 Elim Estate Weston Street London
Unit 5A 20 Wilds Rents London
Decima Studio 17 Decima Street London
Apartment 95 Taper Building 120 Weston Street
Apartment 85 Taper Building 120 Weston Street
98 Elim Estate Weston Street London
Flat 72 Eastwell House Weston Street
Flat 49 Eastwell House Weston Street
Apartment 66 Taper Building 120 Weston Street
Apartment 7 117 Weston Street London
Flat 4 Chartham House Weston Street
71 Elim Estate Weston Street London
48 Elim Estate Weston Street London
Apartment 8 208 Long Lane London
Flat 18 Sadlers Court 30A Wilds Rents
Unit 8C 20 Wilds Rents London
Flat 4 Thurnham House Law Street
18A Wilds Rents London Southwark
Flat 27 Shalford House Law Street
Flat 20 Shalford House Law Street
124A Weston Street London Southwark
118 Elim Estate Weston Street London
116 Elim Estate Weston Street London
Flat 33 Eastwell House Weston Street
Flat 32 Eastwell House Weston Street
54 Decima Street London Southwark
52 Decima Street London Southwark
48 Decima Street London Southwark
Flat 1 Kemsing House Weston Street
Flat 1 Godstone House Pardoner Street
Flat 14 Chartham House Weston Street

50 Elim Estate Weston Street London
47 Elim Estate Weston Street London
43 Elim Estate Weston Street London
32 Elim Estate Weston Street London
23 Elim Estate Weston Street London
8 Elim Estate Weston Street London
Flat 12 Kemsing House Weston Street
Flat 30 Chartham House Weston Street
87 Elim Estate Weston Street London
126 Weston Street London Southwark
Apartment 89 Taper Building 120 Weston Street
Apartment 18 Taper Building 175 Long Lane
Office 11 30B Wilds Rents London
Apartment 94 Taper Building 120 Weston Street
Apartment 65 Taper Building 120 Weston Street
Unit B 120 Weston Street London
Apartment 47 Taper Building 175 Long Lane
5 Cooperage House 202 Long Lane London
Apartment 12 117 Weston Street London
Apartment 10 117 Weston Street London
Apartment 2 117 Weston Street London
Apartment 3 208 Long Lane London
Flat 7 Tangerine House 119 Weston Street
Flat 23 Tangerine House 176 Long Lane
Flat 5C 20 Wilds Rents London
Unit G 175 Long Lane London
Unit C 175 Long Lane London
Visual Response Ltd 20 Wilds Rents London
Apartment 64 Taper Building 120 Weston Street
30 Wilds Rents London Southwark
40 Rothsay Street London Southwark

124 Weston Street London Southwark
30 Elim Estate Weston Street London
24 Elim Estate Weston Street London
18 Elim Estate Weston Street London
Flat 7 Kemsing House Weston Street
Flat 3 Eastwell House Weston Street
Flat 24 Eastwell House Weston Street
Flat 17 Eastwell House Weston Street
Flat 15 Eastwell House Weston Street
Apartment 88 Taper Building 120 Weston Street
89 Elim Estate Weston Street London
Flat 67 Eastwell House Weston Street
74 Elim Estate Weston Street London
45 Elim Estate Weston Street London
42 Elim Estate Weston Street London
Flat 11 Tangerine House 119 Weston Street
Apartment 8 Calico House 199 Long Lane
Apartment 6 208 Long Lane London
1 Atlantic Business Centre 20-30 Wilds Rents London
Flat 2 Thurnham House Law Street
Flat 11 Thurnham House Law Street
Flat 7 Wrotham House Law Street
Flat 13 Wrotham House Law Street
Flat 9 Shalford House Law Street
Flat 8 Shalford House Law Street
Flat 34 Shalford House Law Street
Flat B 218 Long Lane London
70 Elim Estate Weston Street London
64 Elim Estate Weston Street London
61 Elim Estate Weston Street London
Flat 6 Eastwell House Weston Street

Flat 26 Chartham House Weston Street
66 Decima Street London Southwark
Flat 58 Eastwell House Weston Street
Flat 48 Eastwell House Weston Street
Flat 21 Eastwell House Weston Street
Flat 16 Eastwell House Weston Street
190 Long Lane London Southwark
Flat 9 Seal House Weston Street
Flat 2 Seal House Weston Street
Flat 7 Godstone House Pardoner Street
Flat 22 Godstone House Pardoner Street
Flat 14 Godstone House Pardoner Street
35 Elim Estate Weston Street London
26 Elim Estate Weston Street London
Flat 6 Kemsing House Weston Street
Flat 3 Kemsing House Weston Street
27 Rothsay Street London Southwark
Flat 28 Chartham House Weston Street
Apartment 2 Taper Building 175 Long Lane
Unit F 120 Weston Street London
Apartment 54 Taper Building 175 Long Lane
Apartment 52 Taper Building 175 Long Lane
Apartment 40 Taper Building 175 Long Lane
Apartment 35 Taper Building 175 Long Lane
Apartment 33 Taper Building 175 Long Lane
Apartment 31 Taper Building 175 Long Lane
Apartment 3 117 Weston Street London
Unit 5 20 Wilds Rents London
Flat 32 Sadlers Court 30A Wilds Rents
Flat 29 Sadlers Court 30A Wilds Rents
Flat 27 Sadlers Court 30A Wilds Rents

Flat 8 Sadlers Court 30A Wilds Rents
Flat 3 Sadlers Court 30A Wilds Rents
Unit 2 Calico House 199 Long Lane
Flat 13 195 Long Lane London
Flat 11 195 Long Lane London
Flat 10 Tangerine House 119 Weston Street
Unit B 175 Long Lane London
207 Long Lane London Southwark
34 Elim Estate Weston Street London
69 Elim Estate Weston Street London
Apartment 11 117 Weston Street London
88 Elim Estate Weston Street London
Flat 11 Shalford House Law Street
126A Weston Street London Southwark
Flat 3 Wrotham House Law Street
Flat 33 Shalford House Law Street
51 Rothsay Street London Southwark
Flat 12 Thurnham House Law Street
Flat 27 Chartham House Weston Street
22 Elim Estate Weston Street London
Flat 24 Chartham House Weston Street
Flat 22 Chartham House Weston Street
Flat 15 Chartham House Weston Street
Flat 41 Eastwell House Weston Street
Office 13 30B Wilds Rents London
Apartment 21 Taper Building 175 Long Lane
Apartment 19 Taper Building 175 Long Lane
Flat 70 Eastwell House Weston Street
100 Elim Estate Weston Street London
218 Long Lane London Southwark
Apartment 71 Taper Building 120 Weston Street

Flat 9 Tangerine House 119 Weston Street
Flat 28 Sadlers Court 30A Wilds Rents
Flat 20 Sadlers Court 30A Wilds Rents
Flat 15 Sadlers Court 30A Wilds Rents
19 Wilds Rents London Southwark
31 Wilds Rents London Southwark
Flat 1 Thurnham House Law Street
Flat 32 Shalford House Law Street
Flat 18 Shalford House Law Street
Flat 10 Shalford House Law Street
Flat 1 Shalford House Law Street
2 Graduate Place London Southwark
113 Elim Estate Weston Street London
101 Elim Estate Weston Street London
79 Elim Estate Weston Street London
66 Elim Estate Weston Street London
Flat 45 Eastwell House Weston Street
Flat 43 Eastwell House Weston Street
Flat 11 Eastwell House Weston Street
46 Decima Street London Southwark
Flat 73 Eastwell House Weston Street
Flat 68 Eastwell House Weston Street
Flat 19 Seal House Weston Street
Flat 17 Seal House Weston Street
Flat 2 Godstone House Pardoner Street
Flat 11 Godstone House Pardoner Street
Flat 10 Chartham House Weston Street
13 Elim Estate Weston Street London
Flat 9 Kemsing House Weston Street
53 Rothsay Street London Southwark
47 Rothsay Street London Southwark

35 Rothsay Street London Southwark
Flat 6 Chartham House Weston Street
Flat 29 Chartham House Weston Street
Apartment 20 Taper Building 175 Long Lane
Apartment 13 Taper Building 175 Long Lane
Office 15 30B Wilds Rents London
Apartment 87 Taper Building 120 Weston Street
Apartment 69 Taper Building 120 Weston Street
Apartment 41 Taper Building 175 Long Lane
Apartment 67 Taper Building 120 Weston Street
Unit E 120 Weston Street London
3 Cooperage House 202 Long Lane London
Apartment 6 117 Weston Street London
3 Decima Studio 17 Decima Street London
First Floor Unit 5B 20-30 Wilds Rents London
Flat 19 Sadlers Court 30A Wilds Rents
Flat 12 Sadlers Court 30A Wilds Rents
Flat 10 195 Long Lane London
Flat 16 Tangerine House 119 Weston Street
Flat 13 Tangerine House 119 Weston Street
Flat 21 Tangerine House 176 Long Lane
Unit L 175 Long Lane London
Unit E 175 Long Lane London
Flat 10 Kemsing House Weston Street
Apartment 57 Taper Building 175 Long Lane
Flat 15 Wrotham House Law Street
Apartment 10 Taper Building 175 Long Lane
45 Rothsay Street London Southwark
Flat 1 Eastwell House Weston Street
Apartment 61 Taper Building 120 Weston Street
Apartment 49 Taper Building 175 Long Lane

Flat 7 Shalford House Law Street
9 Elim Estate Weston Street London
11 Elim Estate Weston Street London
Flat 1 Tangerine House 119 Weston Street
37 Rothsay Street London Southwark
Flat 8A 20-30 Wilds Rents London
4A Atlantic Business Centre 20-30 Wilds Rents London
Studio B Unit 12 20-30 Wilds Rents London
Unit 4B 20-30 Wilds Rents London
Apartment 18 117 Weston Street London
210-216 Long Lane London Southwark
Flat 8B 20-30 Wilds Rents London
22 Wilds Rents London Southwark
171 Long Lane London Southwark
Flat 25 Chartham House Weston Street
103 Elim Estate Weston Street London
Apartment 30 Taper Building 175 Long Lane
Flat 39 Eastwell House Weston Street
Flat 4 Shalford House Law Street
4 Cooperage House 202 Long Lane London
18B Wilds Rents London Southwark
1 Cooperage House 202 Long Lane London
Flat 2 Kemsing House Weston Street
Flat 11 Kemsing House Weston Street
Flat 44 Eastwell House Weston Street
Apartment 51 Taper Building 175 Long Lane
Apartment 48 Taper Building 175 Long Lane
Apartment 46 Taper Building 175 Long Lane
Flat 12 Eastwell House Weston Street
Apartment 14 208 Long Lane London
Apartment 7 208 Long Lane London

Flat 1 220A Long Lane London
Unit 1 Calico House 199 Long Lane
Apartment 11 Calico House 199 Long Lane
94 Elim Estate Weston Street London
91 Elim Estate Weston Street London
128 Weston Street London Southwark
4 Wilds Rents London Southwark
Flat 2 220A Long Lane London
Flat 14 195 Long Lane London
Flat 1 195 Long Lane London
Apartment 2 208 Long Lane London
Flat 12 Tangerine House 119 Weston Street
Flat 5 Tangerine House 119 Weston Street
Flat 19 Tangerine House 176 Long Lane
2 Wilds Rents London Southwark
Unit F 175 Long Lane London
Unit D 175 Long Lane London
8C Wilds Rents London Southwark
205 Long Lane London Southwark
Store Elim Estate Weston Street
23 Rothsay Street London Southwark
Flat 53 Eastwell House Weston Street
99 Elim Estate Weston Street London
Apartment 15 208 Long Lane London
Apartment 70 Taper Building 120 Weston Street
Flat 3 Shalford House Law Street
Flat 14 Shalford House Law Street
Flat 10 Seal House Weston Street
60 Decima Street London Southwark
Flat 30 Sadlers Court 30A Wilds Rents
Flat 9 Sadlers Court 30A Wilds Rents

196 Long Lane London Southwark
92 Elim Estate Weston Street London
Basement And Ground Floor Flat 220 Long Lane London
Office 12 30B Wilds Rents London
Apartment 25 Taper Building 175 Long Lane
62 Elim Estate Weston Street London
109 Elim Estate Weston Street London
Flat 14 Seal House Weston Street
Flat 3 Godstone House Pardoner Street
Flat 15 Godstone House Pardoner Street
40 Elim Estate Weston Street London
Flat 23 Sadlers Court 30A Wilds Rents
Apartment 39 Taper Building 175 Long Lane
62 Decima Street London Southwark
Flat 65 Eastwell House Weston Street
Flat 5 Eastwell House Weston Street
Flat 6 Wrotham House Law Street
Flat 14 Wrotham House Law Street
Flat 5 Seal House Weston Street
Flat 31 Shalford House Law Street
Flat 26 Shalford House Law Street
Flat 1 Wrotham House Law Street
Flat 10 Thurnham House Law Street
Flat 9 Wrotham House Law Street
Flat 18 Seal House Weston Street
Flat 20 Godstone House Pardoner Street
4 Graduate Place London Southwark
Flat 15 Seal House Weston Street
Flat 29A Chartham House Weston Street
Flat 13 Godstone House Pardoner Street
1 Graduate Place London Southwark

