

# Planning Committee (Smaller Applications)

Monday 11 September 2023  
7.00 pm

GO1 meeting rooms, 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.

### Babysitting/Carers allowances

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

### Access

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

**Contact** Beverley Olamijulo, on 020 7525 7234 or email: [Beverley.olamijulo@southwark.gov.uk](mailto:Beverley.olamijulo@southwark.gov.uk)

---

Members of the committee are summoned to attend this meeting

**Althea Loderick**

Chief Executive

Date: 1 September 2023



# Planning Committee (Smaller Applications)

Monday 11 September 2023  
7.00 pm  
GO1 meeting rooms, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
<b>1.</b>	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
<b>2.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
<b>3.</b>	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
<b>4.</b>	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
<b>5.</b>	<b>MINUTES</b>	1 - 4
	To approve as a correct record the minutes of the meeting held on 5 July 2023.	
<b>6.</b>	<b>DEVELOPMENT MANAGEMENT</b>	5 - 9
<b>6.1.</b>	<b>ELIM ESTATE, ELIM STREET, LONDON SOUTHWARK</b>	10 - 131
<b>6.2.</b>	<b>DULWICH PARK, COLLEGE ROAD, LONDON SE21 7EB</b>	132 - 151

**Item No.**

**Title**

**Page No.**

Dated: 1 September 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](mailto:ConsTeam@southwark.gov.uk) in advance of the meeting by **5pm** on the working day preceding the meeting.

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

**Contacts:**      General Enquiries  
                      Planning Section  
                      Environment, Neighbourhoods and Growth  
                      Tel: 020 7525 5403

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



## Planning Committee (Smaller Applications)

MINUTES of the Planning Committee (Smaller Applications) held on Wednesday 5 July 2023 at 7.00 pm at GO2 meeting rooms, 160 Tooley Street, London SE1 2QH

---

**PRESENT:** Councillor Cleo Soanes (Chair)  
Councillor Jane Salmon (Vice-Chair)  
Councillor Sabina Emmanuel  
Councillor Adam Hood  
Councillor Richard Livingstone

**OTHER MEMBERS PRESENT:** Councillor Ian Wingfield (Ward Councillor)

**OFFICER SUPPORT:** Dennis Sangweme (Head of Development Management)  
Catherine Jeater (Team Leader, Design & Conservation)  
Zoe Brown (Team Leader, Major Applications & New Homes)  
Ewan Lawless (Planning Officer)  
Alex Gillott (Legal Officer)  
Beverley Olamijulo (Constitutional Officer)

### 1. APOLOGIES

There were apologies for absence from Councillors Richard Leeming and Ketzia Harper.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed above were confirmed as voting members of the committee.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

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

meeting:

- Addendum report relating to item 6.1 – development management items
- Members pack.

#### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

None were disclosed.

#### **5. MINUTES**

##### **RESOLVED:**

That the minutes for Planning Committee (Smaller Applications) meeting held on 13 June 2023 be approved as a correct record and signed by the chair.

#### **6. DEVELOPMENT MANAGEMENT**

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.

#### **6.1 10 LOVE WALK, LONDON SE5 8AE**

##### **Planning application reference 20/AP/0330**

Report: See pages 14 to 99 of the agenda pack and addendum pages 1 – 2.

##### **PROPOSAL**

*Demolition of all existing buildings on site and comprehensive redevelopment to provide a part-three and part-four storey new care home (Class C2 - Residential*

*Institutions), including up to 63 bedrooms each with wet room, plus cycle parking, refuse/recycling storage, mechanical and electrical plant, new sub-station, landscaping and green/living walls, amenity areas, perimeter treatment and associated ancillary works.*

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

The objectors addressed the committee and responded to questions from members.

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

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

Councillor Ian Wingfield spoke in his capacity as a ward councillor and responded to questions from members.