Flat 20 Seal House Weston Street
27 Elim Estate Weston Street London
15 Elim Estate Weston Street London
1 Elim Estate Weston Street London
Flat 17 Chartham House Weston Street
Flat 1 Chartham House Weston Street
36 Elim Estate Weston Street London
12 Elim Estate Weston Street London
Flat 2 Chartham House Weston Street
Flat 5 Kemsing House Weston Street
Apartment 32 Taper Building 175 Long Lane
Apartment 29 Taper Building 175 Long Lane
Apartment 26 Taper Building 175 Long Lane
Office 10 30B Wilds Rents London
Office 20 30B Wilds Rents London
Apartment 37 Taper Building 175 Long Lane
Apartment 16 Taper Building 175 Long Lane
7 Cooperage House 202 Long Lane London
95 Elim Estate Weston Street London
84 Elim Estate Weston Street London
108 Elim Estate Weston Street London
Unit D 120 Weston Street London
Apartment 56 Taper Building 175 Long Lane
Apartment 14 117 Weston Street London
Apartment 1 117 Weston Street London
77 Elim Estate Weston Street London
65 Elim Estate Weston Street London
54 Elim Estate Weston Street London
51 Elim Estate Weston Street London
Flat 4 Tangerine House 119 Weston Street
Flat 31 Sadlers Court 30A Wilds Rents

Flat 17 Tangerine House 119 Weston Street
65 Decima Street London Southwark
Flat 8 Wrotham House Law Street
Flat 25 Shalford House Law Street
104 Elim Estate Weston Street London
75 Elim Estate Weston Street London
72 Elim Estate Weston Street London
Flat 20 Eastwell House Weston Street
Flat 54 Eastwell House Weston Street
Flat 35 Eastwell House Weston Street
Flat 71 Eastwell House Weston Street
Flat 66 Eastwell House Weston Street
Flat 8 Seal House Weston Street
Flat 13 Seal House Weston Street
Flat 6 Godstone House Pardoner Street
Flat 21 Godstone House Pardoner Street
Flat 12 Godstone House Pardoner Street
Flat 23 Chartham House Weston Street
Flat 20 Chartham House Weston Street
Flat 13 Chartham House Weston Street
Flat 11 Chartham House Weston Street
53 Elim Estate Weston Street London
44 Elim Estate Weston Street London
31 Elim Estate Weston Street London
10 Elim Estate Weston Street London
Flat 15 Kemsing House Weston Street
42 Rothsay Street London Southwark
Flat 5 Chartham House Weston Street
Apartment 22 Taper Building 175 Long Lane
Office 21 30B Wilds Rents London
Office 18 To 19 30B Wilds Rents London

Office 2 30B Wilds Rents London
Apartment 92 Taper Building 120 Weston Street
Apartment 72 Taper Building 120 Weston Street
Apartment 45 Taper Building 175 Long Lane
Flat 22 Sadlers Court 30A Wilds Rents
Flat 4 Sadlers Court 30A Wilds Rents
Flat 1 Sadlers Court 30A Wilds Rents
Apartment 9 Calico House 199 Long Lane
Apartment 4 Calico House 199 Long Lane
Apartment 10 208 Long Lane London
Apartment 1 208 Long Lane London
Office 7 30B Wilds Rents London
Office 1 30B Wilds Rents London
Flat 55 Eastwell House Weston Street
Flat 7 Eastwell House Weston Street
Flat 7 Chartham House Weston Street
Unit 13 Studio C 20-30 Wilds Rents London
68 Elim Estate Weston Street London
226 Long Lane London Southwark
Flat 8 Thurnham House Law Street
34 Wilds Rents London Southwark
Flat 30 Shalford House Law Street
Flat 22 Shalford House Law Street
Flat 15 Shalford House Law Street
3 Graduate Place London Southwark
Flat A 218 Long Lane London
85 Elim Estate Weston Street London
81 Elim Estate Weston Street London
63 Elim Estate Weston Street London
64 Decima Street London Southwark
58 Decima Street London Southwark

Flat 64 Eastwell House Weston Street
Flat 25 Eastwell House Weston Street
Flat 56 Eastwell House Weston Street
Flat 50 Eastwell House Weston Street
Flat 36 Eastwell House Weston Street
Flat 19 Eastwell House Weston Street
Flat 11 Seal House Weston Street
Flat 21 Chartham House Weston Street
Flat 16 Chartham House Weston Street
46 Elim Estate Weston Street London
37 Elim Estate Weston Street London
28 Elim Estate Weston Street London
21 Elim Estate Weston Street London
14 Elim Estate Weston Street London
Flat 4 Kemsing House Weston Street
43 Rothsay Street London Southwark
29 Rothsay Street London Southwark
36 Rothsay Street London Southwark
Apartment 12 Taper Building 175 Long Lane
Apartment 8 Taper Building 175 Long Lane
Apartment 7 Taper Building 175 Long Lane
Apartment 82 Taper Building 120 Weston Street
Apartment 81 Taper Building 120 Weston Street
Apartment 74 Taper Building 120 Weston Street
Unit C 120 Weston Street London
Apartment 50 Taper Building 175 Long Lane
Apartment 43 Taper Building 175 Long Lane
Apartment 28 Taper Building 175 Long Lane
Apartment 9 117 Weston Street London
Flat 35 Sadlers Court 30A Wilds Rents
Flat 25 Sadlers Court 30A Wilds Rents

Flat 14 Sadlers Court 30A Wilds Rents
Flat 6 Sadlers Court 30A Wilds Rents
Apartment 4 208 Long Lane London
Unit J 175 Long Lane London
Flat 57 Eastwell House Weston Street
Flat 52 Eastwell House Weston Street
Apartment 83 Taper Building 120 Weston Street
192 Long Lane London Southwark
Apartment 76 Taper Building 120 Weston Street
Apartment 68 Taper Building 120 Weston Street
Apartment 63 Taper Building 120 Weston Street
Apartment 4 117 Weston Street London
59 Elim Estate Weston Street London
Flat 20 Tangerine House 176 Long Lane
Flat 36 Sadlers Court 30A Wilds Rents
Flat 6 Tangerine House 119 Weston Street
Flat 24A Chartham House Weston Street
Flat 26 Sadlers Court 30A Wilds Rents
Flat 56A Eastwell House Weston Street
Flat 7 Thurnham House Law Street
Flat 2 Wrotham House Law Street
Flat 5 Shalford House Law Street
Flat 35 Shalford House Law Street
Flat 28 Shalford House Law Street
18C Wilds Rents London Southwark
83 Elim Estate Weston Street London
115 Elim Estate Weston Street London
110 Elim Estate Weston Street London
107 Elim Estate Weston Street London
82 Elim Estate Weston Street London
Flat 62 Eastwell House Weston Street

Flat 8 Eastwell House Weston Street
Flat 47 Eastwell House Weston Street
Flat 42 Eastwell House Weston Street
Flat 4 Eastwell House Weston Street
Flat 10 Eastwell House Weston Street
194 Long Lane London Southwark
Flat 6 Seal House Weston Street
Flat 16 Seal House Weston Street
Flat 19 Godstone House Pardoner Street
49 Elim Estate Weston Street London
38 Elim Estate Weston Street London
29 Elim Estate Weston Street London
25 Elim Estate Weston Street London
2 Elim Estate Weston Street London
17 Elim Estate Weston Street London
Flat 14 Kemsing House Weston Street
Flat 9 Chartham House Weston Street
Apartment 5 Taper Building 175 Long Lane
Office 14 30B Wilds Rents London
Office 9 30B Wilds Rents London
Office 8 30B Wilds Rents London
Apartment 79 Taper Building 120 Weston Street
Apartment 75 Taper Building 120 Weston Street
Apartment 60 Taper Building 175 Long Lane
Apartment 38 Taper Building 175 Long Lane
Apartment 36 Taper Building 175 Long Lane
2 Cooperage House 202 Long Lane London
Apartment 5 117 Weston Street London
Apartment 7 Calico House 199 Long Lane
Apartment 13 208 Long Lane London
Apartment 5 208 Long Lane London

Flat 5D 20 Wilds Rents London
Flat 5B 20 Wilds Rents London
Unit I 175 Long Lane London
Apartment 9 Taper Building 175 Long Lane
Flat 3 Tangerine House 119 Weston Street
2 Atlantic Business Centre 20-30 Wilds Rents London
Flat 5 195 Long Lane London
Units 5 And 5A Decima Studio 17 Decima Street
46 Rothsay Street London Southwark
1 Decima Studio 17 Decima Street London
16 Wilds Rents London Southwark
224 Long Lane London Southwark
Apartment 44 Taper Building 175 Long Lane
Flat 7 195 Long Lane London
Flat 12 Chartham House Weston Street
20 Elim Estate Weston Street London
Flat 9 Eastwell House Weston Street
Flat 8 Tangerine House 119 Weston Street
56 Elim Estate Weston Street London
Apartment 24 Taper Building 175 Long Lane
Flat 19 Chartham House Weston Street
33 Wilds Rents London Southwark
Ground Floor Flat 132 Weston Street London
Apartment 11 208 Long Lane London
Flat 10 Sadlers Court 30A Wilds Rents
Flat 4 195 Long Lane London
Units 9 And 9A Argent House Wilds Rents
Flat 13 Sadlers Court 30A Wilds Rents
Flat 5 Sadlers Court 30A Wilds Rents
Flat 7 Sadlers Court 30A Wilds Rents
First Floor Flat 132 Weston Street London

134 Weston Street London Southwark
6 Graduate Place London Southwark
Flat 37 Sadlers Court 30A Wilds Rents
Flat 17 Sadlers Court 30A Wilds Rents
Office 22 30B Wilds Rents London
Office 5 30B Wilds Rents London
Apartment 90 Taper Building 120 Weston Street
7 Wilds Rents London Southwark
50 Decima Street London Southwark
56 Decima Street London Southwark
Flat 15 195 Long Lane London
Flat 12 195 Long Lane London
Flat 9 195 Long Lane London
Studio A Unit 13 20-30 Wilds Rents London
Basement And Ground Floor 222 Long Lane London
Unit 13B 24-28 Wilds Rents London
5 Elim Estate Weston Street London
Flat 8 Kemsing House Weston Street
Flat 32 Chartham House Weston Street
Apartment 16 117 Weston Street London
Apartment 93 Taper Building 120 Weston Street
Apartment 17 117 Weston Street London
Apartment 1 Taper Building 175 Long Lane
Apartment 11 Taper Building 175 Long Lane
Apartment 6 Taper Building 175 Long Lane
Apartment 3 Taper Building 175 Long Lane
Second Floor Flat 132 Weston Street London
Apartment 2 Calico House 199 Long Lane
Think Apartment Hotel 201-211 Long Lane London
Flat 3 Seal House Weston Street
Apartment 15 117 Weston Street London

Flat 4 Godstone House Pardoner Street
Flat 2 Shalford House Law Street
49 Rothsay Street London Southwark
48 Rothsay Street London Southwark
Flat 6 Shalford House Law Street
Apartment 73 Taper Building 120 Weston Street
4 Elim Estate Weston Street London
Apartment 6 Calico House 199 Long Lane
120 Elim Estate Weston Street London
Flat 37 Eastwell House Weston Street
Flat 9 Thurnham House Law Street
Flat 23 Shalford House Law Street
Flat 13 Shalford House Law Street
Apartment 2A Calico House 199 Long Lane
Flat 16 Shalford House Law Street
Flat 19 Shalford House Law Street
Flat 21 Shalford House Law Street
Apartment 8 117 Weston Street London
Flat 12 Seal House Weston Street
Unit A 175 Long Lane London
119 Elim Estate Weston Street London
Flat 12 Wrotham House Law Street
Flat 10 Godstone House Pardoner Street
25 Rothsay Street London Southwark
7 Elim Estate Weston Street London
Apartment 42 Taper Building 175 Long Lane
Flat 34 Eastwell House Weston Street
Office 23 30B Wilds Rents London
Apartment 34 Taper Building 175 Long Lane
Office 4 30B Wilds Rents London
Flat 60 Eastwell House Weston Street

117 Elim Estate Weston Street London
111 Elim Estate Weston Street London
Apartment 80 Taper Building 120 Weston Street
Unit A 120 Weston Street London
Apartment 53 Taper Building 175 Long Lane
Flat 34 Sadlers Court 30A Wilds Rents
Flat 14 Tangerine House 119 Weston Street
Apartment 12 208 Long Lane London
9-10 Atlantic Business Centre 20-30 Wilds Rents London
32 Wilds Rents London Southwark
Flat 5 Wrotham House Law Street
Flat 4 Wrotham House Law Street
Flat 10 Wrotham House Law Street
Flat 24 Shalford House Law Street
122A Weston Street London Southwark
121 Elim Estate Weston Street London
112 Elim Estate Weston Street London
106 Elim Estate Weston Street London
60 Elim Estate Weston Street London
58 Elim Estate Weston Street London
57 Elim Estate Weston Street London
Flat 61 Eastwell House Weston Street
Flat 59 Eastwell House Weston Street
Flat 51 Eastwell House Weston Street
Flat 29 Eastwell House Weston Street
Flat 28 Eastwell House Weston Street
Flat 14 Eastwell House Weston Street
Flat 4 Seal House Weston Street
Flat 1 Seal House Weston Street
Flat 9 Godstone House Pardoner Street
41 Elim Estate Weston Street London

6 Elim Estate Weston Street London
19 Elim Estate Weston Street London
16 Elim Estate Weston Street London
33 Rothsay Street London Southwark
Flat 33 Chartham House Weston Street
97 Elim Estate Weston Street London
96 Elim Estate Weston Street London
90 Elim Estate Weston Street London
Apartment 17 Taper Building 175 Long Lane
Office 6 30B Wilds Rents London
Office 3 30B Wilds Rents London
Apartment 84 Taper Building 120 Weston Street
Apartment 62 Taper Building 120 Weston Street
Apartment 59 Taper Building 175 Long Lane
Apartment 55 Taper Building 175 Long Lane
Apartment 19 117 Weston Street London
Apartment 13 117 Weston Street London
3A Decima Studio 17 Decima Street London
Flat 21 Sadlers Court 30A Wilds Rents
Flat 16 Sadlers Court 30A Wilds Rents
Flat 11 Sadlers Court 30A Wilds Rents
Flat 8 195 Long Lane London
Flat 6 195 Long Lane London
Flat 15 Tangerine House 119 Weston Street
Flat 23 Eastwell House Weston Street
Flat 18 Tangerine House 176 Long Lane
Unit H 175 Long Lane London
209 Long Lane London Southwark
80 Elim Estate Weston Street London
73 Elim Estate Weston Street London
55 Elim Estate Weston Street London

Flat 8 Chartham House Weston Street
Flat 13 Eastwell House Weston Street
Flat 42A Eastwell House Weston Street
Flat 29 Shalford House Law Street
Flat 3 Thurnham House Law Street
Flat 5 Godstone House Pardoner Street
Flat 18 Godstone House Pardoner Street
31 Rothsay Street London Southwark
Flat 31 Chartham House Weston Street
Flat 46 Eastwell House Weston Street
Flat 31 Eastwell House Weston Street
Flat 27 Eastwell House Weston Street
Flat 22 Eastwell House Weston Street
Flat 2 Eastwell House Weston Street
Office 16 30B Wilds Rents London
Apartment 14 Taper Building 175 Long Lane

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

Environmental Protection

Community Infrastructure Levy Team

Transport Policy

Design and Conservation Team [Formal]

Ecology

Highways Development and Management

Flood Risk Management & Urban Drainage

Urban Forester

Waste Management

Flood Risk Management & Urban Drainage

Highways Development and Management

Waste Management

Waste Management

Statutory and non-statutory organisations

Environment Agency

Metropolitan Police Service (Designing O

Transport for London

Neighbour and local groups consulted:

83 Shirley way Shirley CR0 8PL
19 Biggin Hill Road Bromley br2 9pq
3rd Floor 207 Regent Street, London W1B 3HH
142 Cromwell Road London SW74EF
43 Weston Street Bermondsey SE1 4NX
28 Grove Street Leicester LE4 8ZU
16 Chestnut Rd London SE27 9LF
26 Leathermarket Market Street Southwark SE1 3HN
26 Leathermarket Market Street Southwark SE1 3HN
26 Leathermarket Street London SE1 3HN
16 Chestnut Rd London SE27 9LF
50 Reverdy Road Bermondsey London
35 Simla House London SE1
26 Leathermarket Street Southwark se1 4ex
24 Aland Court Finland Street London
Flat 24 Joyce newman house Deverell street London
13 Riley Ave Herne Bay CT6 8AT
26 Leathermarket Street Southwark se1 4ex
171 Ardgowan Road Catford London
142 Cromwell Road London SW74EF
26 Joyce Newman London se1 5ex
37 Symington House London SE1 4EH
19, Joyce Newman House London SE1 4EX
62 Maran Way Thamesmead SE25 5XE
27 Deverell Street London
5 Pembridge Square London W2 4EG
43 Bandcourt London SE25 6ES
93 Elim Crown Lane London
224 Long Lane London se14qb
39 Ardgown Road Catford se17 4hu
18 Crown Lane Bromley BR29PQ
252 Jamaica Street Bermondsey SE16 4BG

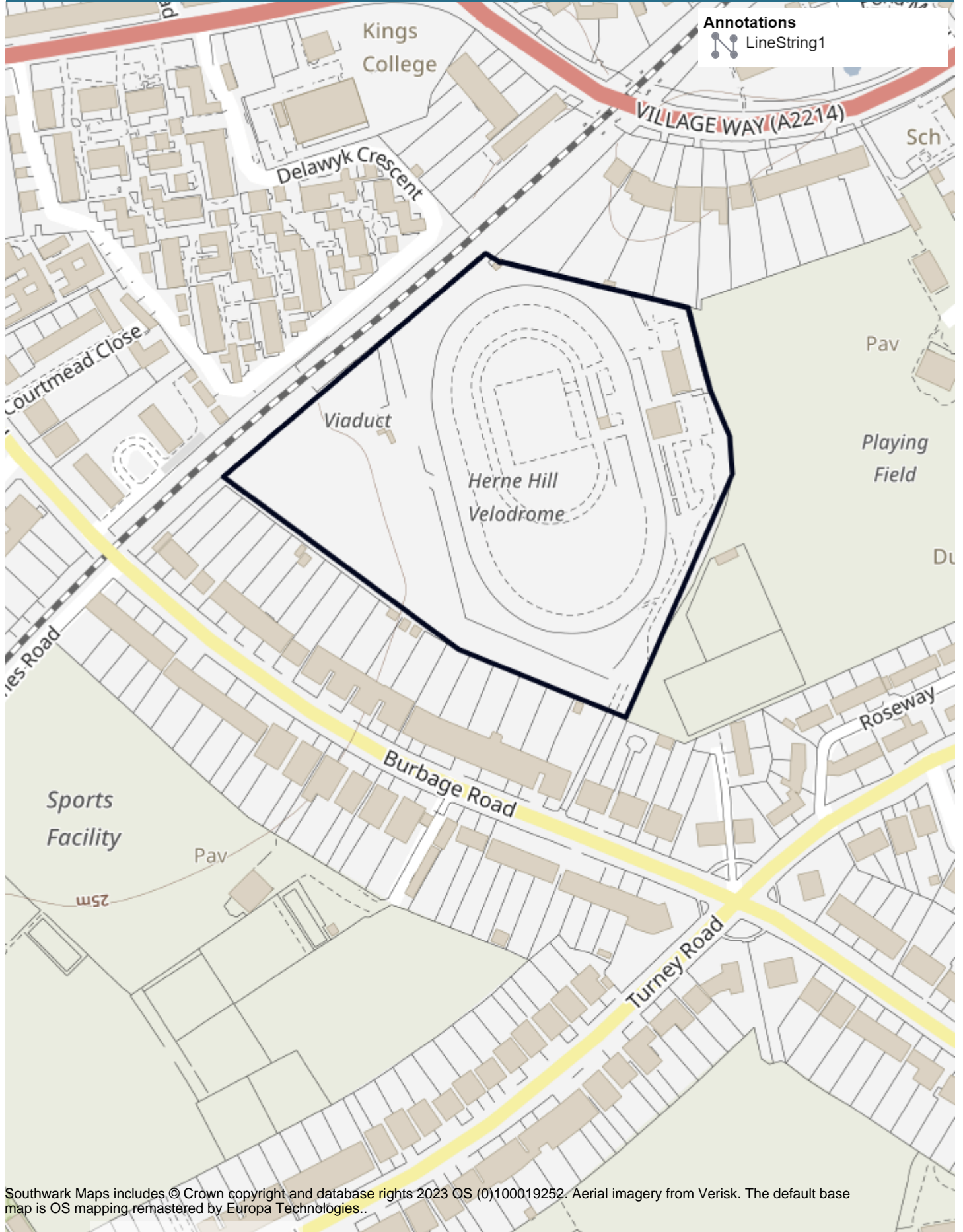
Apartment 11 Calico House 199 Long Lane London
Apartment 10, Calico House, 199 Long Lane 199 Long Lane LONDON
43 Elim Estate Weston Street London
56 Elim Estate Weston Street London
120 Elim Estate Weston Street London
199 Long Lane Apartment 6 Calico House London
217 Long Lane, 8 Glenrose Court 8 Glenrose Court London
120 Elim Estate Weston Street London
208 Long Lane 2 London
48 Ivanhoe Drive Kenton Harrow, Middlesex
Flat 4 199 Long Lane London
4 Wild's Rents London SE1 4QG
4 Wild's Rents London SE1 4QG
Hanover Park House 14-16 Hanover Park Peckham
69 Eastwell House Weston Street SE1 4DJ
29 Whites Grounds Estate Whites Grounds London
Flat 2.03 5 Lillie Square London
43 elim estate Weston street London
Flat 15 195 Long Lane London
Flat 16, Tangerine House 119 Weston Street London
17 Elim estate London Se1 4by
Long Lane 199, Apartment 6 Calico House London SE14PN
Apartment 11, Calico House 199 Long Lane London
87 Balfour Street London SE17 1PB
Calico House 199 Long Lane London
Apartment 4, Calico House 199 Long Lane London
Flat 17 119 Weston Street London
Weston Street Weston Street London
Flat 17 119 Weston Street London
12 Wordsworth Road London Se1 5tx
Flat 5 Inkworks Court 3 Bell Yard Mews London
14 Crown Lane Bromley BR2 9PQ

91 Parish Lane Penge se20 7nr
1 Joyce Newman House Bermondsey SE1 4EX
33 Joyce Newman Deverell street London
21 Joyce Newman London se1 4ex
6 Joseph Lancaster Terrace London Se1 4gx
Flat 2 208 Long Lane London
97 Merton London SW18 5SY
76 Crosby Row London SE1 3PT
Flat 8, 208 Long Lane London SE1 4QB
Flat 12 Marklake Court 95 Weston Street London
105 WHITES GROUNDS BERMONDSEY LONDON
15 Joyce Newman House Deverell Street London
171 Ardgowan Road Catford London
67 Deverell Street London SE1 4EX
208 Long Lane 208 Long Lane London
208 Long Lane London SE14QB
18 Gwen Morris Wyndham Road London
Basement flat, Wansey street London Se17 1jp
7 Marklake Court 95 Weston st London
57 Blakehall Road Carshalton SM5 3EZ
34 Hamilton Square Kipling Street London
Flat 2, 46d Bird in Bush Rd London SE15 6RW
Flat 5, 208 long lane London SE1 4QB
4 criterion mews London Se24 0dn
18 Gwen Morris House London SE5 0AD
10 Joseph Lancaster Bermondsey London
19 Helder Court Kipling Estate London
4 Joyce Newman London SE1 3HN
Flat 6 Joyce Newman House London
Flat 21 Tanner House London
4 cooperage house 202 long lane london
4 Tyers Estate Bermondsey Street Southwark



21/AP/3417

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



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50 m

Scale =

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31-May-2023

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Item No. 6.4	Classification: Open	Date: 13 June 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application for: Full Planning Application 21/AP/3417 Address: HERNE HILL STADIUM, 104 BURBAGE ROAD, LONDON SOUTHWARK SE24 9HE Proposal: Retrospective planning application for the use of land as a class E(f) outdoor nursery (and temporary use as a holiday club) and the stationing of associated temporary free standing structures. This application is a DEPARTURE APPLICATION: The proposed development is a departure from Policy P57 (Open Space) of the Southwark Plan (2022).		
Ward(s) or groups affected:	Dulwich Village		
From:	Director of Planning and Growth		
Application Start Date: 25/11/21		PPA Expiry Date: 19/01/22	
Earliest Decision Date : 08/05/23			