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 addendum report, and the completion of a Section 106 Legal Agreement.
2. That in the event that a legal agreement is not signed by 5 October 2023, the director of planning and growth be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 204 of the report.

#### **ADJOURNMENT**

At 8.47 pm it was moved, seconded and agreed that meeting stand adjourned for five minutes.

The meeting reconvened at 8.52 pm.

## **6.2 HERNE HILL STADIUM 104 BURBAGE ROAD LONDON SE24 9HU**

### **Planning application reference 21/AP/3417**

Report: See pages 100 to 147 of the agenda pack and addendum pages 3 – 10.



**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).*

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

The objectors addressed the committee and responded to questions from members.

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

A supporter who lived within 100 metres of the development site addressed the meeting.

There were no ward councillors present to address the meeting.

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

**RESOLVED:**

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

The meeting ended at 10.30 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 11 September 2023	<b>Meeting Name:</b> Planning Committee (Smaller Applications)
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

### RECOMMENDATIONS

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

### BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F which describes the role and functions of the planning 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**

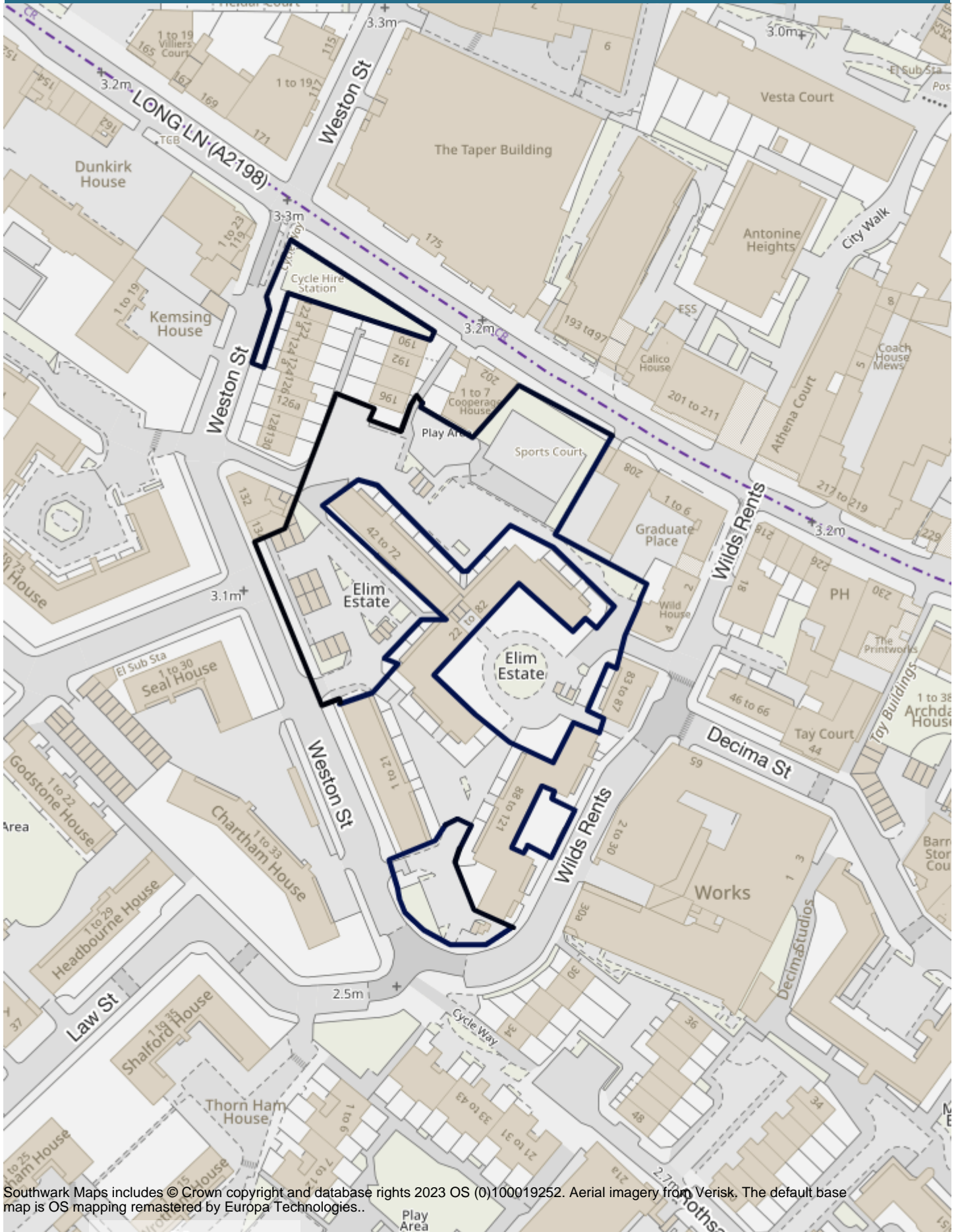
<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Beverley Olamijulo, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
<b>Version</b>	Final	
<b>Dated</b>	29 August 2023	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		30 August 2023