RECOMMENDATION

1. That planning permission be granted subject to conditions.

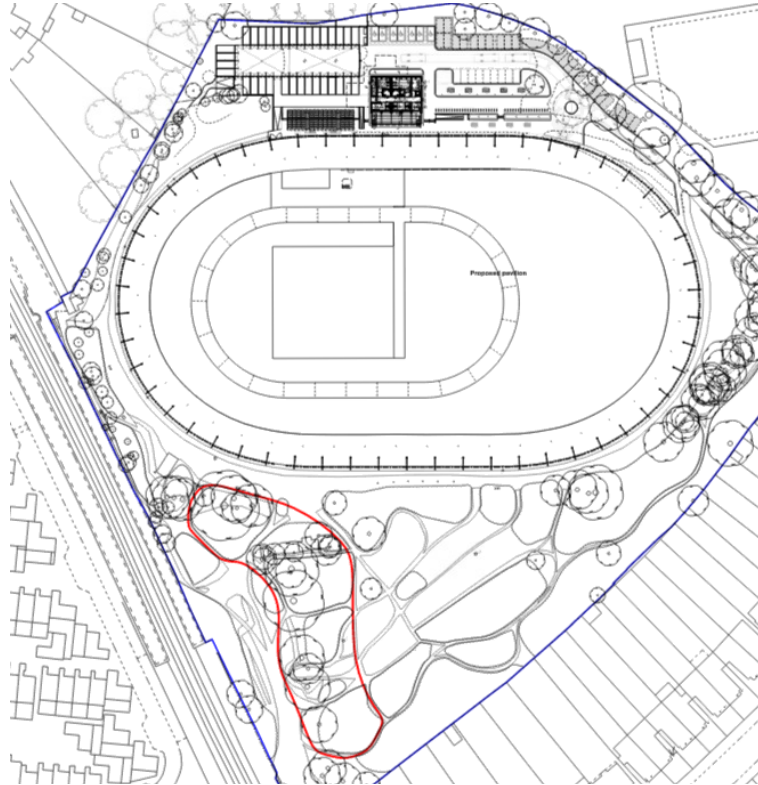
BACKGROUND INFORMATION

Site location and description

2. The application site is a portion of the lands contained within Herne Hill Velodrome, a cycle and athletics track located off Burbage Road in Dulwich. The site also contains facilities ancillary to the operation of the velodrome, such as a viewing pavilion, club house, WC, changing facilities with associated car and cycle parking. It is noted that the velodrome operates a variety of cycling based activities on the track and in the wider grounds, the earliest starting at 08:30 and the latest commencing at 19:30 in the summer months. It is noted the use of the wider velodrome site such as the cyclo-cross do not ordinarily overlap, save for the provision of youth holiday clubs, to be discussed in greater depth below.
3. The application site is situated in the south west corner of the velodrome grounds, near the southern boundary that abuts properties on Burbage Road

and is flanked to the west by the railway line. The site covers approximately 2365 sqm or 0.23 Hectares. The site where the change of use is proposed is made up of woodland and clearings. It is noted that the land to which the application relates was used in association with the cyclo-cross, for outdoor recreation under use class F2(c), before the forest school was established.

4.



5.



6. The site is subject to the following planning policy designations:

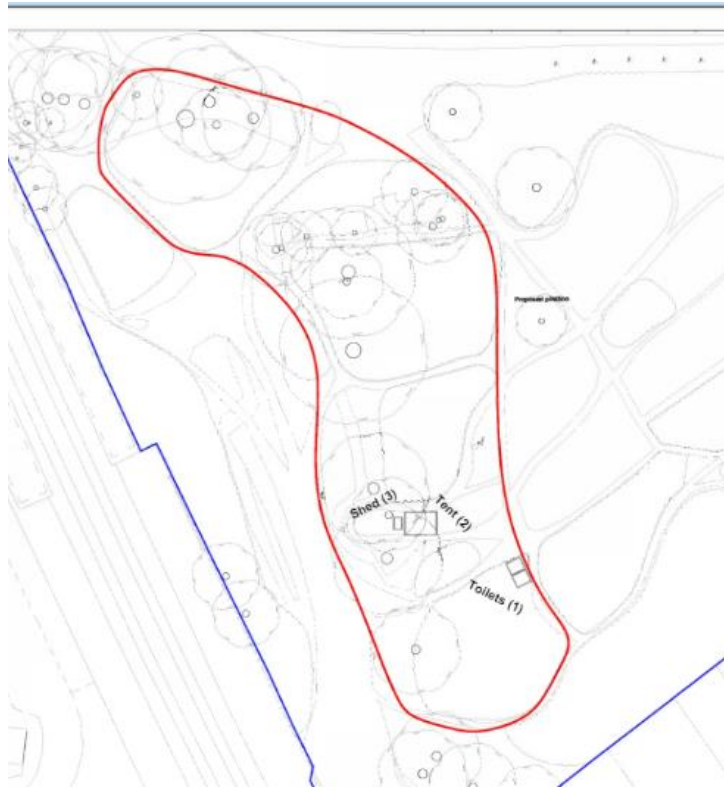
- Dulwich Village Archaeological Priority Zone (APZ)
- Herne Hill Critical Drainage Area (CDA)

- Dulwich Village Conservation Area
- Herne Hill Stadium Metropolitan Open Land (MOL)
- Herne Hill Stadium Site of Importance for Nature Conservation (SINC)

Details of proposal

7. The application has been submitted in response to an active enforcement complaint registered under 20/EN/0297, and follows the issuing of pre-application advice issued under 21/EQ/0126. It is noted that the use of the land for a forest school has been in operation since August 2020 prior to the submission of the enforcement complaint. The proposal seeks retrospective consent for the retention of part of the site, for the use as a forest school. This would function predominantly as a nursery for the majority of the year, catering for young children between the ages of 2 and 4 with a holiday club for older children between the ages of 11 and 16 for 10 weeks of the year, during the school holidays. Generally, student numbers of the nursery have been up to 16, whilst a total of 27 students have been present when the holiday club was in operation, were present at the site.
8. For context, it is noted that Schools Outdoor Dulwich, associated with the Montessori nursery, Under the Willow, lease the land from the Herne Hill Velodrome Trust to undertake the land use in the wider velodrome grounds. The current use, functions as a forest school where the children engage in a mixture of guided and independent learning. This is also facilitated by the provision of temporary free-standing structures that are required for the running of the forest school such as a tent and shed for the storage of equipment and toilets for the users of the site. The proposed use would be undertaken in the south western portion of the site, enclosed in the plan below. The area of operations for the retained use would located closest to No.52 Burbage Road, where there would be approximately 53m of clearance distance between the forest school and the rear façade of this property.
9. The dimensions of the free-standing structures are as follows:
 - Shed and toilets
 - Width: 1.16m
 - Depth: 1.77m
 - Area: 2.05 sqm
 - Maximum height: 2.1m
 - Tent
 - Width: 5m
 - Depth: 5m
 - Area: 25 sqm
 - Maximum height: 3m

10.



11.



Consultation responses from members of the public and local groups

12. During the course of the application's assessment, below a list is provided detailing the consultations that have been undertaken with the dates of their duration:

- Initial neighbour notification (letters): 09/12/21 to 06/01/22
- Site notice: 10/12/21 to 09/01/22

- Press notice: 02/12/21 to 23/12/22
13. The following re-consultations have been undertaken to advertise the application as a departure from the development plan and to publicise amended and additional details;
- Notifications (letters) to neighbours and contributors via email where appropriate: 07/12/22 to 04/01/23
 - Site notice: 08/12/22 to 08/01/23
 - Press notice: 08/12/22 to 31/12/22
14. The following re-consultations have been undertaken to advertise an amended noise impact assessment and additional details; fire risk assessment and protocol, risk assessment and responses to officer comments.
- Notifications to contributors via email and letter (where no email address has been provided): 17/04/22 to 08/05/23
15. Summarised below are the material planning consideration raised by members of the public, categorised by comments made in support and objection.
16. 43 comments have been received in support of the proposal;
- The premises is a good community and sporting resource.
 - The continued operation of the nursery helps the viability of the velodrome.
 - The proposal offers a good childcare option for local families.
 - The proposed use is good for the well-being of local children.
 - The proposal represents constructive use of the MOL and does not prejudice its function or interrupt the other uses of the site.
 - The proposal does not impact local services.
 - The proposal supports employment.
17. 45 comments have been received in objection to the proposal;
- The proposal is incompatible with policy for MOL
 - The proposal could prejudice the maintenance of the cycle trails and their use by users of the velodrome.
 - The proposed use could harm the prospects and long term viability and effectiveness of the community sports use.
 - The structures present detract from the character of the MOL and conservation area.
 - Insufficient and inaccurate information given on the application form referring to the presence of singular mountain biking trails.
 - The applicant has not engaged sufficiently with the local community.
 - The proposal may lead to additional parking congestion.
 - The proposal is in breach of condition 10 of permission 15/AP/0790.
 - The proposal will harm the amenity of nearby neighbours and should be moved further into the site with further mitigations.
 - The noise impact assessment has not considered the siting of habitable rooms near the boundary.

- The noise report is flawed and has not considered the impact of noise peaks from children.
- The proposal leads to smoke pollution from regular fires.
- The proposal will harm the natural environment due to its activities.
- The proposed operators has not had an OFSTED inspection and may require further safeguarding measures that require planning permission.
- Use of raised paths can lead to invasion of privacy due to loss of trees onsite.
- Fire risks and limitations should be managed to protect children.
- The numbers of children proposed must be closely limited, with the number of holiday camp children reduced.
- A noise management plan should be implemented to control the noise at source.
- The proposed use does not outweigh ecological harm, lights harm bat foraging and disruption to dead wood.
- The site has been harmed by works under investigation under 23/EN/0047 and the proposal does not offer biodiversity net gains,
- The proposal contravenes hours operation of 15/AP/0790, failing to model the impact of the 24 or 44 children in total.
- The proposal will increase fire risk.
- The use of fires will degrade air quality contrary to policy.
- The applicant continues to undertake activities without permission.
- The proposal continues to present harmful noise impacts; the noise impact assessment does not account for assessment uncertainty, a noise mitigation plan is required.

Planning history of the site, and adjoining or nearby sites

18. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 4.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

19. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use;
 - Design, layout, heritage assets and impact on Borough and London views;
 - Fire safety;
 - Landscaping and trees;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Transport and highways;
 - Energy and sustainability;
 - Ecology and biodiversity;
 - Consultation responses, and how the application addresses the concerns raised;

- Community impact and equalities assessment;
- Human rights;

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

Legal context

21. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.
22. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

23. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2021) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 3. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

24. The acceptability of the principle of the land use comprises three factors; whether the proposal will prejudice the continued operation of the Velodrome as a leisure and community use, whether the proposed use is acceptable with regard to impact upon the MOL and whether the provision of an educational use is acceptable in this location.
25. *Impact to community use*

Herne Hill Velodrome is a locally celebrated community and leisure facility, as such its retention is a key material consideration in accordance with policy when assessing the retrospective change of use. Policies P46 'Leisure, arts and culture' and P47 'Community uses'. With respect to this policy it is considered that the continued use of part of the site for the forest school will not curtail the continued operation of the velodrome, as this would be in operation during the weekdays and is limited to the south western portion of

the site. Whilst concern has been raised from those who use the dirt tracks for mountain biking on the weekend, the use of the forest school will be limited to the week days, to be secured by condition.

26. Furthermore, the forest school would not be in use on evenings and weekends when the velodrome is likely to be busiest. Following the submission of additional details, the agents have confirmed that the both uses would occur in different parts of the sites and there are sufficient staff members to ensure children from the forest school do not walk onto the tracks in use. Moreover, it is considered that as both operations are considered to be policy compliant, it is for the landowner to determine how the land is used and managed. For the reasons outlined above, the proposal would not curtail the continued operation of the wider velodrome site.

27. *Impact to the character of the MOL*

As the site forms part of MOL, it should be protected from inappropriate development in accordance with national planning policy tests that are applied to Green Belt, as required by Chapter 13 'Protecting the green belt' of the National Planning Policy Framework (NPPF) (2021) and Policy G3 'Metropolitan Open Land' of the London Plan (2021). These policies outline that development in MOL should only be approved in very special circumstances. Paragraphs 149 and 150 of the NPPF outline that such exceptional circumstances can include the provision of appropriate facilities in connection with existing use of land or a change of use for outdoor sport, recreation, cemeteries, burial grounds or allotments, as long as these facilities preserve the openness of the green belt.

28. P57 'Open space' of the Southwark Plan (2022), outlines that development will not be permitted on Metropolitan Open Land (MOL), however in exceptional circumstances, development may be permitted when it consists;

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; or

29. The proposal is listed as a departure application, as the use for the class E(f) use is not cited as related to outdoor sport, recreation, cemetery and cannot be considered ancillary, as the use would be a material change of use. However, it is considered that the retained use would preserve the wider functions of the Velodrome, helping to enhance the viability of the Velodrome Trust and maintains the openness of the MOL. As will be discussed later in the report, the proposed use will use minimal temporary and free standing structures which do not enclose the openness of the MOL and also are supportive of its function in utilising the open space that the MOL presents to the local community.

30. *Provision of an educational facility*

The provision of additional educational infrastructure is considered to be acceptable in this location, where the site would benefit from close access to its users. P27 'Education places' of the Southwark Plan (2022) requires educational infrastructure provides facilities that are shared with the local community. However, this is applicable to where educational infrastructure is contained with major redevelopment schemes and provides sporting, arts and leisure facilities. Due to the scale of this use, this is not applicable in this case. The proposal accords with criteria 2 and 3 as the use would not lead to a loss of existing educational facilities and is not required to accompany a wider need for education places. Criteria 4 refers to the standards that educational facilities are required to meet with regard to space, facilities and internal quality to support a healthy learning environment. Due to the scale and nature of the forest school, and its operations which are predicated on outdoor learning, it is considered that the proposed use is adequately supported by facilities proportionate to its use. It is noted that some comments refer to the requirement for OFSTED safeguarding mitigations that may require planning permission, however it is considered that compliance with educational standards would not form part of the planning assessment. For the reasons outlined above, the proposal is considered to accord with P27 'Education places' of the Southwark Plan (2022).

Design, layout and heritage assets

31. The application seeks consent for the placement of freestanding and temporary structures in connection with the forest school. These include the provision of one equipment tent, two toilet stalls and one shed, which are illustrated on the 'PROPOSED SITE PLAN', dated 25 November 2021 on the council's online planning register. As such, it is considered that these would have an acceptable impact upon the openness of the surrounding MOL and would preserve the character of the conservation area. Furthermore, a condition will be attached to require the removal of these structures if the use were to cease in the future, thereby returning the MOL to its pre-existing condition. For the reasons outlined above, the proposal is considered to accord with P13 'Design of places', P20 'Conservation areas' and P57 'Open spaces' of the Southwark Plan (2022).

Fire safety

32. The fire safety requirements for minor development such as this are set out in Policy D12(a) of the London Plan (2021). A planning fire strategy statement has been submitted to address each of the criterion which will be discussed below according to their theme.
33. *1) identify suitably positioned unobstructed outside space:*
a) for fire appliances to be positioned on
b) appropriate for use as an evacuation assembly point

It is noted that the activities of the proposed use are carried out beyond the more accessible portions of the site adjacent to the pavilion, and are sited

within the wider MOL. The site can be accessed by a fire appliance to serve firefighting personnel if required. Due to the distance from the access lane to the site, it is considered that a fire safety section will be required of a wider operational management plan. It is noted that as an open air site there is plentiful space for the users to occupy as an assembly point, however this would likely to be located near the pavilion of the main velodrome.

34. Criteria 2 and 3 relate to the measures taken to reduce the risk of fire and any potential spread.

2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures

3) are constructed in an appropriate way to minimise the risk of fire spread

The fire statement outlines that no substantial buildings are proposed as the tent and sheds are free-standing, as such this criteria is not applicable which is considered reasonable. The statement outlines that an appropriate fire extinguisher will be sited in a designated location onsite, additional details of the location of this equipment can be secured by condition as part of the operational management plan. Moreover, the fire safety protocol outlines that the forest school will not permit smoking or the use of e-cigarettes onsite to reduce the risk of stray sparks causing a fire. In addition, the fire risk assessment outlines that it will be the role of the manager to ensure that a bucket of water is placed next to any open fire and that these are extinguished at the end of the day's activities.

35. *4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users*

5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in

The fire statement outlines that an evacuation strategy mirrors the response to criterion one in that the forest school will use the surrounding space as an evacuation and assembly point and follow an agreed strategy amongst forest school forest school staff. This is considered to be acceptable given the open nature of the site and the relatively low number of pupils that would be present for the majority of the year. The users of the site will have sufficient opportunity to identify a fire hazard, evacuate the children from any hazard to a safe location closer to the pavilion. The fire safety protocol outlines the fire drill procedure, detailing the process by which the alarm is raised, children and staff are moved to a safe location and the emergency services are contacted.

36. *6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.*

The fire statement, fire safety protocol and fire risk assessment outlines that the staff monitoring the forest school will have access to a fire extinguisher, fire blanket and bucket of water near any open flames, which would be considered to be proportionate to the scale of the risk posed.

37. With regard to the above, it is considered that the planning fire safety strategy is sufficient to demonstrate the ability of the operation to be carried out safely, in accordance with Policy D12(a) of the London Plan (2021).

Landscaping and trees

38. The application has been assessed in consultation with the council's Urban Forester. Initially questions were raised in relation to the placement of structures beneath canopies of the trees, management of toilet and general waste as well as the proximity of near trees.

39. In response to the comments received above, the agent has issued a response to the comments listed above. These outline that the applicants have commissioned a tree survey three years ago and the proposal would utilise safety inspections of the nearby trees in the vicinity of the forest school. With regard to the management of waste, it is noted that the proposal would utilise compost toilets with waste collected by a waste disposal company, therefore would not harm nearby trees. In regard to the use of controlled fires, this has been discussed in the fire safety section of the report and will be subject to further agreement of the management plan.

40. Following further internal discussion with the Urban Forester, it is considered that the application can be supported with the attachment of conditions for ecological enhancement and the planting of 7 trees with a girth of 84cm.

41. For the reasons outlined above, with the attachment of the requested conditions, the proposal is considered to accord with P61 'Trees' of the Southwark Plan (2022).

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

42. The proposal includes the provision of some free-standing structures to facilitate the site's use. Due to the nature and scale of these, these would not be considered to harm the amenity of adjoining occupiers in regard to daylight, sunlight, and outlook or by overlooking. It is noted that some neighbour comments refer to the increase in height of cycle trails and the loss of trees which would overlook neighbours, however no level changes are proposed in this application. Therefore, any works to the existing cycle pathways that form an engineering operation may require permission in their own right and would

be subject to another application process. In addition, it is noted that the depth of gardens to properties on Burbage Road would avert a harmful overlooking impact to principal amenity spaces or properties due to garden lengths exceeding 21m. As such the proposal would accord with P56 'Protection of amenity' of the Southwark Plan (2022).

Transport and highways

43. In its current form, the site is accessed via a variety of means with most users of the site arriving on foot and by bike from the local area. It is acknowledged that some users access by car, however this is considered to be the minority of the share of trip generation. It is considered that the site has sufficient capacity to accommodate additional trips from the users of the nursery.
44. The application has been supported with a transport statement which has been assessed in consultation with the council's transport and highways teams. The transport team raised a number of queries, which have been put to the applicant and have been responded to with a transport addendum. The comments raised by the transport team and their respective responses are discussed below.
45. The first point of the transport comments outlines that the transport statement surveyed journeys to the velodrome in a typical week including the wider uses from the cycling club, it was requested that the journeys from the forest school were presented in isolation. The previously identified percentages for the mode of travel have been applied to the maximum number of pupils that can attend the school, which demonstrates a reduction in the numbers of journeys being made. This would be considered acceptable as the overall number of pupils allowed to access the site is low and can be accommodated by the current access arrangements, particularly when considering that a majority of the site's users are visiting the site by walking or cycling from the local area.
46. Points two and five of the transport team's comments refer to the safety of the shared access land and has requested information on how the shared access lane is managed to safeguard young children and vulnerable pedestrians. The response in the addendum outlines that the shared access lane is operating at present without issue and that young children and vulnerable road users will be accompanied by a parent. Furthermore, the access lane maintains a low speed limit of 5 mph to be responsive to the safety of pedestrians accessing the site. Furthermore, the frequency at which the site is accessed via car for the site's users or for deliveries is not to an extent that would warrant further intervention.
47. The third point of the transport team's comments requested whether any cycle parking has been specifically dedicated to the forest school's users. The addendum outlines that the wider velodrome site has sufficient car and cycle parking facilities which the parents accessing the site may use. Furthermore, these are often not required as very few users are accessing the site by car and those cycling will make onward journeys to work. As such, the existing facilities are more than capable of accommodating the users of the forest school.

48. Point four A request for details of the arrangements for disabled users of the site has been made. The addendum outlines that the wider velodrome site benefits from a disabled parking space and toilet as part of the Pavilion, where the forest school can then be accessed using a level route.
49. The sixth point of the transport comments requests details of the storage facilities for pupil's buggies, bikes and scooters, which should be commensurate with the long stay nature of the site. In response, the addendum has advised that there is a dry storage area for any buggies and that in the experience of the operator's parents often take such items with them. Furthermore, with regard to the cycling facilities at the site, it is considered that whilst the Sheffield stands are open, these are secure and convenient, as is proportionate to the nature and duration of their use.
50. Points seven and eight of the transport comments seek clarification in regard to the servicing and delivery of the use's operation as well as the location and capacity of waste storage facilities. The addendum response outlines that any servicing for the daily needs of the forest school for the provision of food is undertaken twice a day and is delivered on foot via a trolley from the sister forest school, Under the Willow on Croxted Road. A weekly delivery of fresh fruit and vegetables is delivered to the main tent and is therefore low in frequency and impact. Any further ad-hoc deliveries to the main velodrome can be accommodated by the wider servicing arrangements of the velodrome site.
51. For the reasons outlined above the proposal is considered to accord with P50 'Highway impacts', P51 'Walking', P53 'Cycling' and P54 'Car Parking' of the Southwark Plan (2022).

Noise and vibration

52. *Details submitted*

The application has been supported with the submission of an acoustic impact assessment (AIA), in its fourth iteration, to take account of the methodological concerns raised by both the council's Environmental Protection Team (EPT). The revisions and amendments made are listed below;

- Version 1 – Original issue prior to the application's submission, 15th September 2021.
- Version 2 - Minor amendments made, submitted with the application, 17th September 2021.
- Version 3 – Substantial changes made, correction of the number of children present when noise measurements were taken, from 24 to 16.
- Version 4 – Substantial changes made, number of children assessed increased, assessment of the type and nature of the noise undertaken and confirmation of whether the activities undertaken were a typical day provided.

53. The NIAs submitted have also been scrutinised by a letters from Kane Acoustics, commissioned by the residents of Burbage Road, discussion of the most recent of which is provided below.

54. *Site context*

The area surrounding the application site is primarily residential with dwellings abutting the site boundary on the south west and north flanks. The site is also bordered by the railway line running north east to south west along the boundary. As such, the sub-urban location provides a low level of background noise, which is intermittently interrupted by the passing of train and vehicular traffic. It is noted that the operations of the velodrome would also contribute to low level background noise, with most activity occurring on the evenings and weekends in line with the velodrome's activities.

55. *Policy and guidance on noise*

P66 'Reducing noise pollution and enhancing soundscapes' of the Southwark Plan (2022) outlines that development must;

1. *Avoid significant adverse impacts on health and quality of life; and*
2. *Mitigate any adverse impacts caused by noise on health and quality of life; and*
3. *Mitigate and manage noise by separating noise sensitive developments from major noise sources by distance, screening or internal layout, in preference to sound insulation.*

56. The above listed policy is also supported by the council's technical guidance note for noise (as amended) (2019), which makes recommendations on the assessment of noise sources which are not regular such as children's playgrounds, nurseries, sports areas and beer gardens. Section 5.9 of this document recommends the following should be included where no relevant standards exist to guide an acoustic assessment;

- *Comprehensive measurement of examples of the noise source from existing sites operating elsewhere*
- *Comparison and verification of measured data against existing data sources where possible (e.g. from scientific literature or international standards)*
- *Assessment of the existing background level at the receptor location*
- *Calculation of the predicted specific noise level at the façade, gardens and amenity areas of sensitive receptors, based on relevant obtained data*
- *Comparison of noise levels to relevant general standards such as WHO standards and BS8233:2014*
- *Full consideration of the impact of LAFmax noise (for example from door slams, ball strikes, shouts or whistles)*
- *Consideration of the character of the noise and whether this may exacerbate the impact on amenity*
- *Full consideration and reporting of assessment uncertainty**

57. *Findings of the acoustic impact assessment submitted by applicants*

The application has been supported by an updated acoustic impact assessment (AIA), as outlined above. The most recent iteration of the AIA makes an assessment of the operation of the forest school, along with the impact of the 20 additional children in place when the holiday club is in operation as well as the character of the noise and confirms that this is a typical day of activities onsite. Figure 4.3 shows the assessment of background noise levels to be between 39 and 41 dB across the day.