# Agenda Item 61

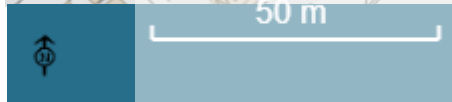


22/AP1887

Elim Estate, Weston Street, London, SE1 4DA



Southwark Maps includes © Crown copyright and database rights 2023 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..



Scale = 1:100 000 000 000

23-Aug-2023

## Contents

Contents.....	1
EXECUTIVE SUMMARY.....	3
BACKGROUND INFORMATION.....	5
Site location and description.....	5
Details of proposal.....	8
Public consultation .....	18
KEY ISSUES FOR CONSIDERATION.....	21
Summary of main issues .....	21
Legal context.....	21
Planning policy.....	22
ASSESSMENT.....	22
Principle of the proposed development in terms of land use.....	22
Environmental impact assessment (EIA).....	23
Design quality.....	24
Trees and landscaping .....	27
Affordable housing .....	32
Mix of dwellings.....	32
Wheelchair accessible housing .....	33
Quality of accommodation .....	33
Impact of proposed development on amenity of adjoining occupiers and surrounding area...	37
Ecology .....	49
Transport.....	50
Air quality .....	56
Flood risk .....	56
Sustainable development implications.....	57
Fire safety .....	58
Security and anti-social behaviour .....	59
Planning obligations (S.106 agreement).....	60
Community involvement and engagement.....	63
Consultation responses from external and statutory consultees .....	65
Consultation responses from internal consultees .....	65
Environmental Protection Team .....	65
Human rights implications .....	69



Positive and proactive statement.....	70
Positive and proactive engagement: summary table.....	70
CONCLUSION .....	70
BACKGROUND DOCUMENTS.....	71
APPENDICES .....	71
AUDIT TRAIL .....	71

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 11 September 2023	<b>Meeting Name:</b> Planning Committee (Small Applications)
<b>Report title:</b>	<b>Development Management:</b> Application 22/AP/1887 for: Full Planning Application  <b>Address:</b> ELIM ESTATE, ELIM STREET, LONDON SOUTHWARK  <b>Proposal:</b> 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.		
<b>Ward(s) or groups affected:</b>	Chaucer		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date</b>	17.06.2021	<b>Expiry Date</b>	16.09.2022
<b>Earliest Decision Date</b>	08.08.2022	<b>PPA Date</b>	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 18 January 2024.
2. 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 252 of this report.

## EXECUTIVE SUMMARY

3. This application is for decision by the Planning Committee (Smaller Applications) as five or more objections have been received.
4. 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.
5. 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.
6. 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.