58. Section 4.3.1 of the AIA outlines that an assessment of the forest school's noise activities in situ have been undertaken. The assessment of the noise produced includes $L_{Aeq,T}$ (an average of a fluctuating noise level over a sample period) and L_{Amax} (the maximum time weighted sound level measured during a given period). Table 4.3 outlines that the highest average sound level of 58.3 dB is recorded between the 08:00 and 08:30 occurs during the drop off children near the entrance of the site. Activities during the rest of the morning were generally quieter, ranging between 45.2 and 50.6 dB average sound levels, where this produced generally higher noise levels, however the spread of children through the area does help to offset these higher noise levels. Therefore the overall noise level from children playing would produce an average noise level 50.6 dB and maximum noise level of 72.9 dB.
59. Whilst this initially produced a maximum noise level from playing in zones a to c, it is noted in section 5.2 of the AIA that this was undertaken when 16 children were present at the forest school. To account for the possibility of the forest school being at capacity of 24 children, it is estimated that the forest school at full capacity would generate 50% more noise. Therefore, it is estimated that noise from zones a to c would produce an average noise level of 52.4 dB and a maximum noise level of 72.9 dB.
60. To provide a more comprehensive assessment of the impacts of the proposal, the AIA has been updated to take account of the presence of an additional 20 students during school holidays, who utilise Zone D of the application site. Table 4.4 of the AIA outlines that the maximum noise level of 54.9 dB was produced from 10:25 to 10:25 when 27 students were present. Beyond this, average noise levels ranged from 50.3 to 52.4 dB, which again was offset by the spread of children through the application site. This is considered to produce an overall average noise level of 53.5 dB and maximum noise level of 79.3 dB.
61. Section 5.3 outlines that impact of these noise levels at the nearest sensitive receptors at properties 52 to 60 Burbage Road has been predicted using a noise model, as outlined in figure and table 5.1, citing the receipt of 46.3 dB at an outbuilding located in the rear garden of 54 Burbage Road. The existing ambient noise level in this area is 51.6 dB, if the contribution of the Forest School is added to this, this would increase ambient noise levels by 1.1 dB, considered to be negligible according to IEMA Guidelines.

62. Section 5.3.2 refers to BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' and WHO guidelines, internal noise levels can be calculated and compared to acceptability criteria. These recommend that internal noise levels within dwellings do not exceed 35 dB during the daytime or 55 dB in gardens or amenity spaces. It is noted that this criteria is generally used to assess steady noise sources, which when compared to the tonal characteristics of noise created from a forest school, as such it is considered necessary to reduce the adopted criteria by 5 dB below those in BS 8233. With consideration of this, it is noted that the maximum noise level recorded at Burbage Road properties is 36 dB, which when accounting for a 15 dB attenuation for an open window provides a result of 21 dB, below 30 dB adjusted internal noise level criteria during the daytime. Moreover, predicted noise levels at the nearest outbuilding, which is noted as being in use as a home office at 54 Burbage Road would measure 46.3 dB. Assuming 15 dB attenuation, this would generate a figure of 31.3 dB, below the adjusted minimum noise level of 35 dB for offices. The AIA makes clear that these assumptions are based on the prediction of full occupancy of the forest school with 44 students, as such the noise levels will likely be lower when less children are in attendance.
63. Section 5.3.3 of the AIA includes consideration of the L_{Amax} , the maximum sound level received by nearby properties. Figure 5.3 outlines sound levels of 66 dB and 56 dB at the closest outbuildings and rear façade of properties on Burbage Road were recorded, respectively. However, figure 4.2 outlines that L_{Amax} noise levels regularly exceed 60 dB in any 5 minute period, reaching between 65 and 70 dB. Therefore, whilst these noise levels are audible, they are considered to be in line with noise conditions in the area and the proposed use is unlikely to increase the amplitude of L_{Amax} events to an unacceptable degree.
64. Section 5.3.4 of the AIA makes an assessment of the character of the noise produced by the forest school, which can include laughter and shouting, singing, clapping and crying or distress. Such noises are characterised by their tonal and intermittent nature which are unpredictable. The report recognises that noise sensitive receptors are situated near the boundary such as outbuildings in use as home offices may experience audible noise inside and outside due to the nature of the building fabric. Due to the nature of the proposed use it is acknowledged that there is no specific methodology to forecast the impact of noise from children, however a noise management plan is recommended which can detail a precise and enforceable actions to manage excessive noise at the source.
65. *Findings of acoustician's letter submitted by neighbours*

In response to the AIA, a letter from a KP Acoustics was commissioned by neighbours on Burbage Road. The letter scrutinises the report on its omission of assessment uncertainty, which is relevant to the proposal due to the impulsive noise from young children. The letter also outlines that where

enforceable conditions cannot be applied mitigation or refusal should be considered. The letter also welcomes the consideration of the character of the noise produced but asserts that this could be more comprehensive to include, screaming, shouting and laughter which is not necessarily limited to periods of distress.

66. The letter goes on to outline that maximum noise events of 55db would exceed the average ambient noise level by approximately 4db would exceed background noise levels by 16db, disagree with conclusion that this would be inaudible. Furthermore, the recordings of neighbours are considered to show the noise levels being clearly audible, anecdotally contesting the assertions of the AIA, indicating the requirement for an uncertainty assessment to be undertaken. The letter asserts that the noise is noticeable and disruptive constituting that which is Significant Adverse Observed Equivalent Level (SOAEL) and therefore should be avoided or mitigated against. Other comments question whether the assessment takes into account the surrounding topography and that the presence of the outbuildings and their ability dissipate noise is overstated. The letter cites pre-application advice issued by the council in which the applicant is advised to relocate the proposed use and consider mitigation measures to alleviate noise concerns.

67. *Discussion of comments from EPT*

The application and the amended acoustic impact assessment has been assessed in consultation with the council's EPT, who have raised the following comments. A comment has been raised whether following the application of a correction factor to the 16 children surveyed, this was typical of the forest school's activities. In addition, it is cited that whilst the noise levels may meet appropriate guidelines, the nature of human noise and that of children in distress is more disruptive to those who hear it and may adversely affect well-being. It is noted that the report does not make assessment of the noise produced when the summer school is in operation, and that the AIA be amended to account for the subjective reception of children in distress and the greater number of children present through the holiday club. Further aspects of consideration include the use of mitigation measures such as moving the activities further into the site or the construction of a natural bund. In addition, due to the difference between the existing areas of operation and the proposed site plan, this should be accounted for in the noise calculations. Consideration should also be given to whether the outbuildings near the boundary are classed as habitable rooms.

68. It is noted that both the comments from EPT and the objector's acoustician letter has raised the issue of the distance of the school to the outbuildings in the neighbouring properties gardens, and the provision of amended figures to account for the impact upon outbuildings at the rear of gardens on Burbage Road. Figures to account for the impact upon these receptors have been provided as outlined above, when taking an on-balance approach, whilst these may be have been converted into habitable rooms in some cases, it is considered that the impact upon these neighbouring rooms is considered to be acceptable on balance.

69. Following assessment of the most recent AIA from the applicants and scrutiny of the KP Acoustics letter, EPT have the following comments to make. EPT notes that the AIA has not made provided full consideration of assessment uncertainty in accordance with noise technical guidance, the exploration of increasing the distance between the forest school or the inclusion of fencing to alleviate impact to residents is explored, visits to the site have shown that the activities can be undertaken without disruption however this must be balanced against an Observed Adverse Noise Effect Level to be mitigated or reduced to a minimum. It is recommended that a noise management plan is drawn up in conjunction with residents and utilised by planning enforcement to monitor the activities of the Velodrome.

70. It is noted that in the comments from EPT, that exploration of mitigation measures such as a natural bund or acoustic fencing is recommended to be explored. However, for the reasons set out below, it is considered that the impact overall is considered to be acceptable, therefore such mitigations are not required and would need to be considered against their impact upon the open character of the MOL.

71. *Discussion and conclusion on matters of noise*

It is noted that the noise impacts associated with the proposed use has been prevalent amongst the reasons for objections to the proposal. However, due to the intermittent nature of this noise and how it is perceived by the human ear, this cannot be predicted for. Notwithstanding the impact of the noises produced by SOD and the impact of this exceeding background noise levels, it is important to note that interpretation of this noise type is subjective to the individual that hears this. This may have an impact upon the well-being of the neighbouring residents if they cannot assist a child in distress, however it is considered that due to the overall number of children attending the forest school, that this would be likely to be an infrequent event, one which is also not atypical of a forest school.

72. For this reason, officers have resolved to undertake a balanced assessment of the use in situ, with multiple site visits to review the carrying out of SOD's operations. When undertaking such visits in the morning and afternoon, the number of children varied between 7 and 21 with those present engaging in a mixture of guided and self-led learning with noise kept to a low level. Whilst it is acknowledged that the operations of SOD will lead to occasional increases in sudden noises from the children present, it is considered that this would not be frequent enough to present a detrimental harm to amenity that would warrant refusal. Furthermore, it is noted that the presence of such forest school uses are not uncommon in residential areas where pre-school facilities are located in close proximity to their client base. To allow for continual accountability, a condition has been added to secure the provision of an operational management plan with a dedicated noise section, requiring the applicant to detail how the forest school will manage the location and duration of activities in the site as well as disruptive noise sources at the source, which

can ensure ongoing compliance.

73. For the reasons outlined above, notwithstanding the assessments raised in both the AIA, acoustician's letter and assessment by EPT, it is considered that both require an on balance assessment of the site's operation due to the nature of the noise produced. As such, it is considered that the impact of the school's operation is considered to be acceptable in amenity terms, in accordance with P56 'Protection of amenity' of the Southwark Plan (2022).

Energy and sustainability

74. Due to the scale and nature of the use, it is considered that the operations of the SOD would demand a very low level of energy. In addition, the free-standing structures would not be considered permanent and therefore would not be expected to meet the requirements of P70 'Energy' of the Southwark Plan (2022).

Ecology and biodiversity

75. *Ecology impact*

As the application site falls within Herne Hill SINC, the council's ecology officer has been consulted. Concern has been raised that works undertaken in the enforcement case 23/EN/0047 have degraded the ecological value of the site which cannot be restored and will not deliver biodiversity net gain. The primary ecological assessment (PEA) has been assessed and is considered to be satisfactory, with no requirement for further studies. In order to secure ecological enhancement, a condition has been attached to oblige the applicant to submit details of ecological enhancement to be carried out in accordance with the recommendations outlined in the PEA, in accordance with P60 'Biodiversity' of the Southwark Plan (2022).

Air quality

76. Consultation responses have cited concern with regard to smoke pollution from open fires produced by the forest school. It is noted that all of Southwark is a smoke control zone and it is only permitted to burn an approved smokeless fuel. To ensure that the operation of the forest school is not contributing to smoke pollution, it is considered necessary to include the agreement of smokeless fuels, cited on the council website¹, within a wider management plan for the site, secured by planning condition. With the appropriate mitigations in place, it is considered that the proposal accords with P65 'Improving air quality' of the Southwark Plan (2022).

Ground conditions and contamination

¹ Southwark Council. 2022. Main causes of air pollution. <https://www.southwark.gov.uk/environment/air-quality/about-air-quality/main-causes-of-air-pollution>

77. During the consultation, no concern has been raised with regard to ground contamination, given the nature of the site as MOL and having had no previous industrial use, in accordance with P64 'Contaminated land and hazardous substances' of the Southwark Plan (2022).

78. **Archaeology**

79. The application site is located in the Dulwich Village APZ, however due to the scale and nature of the proposals, there is no concern regarding the impact of the works upon archaeological heritage assets, in accordance with P23 'Archaeology' of the Southwark Plan (2022).

Water resources and flood risk

80. The application site is located in the Herne Hill Critical Drainage Area, however due to the scale and temporary nature of the structures associated with the site's use, which does not include hardstanding, the proposals are not considered to increase surface water flooding. As such the proposal would accord with P68 'Reducing flood risk' of the Southwark Plan (2022).

81. **Other matters**

82. *Alleged breach of condition*

It is noted that in addition to the existing planning enforcement case (20/EN/0297) at the land, a further alleged breach of condition has occurred in respect of planning permission 15/AP/0790, approved 10/06/2015 for the Demolition of existing pavilion building and spectator seating areas, and erection of proposed two-storey 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.

83. As part of this permission, Condition 10 included reference to an approved code of conduct document. In summary, this document sets out how the uses at the land (cycling and related activities) were to be operated on a daily basis. It is alleged that the current forest school in use is in breach of this document. However, the site plan for 15/AP/0790 relates solely to the area surrounding the new pavilion and access from the Burbage Road entrance at the northern end of the larger site. The forest school use is located at the southern end and its daily operation does not occur within the application 'red line' boundary. Therefore, this condition would not apply to any use outside of the red line application boundary. Notwithstanding, enforcement investigation 20/EN/0297 remains an open investigation in regards to the forest school use at the land and will be reviewed pending the outcome of this planning application.

Consultation responses from internal and divisional consultees

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

85. Ecologist:

- The ecology survey is acceptable, no further surveys are required.
- The report makes recommendations for ecological enhancement.
- It would be good to provide a statement and plan of habitat enhancements as part of this application to facilitated learning and focal interest and enhance biodiversity.

Officer comment:

- In light the comments received, a condition has been attached to secure the submission of details for ecological enhancement.

86. Environmental Protection Team (EPT):

At the moment, I am unable to give you a recommendation whether planning permission should be granted, as the acoustic report does not cover all the relevant points to give an officer recommendation.

The report highlights that this type of application does not fall under any formal standard to assess the impact of the development.