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 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.
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 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 +/-
11.	MUGA	344	300	- 44
	Children play space	170	935	+ 765

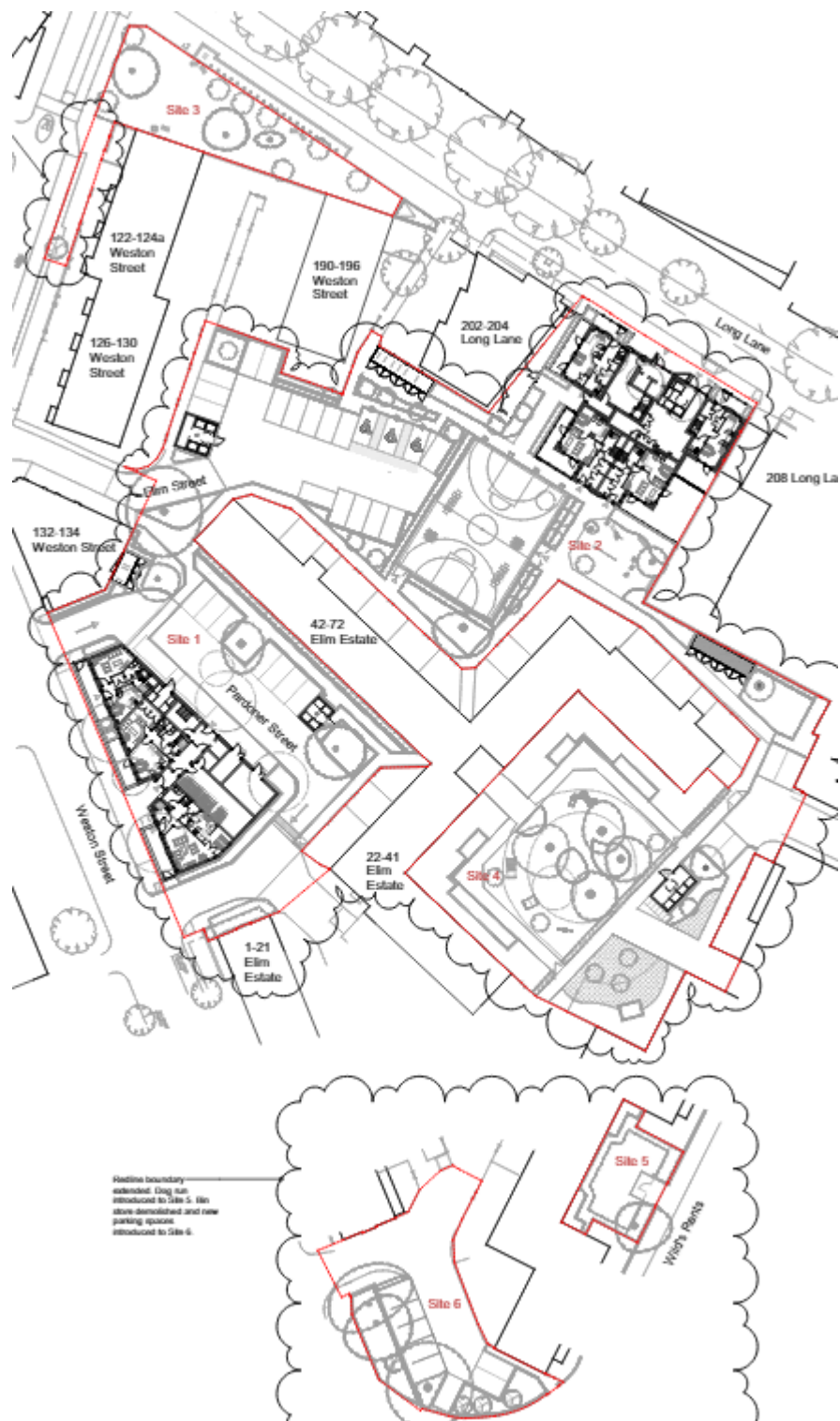
	CO2 Savings beyond part L Bldg. Regs.	%
12.	Trees lost	11: 6 category B trees and 5 category C trees

	Trees gained		35	
13.		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	106	+106
14.	CIL (estimated)		£ 784,289.72	
	MCIL (estimated)		£ 190,348.88	
	S106		£ 120,115.00	

## BACKGROUND INFORMATION

### Site location and description

15. 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 121 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

16. 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**

17. 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**

18. 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).
19. 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.
20. 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.
21. 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**

22. 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.