However the report makes a correction for only 16 children being on site at the time of the measurement to the normal attendance of 24 children, it is difficult to state that correction factor used is the correct value. If we accept that correction factor, the report does not state whether the activities on the survey day, was a typical day, or were quite activity being undertaken on the survey day.

It appears that the quoted values in the report, meet the various criteria used in the report, but that is based on the quoted figures, but humans react different to human voice. If there appears to be children in distress, the human reaction to that sound, is to seek help for that child, but if they are a neighbour, they cannot adequate respond to the sound, which will affect the residents well – being.

In the application it states that the nursery capacity is 24, however when the outdoor school is in operation, the total number of children on the site could be 44. The acoustic report does not cover the activities or the number of children of the outdoor school, which run for 10 weeks of the year, but a large portion of this time is the summer holidays, when the neighbours will have their windows open and / or in the rear gardens.

Therefore a further revision of the acoustic report is required to take into account the subjective response of children in distress and the change in activities within the summer school and the increase of the number of children

on the site.

Also the applicant could move the main activity further away from the residential neighbours boundaries, they could explore whether the main activity area could be shielded by a natural bund.

Within the documentation the current area being used is different to the proposed area in the application, which adds another factor to take into account when the noise calculations being made, but at present is not clear whether this has been taken into account in the report.

There is also the question whether the out buildings on the boundaries of the residential properties can be taken as habitable rooms. This has recently changed due to the Covid outbreak, where many people have converted their out - buildings into a home office, but the construction of these out – buildings may be not as robust as a normal residential building, so the impact will be greater, due to the lack of adequate sound insulation.

In respect of the bonfires on the site, this should be stopped by a suitable condition.

Following the submission of the above, the below comments have been received in response to the most up to date AIA and letter from KP Acoustics;

I have read all the new information in connection with the Forest School Nursery Application.

1. I agree that the Hawkins environmental has not provided a full consideration and reporting paragraph in the report of uncertainty of the measurements and modelling results in accordance with our Noise Technical Guidance.
2. I agree that a noise management plan should be provided, with a strong consideration that the majority of time the nursery uses the area the furthest distant from the residential properties.
3. As the proposed development is an open – aired nursery, there will be an element of noise all day from the children and staff. Increasing the distance between the area used by the nursery or an insertion of fencing between the nursery area would reduce the noise exposure to the residents of the adjacent properties.
4. I have been on site once, at the time of the visit, there was no noise emanating from the site. However with the evidence from the reports, there is a disruptive noise occurring on the site. I believe that a there is an Observed Adverse Noise Effect Level is occurring in the area and it should be mitigated and reduced to a minimum. Therefore before planning permission is granted, I suggest that a noise management plan is drawn up by the operator in conjunction with the residents. The noise management plan will have to be enforceable by planning to be acceptable for it to be a condition on any future planning decision.

I would encourage the nursery, not to include campfires on the site, as the campfires produces a large concentrations of PM_{2.5} which can affect the development of the children's lungs and can cause respiratory diseases in the future. At present the Borough the exceeds the interim WHO guidelines for PM_{2.5} and the whole Borough has now been declared an Air Quality Management Area, so eliminating this source would help to improve the air quality in the Borough.

Officer comment:

- See further discussion in sections on air quality and noise above.

87. Highway Development Management:

- Following the submission of the transport statement addendum in November 2022, safeguarding concerns have been addressed and there are no further comments.

Officer comment:

- No further comment.

88. Transport Planning Policy:

The application will only be acceptable from a transport perspective once the applicant has addressed the following points:

1. The applicant has provided a survey of activity at the site from September 2021 when operating as a nursery and summer club contained within Table 1.3 of the Transport Statement. This represents the highest demand associated with the site which is acceptable. It would be useful to see comparable figures for when operating solely as a nursery.
2. The applicant states that access to the nursery/holiday club is via shared access for vehicles, cycles and pedestrians. The applicant should outline how pedestrians, particularly vulnerable young children are safeguarded when accessing the site, where vehicles and delivery vans, cycles etc could be accessing the site at the same time. The applicant should provide details of the safe area within the wider velodrome site that pupils are dropped-off/picked-up from and how it is managed to ensure that it is not overwhelmed. It is unclear if it is the same location as where any servicing and delivery activity may occur for the wider velodrome site.
3. The applicant states that there is a 16 space car park for the velodrome and ample cycle parking. Details should be given as to if any of the car parking and cycle parking has been specifically dedicated to the

nursery/holiday club.

4. The applicant should outline arrangements for accommodating disabled pupils/visitors to the site arriving by car.
5. Of particular concern is the shared access route and car park at nursery/holiday club start/pick-up times with motorists dropping off/picking-up children (it is acknowledged from the trip survey undertaken in September 2021 that car usage is relatively low). The applicant needs to outline how this will be managed to safe guard pedestrian and cyclist safety and ensure no adverse impact on the local highway network since movements will likely to be concentrated.
6. The applicant states that pupils' buggies, bikes and scooters are stored in an appropriate location within the wider velodrome site and staff member's cycles. Details of the location of such facility and the quantum and specification should be provided. This should be commensurate with the long-stay nature of the use at the site, i.e. cycle parking should be secure, weatherproof, and easily accessible and to Sheffield stand design specification.
7. The applicant should outline servicing and delivery arrangements for the site and the frequency of such activity. It is unclear if it will be accommodated within any pre-existing arrangements for the wider velodrome site.
8. The applicant should clearly mark up on plans the waste storage location and capacity. It is unclear as to the arrangements for this.

- Transport Recommendations

The application will only be acceptable from a transport perspective, once the above mentioned issues are addressed

Officer comment:

- Following the submission of a transport statement addendum in response to the above listed comments, the proposal is considered have addressed these concerns.

89. Urban Foresters:

- The application is for a retrospective planning permission in respect of the use of an area of the cyclo-cross track for an outdoor nursery in the Scandinavian model for Forest schools.
- The site is operated by School Outdoors Dulwich, a part of Under the Willow Ltd, a Montessori Nursery School located on Croxted Road.
- The site is dominated by scrub and secondary woodland with areas cleared to facilitate the school's toilet facilities and tent.
- The structures appear to be temporary in nature and it is unclear as to whether there are any onsite wash, cooking, or cold storage facilities.
- I am concerned that without a tree risk assessment, the placement of the tent beneath the canopy of the trees would be unwise. This would

be best placed at least 1.5m (x height) away from any mature tree.

- The toilets, comprising 2 wooden sheds appear to be situated outside of the root protection areas of trees. I am assuming that these are composting toilets but I have not seen any details on this and how the waste is managed.
- Further detail should be provided as to the activities on site, including the lighting of fires, alluded to in their website; and also identify how waste is managed, including the use of onsite wood arisings. Indeed the applicant should show that any fires are lit well away from the stems and canopies of trees, built structures and at least 5m away from any boundary with neighbours. A suitable fire safety strategy also to be included in an overall management plan.
- A woodland management plan should be conditioned for the site, this could include all of the outstanding information mentioned above.
- I would also consider conditioning remediation for the cleared areas in line with the findings of the Preliminary ecological report and to include native tree planting along with ground and shrub layer planting (to be advised by the Borough Ecologist)

Suggested Condition Wording:

WOODLAND MANAGEMENT PLAN

Prior to first occupation of the development hereby approved, a Woodland Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

The management plan should be prepared by a qualified and experienced arboricultural consultant and should include the following elements:

- A statement of the overall design vision for the woodland and for individual trees retained as part of the development - including amenity classification, nature conservation value and accessibility;
- Type and frequency of management operations to achieve and sustain canopy, understorey and ground cover, and to provide reinstatement where tree loss or vandalism occurs;
- Frequency of safety inspections, which should be regular in areas of high risk, OR following storms, less often in lower risk areas;
- Confirmation that the tree pruning work is carried out by suitably qualified and insured tree contractors to British Standard 3998 (2010);
- Special measures relating to Protected Species or habitats (e.g. intensive operations to avoid March - June nesting season or flowering period);
- Inspection for pests, vermin and diseases and proposed remedial

measures; and;

- Confirmation of cyclical management plan assessments and revisions to evaluate the plan's success and identification of any proposed actions.

Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff, in accordance with: Parts 8,11,12,13,14,15,16 of the National Planning Policy Framework 2021; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of the Core Strategy 2011, and the following policies of The Southwark Plan (2022): P56 Protection of Amenity, P21 Conservation of the Historic Environment and Natural Heritage, P60 Biodiversity, and P61, Trees.

Officer comment:

- Following the receipt of additional details from the agent, the Urban Forester is satisfied to recommend the attachment of ecological and tree planting conditions.

Consultation responses from external consultees

90. Due to the scale and nature of the proposals, no external consultations have been undertaken.

Community impact and equalities assessment

91. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
92. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
93. 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.

94. In accordance with the above, the provision of the forest school is considered support young people as a protected characteristic through age, with access to an outdoor source of education develops valuable life skills for the future.

95. 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

96. 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.

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

Positive and proactive statement

98. 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.

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

Positive and proactive engagement: summary table

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

Conclusion

100. Overall, it is considered the provision of a forest school within the grounds of the Velodrome site is considered to be acceptable on planning policy grounds and will not prejudice the character of the MOL. It is considered that notwithstanding the arguments both in favour and against the noise impacts of the proposal, on balance the proposal is considered to be acceptable in amenity terms and is not atypical of similar uses in residential areas. The proposal is considered to be acceptable in all other regards in accordance with adopted local policy. Furthermore, the proposal is considered to be in accordance with the council's public sector equalities duty, as the retention of the use would directly benefit young people as a protected characteristic group. For these reasons, it is recommended that planning permission be granted subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2074-C Application file: 21/AP/3417 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth 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
Appendix 2	Planning Policies
Appendix 3	Planning History
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Steve Platts, Director of Planning and Growth	
Report Author	Ewan Lawless, Planner	
Version	Final	
Dated	30 May 2023	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team		1 June 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.

Applicant	Mr Tim McInnes Herne Hill Velodrome Trust	Reg. Number	21/AP/3417
Application Type	Minor application		
Recommendation	GRANT permission	Case Number	2074-C

Draft of Decision Notice**Planning permission is GRANTED for the following development:**

Retrospective planning application for the use of land as a class E(f) outdoor nursery (and temporary use as a holiday club) and the stationing of associated temporary free standing structures. This application is a DEPARTURE APPLICATION: The proposed development is a departure from Policy P57 (Open Space) of the Southwark Plan (2022).

Herne Hill Stadium 104 Burbage Road London Southwark

In accordance with application received on 28 September 2021 and Applicant's Drawing Nos.:

SITE LOCATION PLAN SK0105 - REV D received 25/11/2021

Existing Plans

Proposed Plans

EXISTING AND PROPOSED PLANS AND ELEVATIONS SK0107 - REV B received

25/11/2021

Other Documents

PLAN SHOWING THE FOREST SCHOOL SK0106 - REV B received 28/09/2021

PROPOSED SITE PLAN SK0106 - REV D received 25/11/2021

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

2. The following measures for the mitigation of impact and enhancement of biodiversity, as set out in the preliminary ecological appraisal recommendations on the Local Planning Authority's planning register, titled 'Preliminary Ecological Assessment', dated 28/09/21, will be submitted to and approved in writing by the Local Planning Authority within three months and implemented in full within nine months, from the date of this consent.

Options to Include: meadow creation and grassland enhancement. New tree and native shrub planting, Bulb planting, pond creation and installation of bird and bat boxes.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity and to contribute to the Urban Greening Factor requirements of the London Plan 2021 and help attain a minimum score of 0.4 for residential developments and 0.3 for commercial developments. In accordance with policies: G1, G5, G6, and SI 13 of the London Plan 2021, Policy P59 and P60 of the Southwark Plan 2022.

3. Within three months of the date of this consent, full details of all proposed planting of 7 Elm 'New Horizon' trees with a minimum total girth of 112cm girth to screen the proposed development at the southwestern boundary shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

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

Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in accordance with the statutory duty (s.197a TCPA 1990)of the council to ensure that in granting permission, provision is made for the planting of trees, where appropriate, the National Planning Policy Framework 2021, Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021 and Policies P60 (Biodiversity), P13 (Design of places), P14 (Design quality) and P56 (Protection of amenity) of the Southwark Plan 2022.

4. Within 8 weeks of the date of this consent, a management plan shall be submitted to the Local Planning Authority for approval, to detail how the use operates within the site with regard to the wider operations of the velodrome.

This shall include but is not limited to the following sections and criteria;

- o Arrival and departure times and management procedures
- o Land use
- o Detail of procedure to manage safety of children when mountain biking holiday club is in progress
- o Noise
- o Locations of activities within the site
- o Times and durations of activities within each area
- o Process for managing disruptive noise at source
- o Fire safety
- o Access procedure for fire appliances
- o Identification of evacuation assembly point near the pavilion
- o Detailed location of firefighting equipment used

- o Detail on provision of safe fire pits to reduce risk of fire spread
- o Procedure for avoiding air pollution and compliance with smokeless fuel
- o Servicing and delivery processes of the forest school
- o Waste management procedures

Reason:

To ensure that the local planning authority has an accurate account of the management of the proposed use, which can be monitored and enforced if necessary, in accordance with P50 'Highway impacts', P56 'Protection of amenity' and P66 'Reducing noise pollution and enhancing soundscapes' of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

5. The use hereby granted permission, shall be carried out between the hours of 08:00 and 18:00 Monday to Friday, excluding weekends and bank holidays and shall not be carried out outside of these hours without the prior consent of the local planning authority.

Reason:

To ensure that the neighbouring residents do not experience noise nuisance associated with the carrying out of the use, in accordance with Policy D14 'Noise' of the London Plan (2021), P56 'Protection of amenity' and P66 'Reducing noise pollution and enhancing soundscapes' of the Southwark Plan (2022).

6. The use hereby granted consent, permits a maximum of 44 children to be present on site at any one time in association with the nursery or holiday club, this comprises 24 children as part of the nursery use and 20 children during the 10 weeks of the year when the holiday club is in operation, this includes any site visits from the sister nursery Under the Willow.

Reason:

To ensure that the neighbouring residents do not experience noise nuisance associated with the carrying out of the use, in accordance with Policy D14 'Noise' of the London Plan (2021), P56 'Protection of amenity' and P66

'Reducing noise pollution and enhancing soundscapes' of the Southwark Plan (2022).

7. The use hereby granted permission includes only sub-class E(d) 'Creche, day nursery or day centre (not including a residential use)', and does not confer permission to sub-classes; E(a), E(b), E(c), E(d) E(e) and E(g) of the Town and Country Planning (Use Classes) (Amendment) (England) (Regulations) (2020), the use carried out shall not be altered without the prior consent of the local planning authority.

Reason:

To ensure that the neighbouring residents do not experience noise nuisance associated with the carrying out of the use, in accordance with Policy D14 'Noise' of the London Plan (2021), P56 'Protection of amenity' and P66 'Reducing noise pollution and enhancing soundscapes' of the Southwark Plan (2022).

8. The use hereby granted permission shall not benefit from permitted development rights under Schedule 2, Part 7 'Non-domestic extensions, alterations etc' Class M 'Extensions etc for schools, colleges, universities, prisons and hospitals' of the Town and Country Planning (General Permitted Development) (England) Order (2015).

Reason:

To ensure that the use does not lead to incremental extensions which would harm the openness of the surrounding MOL and intensify the use in a manner that is detrimental to the amenity of neighbouring residents, in accordance with P20 'Conservation areas' and P57 'Open space' of the Southwark Plan (2022).

9. Following the cessation of the use hereby granted permission, all free-standing structures associated with the nursery's operations, shall be removed to returning the land to its original condition preceding the establishment of the forest school and shall not be altered without the prior consent of the Local Planning Authority in writing.

Reason:

In the interests of the ecological preservation and openness of Metropolitan Open Land, in accordance with Chapter 13 'Protecting Green Belt Land' and 15 'Conserving and enhancing the natural environment' of the National

Planning Policy Framework (NPPF) (2021), Policy G4 'Open space' and G6 'Biodiversity and access to nature' of the London Plan (2021), P57 'Open space' and P60 an 'Biodiversity' of the Southwark Plan (2022).

Informatives

Planning Policies

National Planning Policy Framework (the Framework)

The revised National Planning Policy Framework ('NPPF') was published in July 2021 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.

Paragraph 218 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

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

The London Plan 2021

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

- Policy D4 Delivering good design
- Policy D12 Fire safety
- Policy D14 Noise
- Policy HC1 Heritage conservation and growth
- Policy G1 Green infrastructure
- Policy G2 London's Green Belt
- Policy G3 Metropolitan Open Land
- Policy G4 Open space
- Policy G5 Urban greening
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 1 Improving air quality
- Policy SI 7 Reducing waste and supporting the circular economy
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage

- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T6.5 Non-residential disabled persons parking
- Policy T7 Deliveries, servicing and construction

Southwark Plan 2022

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

- P13 Design of places
- P14 Design quality
- P18 Efficient use of land
- P20 Conservation areas
- P21 Conservation of the historic environment and natural heritage
- P23 Archaeology
- P27 Education places
- P45 Healthy developments
- P47 Community uses
- P50 Highways impacts
- P51 Walking
- P53 Cycling
- P54 Car Parking
- P55 Parking standards for disabled people and the physically impaired
- P56 Protection of amenity
- P57 Open space
- P58 Open water space
- P59 Green infrastructure
- P60 Biodiversity
- P61 Trees
- P62 Reducing waste
- P65 Improving air quality
- P66 Reducing noise pollution and enhancing soundscapes
- P68 Reducing flood risk
- P70 Energy

Supplementary planning documents

- Dulwich SPD (2013)

APPENDIX 3**Relevant planning history**

Reference and Proposal	Status
12/AP/3195 Installation of track lighting along the perimeter of the main velodrome track.	GRANTED- Minor Application 31/01/2013
12/AP/3196 Construction of a 250m flat junior track in the centre of the main velodrome track and an associated multi-use games area with fencing.	GRANTED- Minor Application 31/01/2013
15/AP/0790 Demolition of existing pavilion building and spectator seating areas, and erection of proposed two-storey 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.	Granted 10/06/2015
22/AP/2788 Construction of a single storey building to provide an accessible toilet	GRANTED- Minor Application 04/04/2023

<p>23/AP/0824</p> <p>Works to trees in a conservation area:</p> <p>Species and Location of Tree(s)</p> <p>G1. A Sycamore (<i>Acer pseudoplatanus</i>) and dead Poplar (<i>Populus alba</i>) up to 17m height located on the boundary with the railway viaduct.</p> <p>G2. A group of three Sycamore (<i>Acer pseudoplatanus</i>) and a Robinia (<i>Robinia pseudoacacia</i>) located either side of a cycle trail slope adjacent to the railway viaduct.</p> <p>G3. A pair of Sycamore (<i>Acer pseudoplatanus</i>) located either side of a cycle trial slope between G2 and G4.</p> <p>G4. A forest school area consisting of multiple dead Elm suckers (<i>Ulmus procera</i>) and Ash saplings (<i>Fraxinus excelsior</i>) together with Hawthorn (<i>Crateagus monogyna</i>), Elder (<i>Sambucus nigra</i>) and Buddleia. A multistem and a similar sized mature Sycamore are located nearer the embankment to the east and west of the group, with a large mature Ash (<i>Fraxinus excelsior</i>) in between. The canopy of the Ash supresses one large and a smaller stem diameter Sycamore (<i>Acer pseudoplatanus</i>) located directly either side of its stem.</p> <p>Description of Approved Works</p> <p>G1. Sycamore - Deadwood. Dead Poplar- Monolith to branch unions as shown in attached photo.</p> <p>G2. 2 x Sycamore - deadwood. 1 x Robinia & 1 x Sycamore - fell to ground.</p> <p>G3. 2 x Sycamore - deadwood.</p> <p>G4. Up to 26 dead Elm suckers - fell to ground. 1 x Large Ash, 1 x Sycamore and 1 x multistem Sycamore - deadwood. Su pressed Sycamore adjacent to swing rope - fell. Buddleia bush - fell to ground.</p>	<p>Granted TCA 02/05/2023</p>
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APPENDIX 4**Consultation undertaken****Site notice date:** 08/12/2022**Press notice date:** 08/12/2022**Case officer site visit date:** 08.12.2022**Neighbour consultation letters sent:** 17/04/2023

Internal services consulted

Planning Enforcement

Transport Policy

Highways Development and Management

Environmental Protection

Ecology

Statutory and non-statutory organisations

Neighbour and local groups consulted:

60 Burbage Road London Southwark
 First Floor And Second Floor Flat 64
 Burbage Road London

72 Burbage Road London Southwark

56 Burbage Road London Southwark

74 Burbage Road London Southwark

66 Burbage Road London Southwark

50 Burbage Road London Southwark

48 Burbage Road London Southwark

76 Burbage Road London Southwark

70 Burbage Road London Southwark

68 Burbage Road London Southwark

62 Burbage Road London Southwark

58 Burbage Road London Southwark

54 Burbage Road London Southwark

52 Burbage Road London Southwark

Re-consultation:

APPENDIX 5

Consultation responses received

Internal services

Transport Policy
Highways Development and Management
Ecology

Statutory and non-statutory organisations

Neighbour and local groups consulted:

86 Burbage Road Dulwich London
52 Burbage Road London SE24 9HE
37, Chatsworth Way, Chatsworth Way
Chatsworth Way London
52 Burbage Road London SE24 9HE
16 Cameron Road Bromley BR2 9AR
129 Burbage Road Dulwich SE21 7AF
8 Greenhurst Rd London SE27 0LH
56 Burbage Road Herne Hill London
46 Brantwood Road London SE24 0DJ
22 Danby Street London SE15 4BU
63 henslowe rd London Se220ar
54 Burbage Road London London
54 Burbage Road London
70 Burbage Road London SE24 9HE
61a Burns House Doddington Grove
London
11 FERRINGS LONDON SE21 7LU
103 Burbage Road London
37 Chatsworth Way London SE27 9HN
12 Kingston Square London SE19 1JE
34 Pellatt Road London SE22 9JB
29 Hollingbourne Road London SE24
9NB
94 Elms Road London SW4 9EW
131 Burbage Road London SE21 7AF
52 Landells Road London SE22 9PQ
27 Bicknell Road London SE5 9AU
55 Felhampton Road London London
1a Hexham Rd London SE27 9EF
6 St Mary's Grove London SW13 0JA

6 Walkerscroft Mead London SE21 8LJ
8 Greenhurst Road LONDON
149 Fawnbrake Avenue London SE24
0BG
25 Court Lane, Court Lane, Court Lane
Court Lane LONDON
30 Tylney Avenue London SE19 1LN
5 Frank Dixon Way London SE21 7BB
25 Ellesmere Road Twickenham TW1
2DJ
22 Rosemary Avenue London N3 2QN
95 Stradella Road Herne Hill London
17 Worlingham Road London SE22 9HD
5a Limesford Road London
5a Limesford Road London
3 Hillworth Road London
Flat 20 Strickland Court, Fenwick Road
London SE15 4HP
98 Hindmans Road East Dulwich
LONDON
55 Felhampton Road London London
Flat 2 20 Turney Road London
24 Poplar Walk London SE24 0BU
52 Burbage Road London SE24 9HE
10 Oakenbrow Sway Lymington
29 Voltaire Sceaux Gardens Estate
London
3 Hillworth Road London SW2 2DZ
24 Christchurch Way London SE10 9AL
16 Hadrian Estate, Hackney Road
London E2 7AS

12 Octavia Street London SW113DN
 50 Hollingbourne Road London SE24
 9ND
 20 Eastbourne Road Tooting London
 28 Burgoyne Rd London SE25 6JT
 62 Casino Avenue London SE24 9PH
 192 Leahurst Road London SE13 5nl
 27 Tylney Avenue Crystal Palace
 LONDON
 29 Leigham vale London sw162jh
 54 Burbage Road London Southwark
 86, Burbage Road London SE24 9HE
 52 Burbage Road London SE24 9HE
 54 Burbage Road London SE24 9HE
 Flat 2, 20 Turney Road London SE21
 8LU
 46 Brantwood Road London SE24 0DJ
 Flat 1 westerham Lodge 22 Park Road
 London
 30 Tylney Avenue London SE19 1LN
 22 Danby Street Peckham London
 63 Henslowe rd east dulwich London
 174 Forest Hill Road London SE233QR
 180 Lowden Road, Herne Hill London

SE24 0BT
 66 Ruskin Walk London SE24 9LZ
 244 Sylvan Road London SE192SB
 54 Burbage Road London Southwark
 76 Burbage Road London SE24 9HE
 104 Burbage Road, LONDON SE24 9HE
 63 Henslowe rd London SE220AR
 6 Sherwood Avenue Streatham London
 6 PELHAM CLOSE GROVE PARK
 LONDON
 12 Kingston Square London SE19 1JE
 54 Burbage Road London Southwark
 43 Barry Rd London SE22 0HR
 5 Frank Dixon Way London SE21 7BB
 36 Cliveden Road London SW193RB
 42 Spenser Road London SE24 0NR
 11 Briar Lane Carshalton SM5 4PX
 50 Hollingbourne Road London SE24
 9ND
 22 Hendham Rd London SW17 7DQ
 29 Hollingbourne Road Herne Hill SE24
 9NB

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MUNICIPAL YEAR 2023-24

COMMITTEE: PLANNING COMMITTEE (SMALLER APPLICATIONS)

NOTE: Original held in Constitutional Team; all amendments/queries to Beverley Olamijulo, Constitutional Team, Tel: 020 7525 7234

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