23. 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.
24. Three new bin stores are proposed. On site 1 the refuse lorry would circulate Pardoner 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.
25. A total 106 cycle parking spaces would be provided.
26. 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



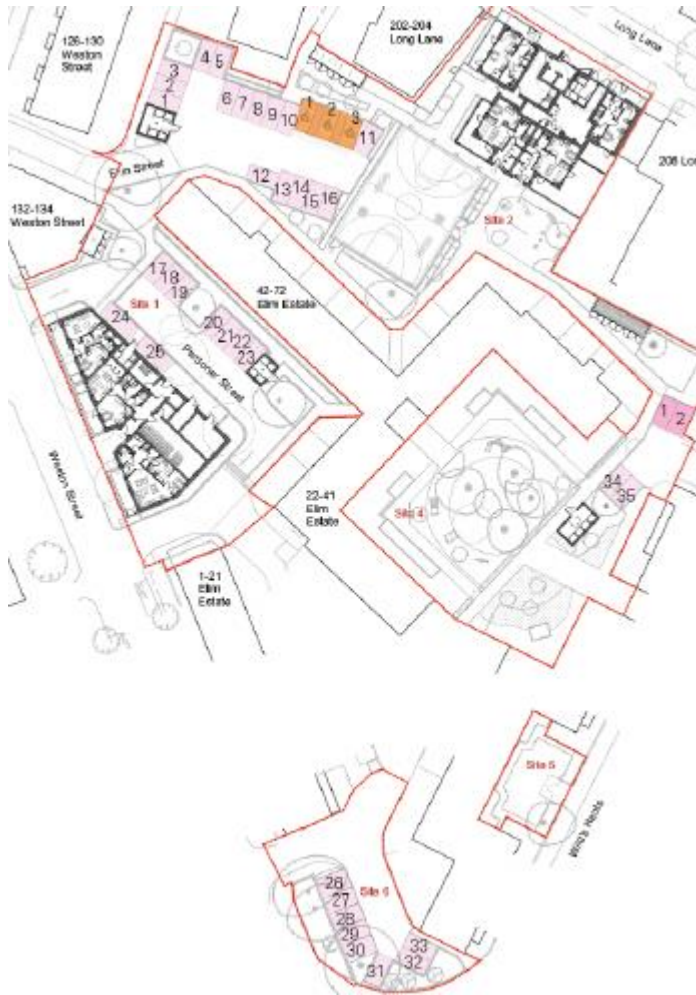


Image: Proposed car parking

Site 1

**Image: Site 1- Fronting Weston Street Proposed ground floor**



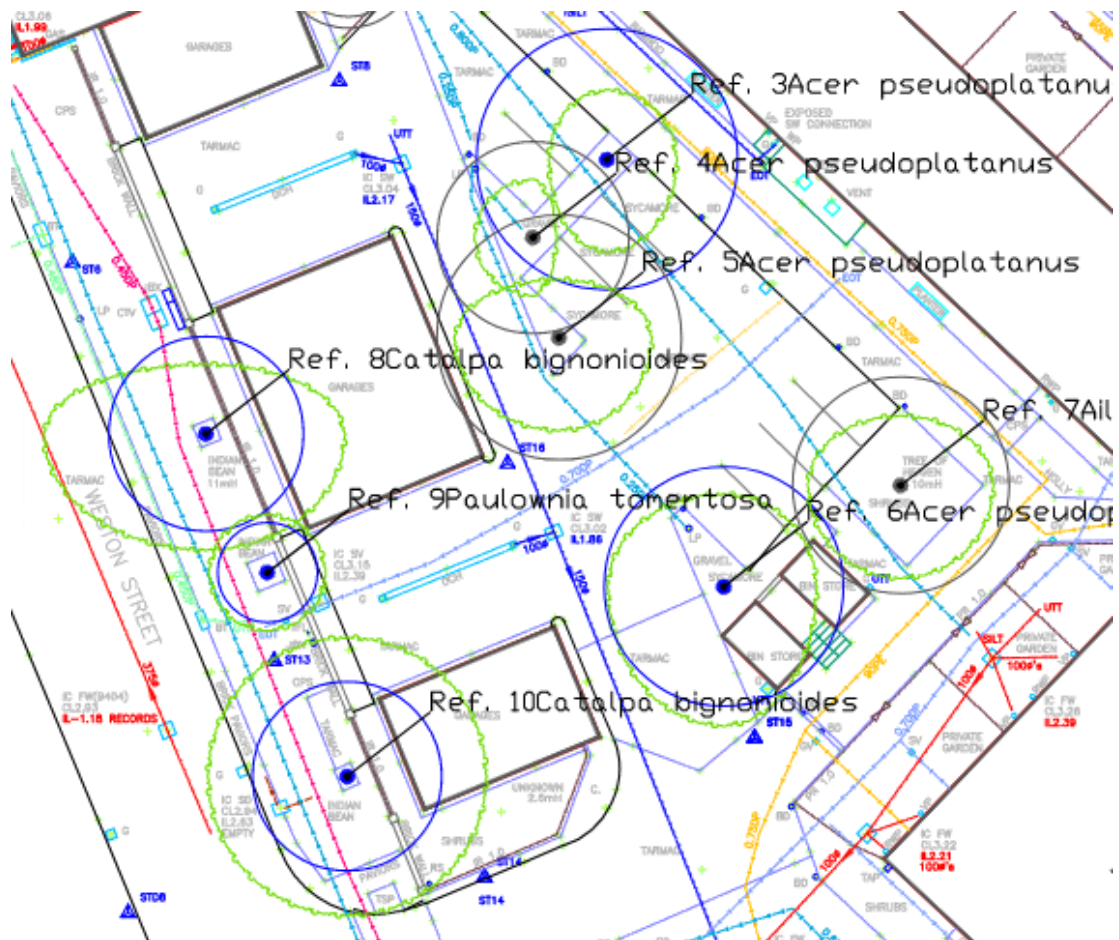
27. The proposed building would be six storeys with the top floor set back from the north west elevation. A total of 16 flats with a dwelling mix of 9 one bedroom flats, 2 two bedroom flats, 4 three bedroom flats and 1 four bedroom flat are proposed. It is proposed to locate 11 air source heat pumps (ASHP) and 40sqm of photovoltaic panels on the roof. A green roof is proposed to the fifth and sixth floors.
28. 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. A total of 6 cycle spaces would be provided in the external cycle store and would comprise 4 Sheffield stand spaces, 1 accessible space and 1 cargo space. 4 visitor cycle spaces would be provided close to the front entrance lobby. 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.

29. 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**

30. 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.
31. 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)**

32. Of the 12 existing garages to be demolished 5 are void and 7 are currently rented out. Of the 7 garages which are currently rented out, 2 garages are rented privately by Bermondsey Market for storage and of the remaining 5 garages there are 2 residents who does not want the JMB to find them an alternative garage. The remaining 3 garages are rented out to tenants and a leaseholder who will be offered another alternative garage on the wider estate. The applicant confirmed that none of these residents uses their garage to store medical or disability supplies or equipment. 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**

33. 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.
34. Each flat would have balconies at locations facing away from Long Lane where noise and air pollution is the greatest.
35. A total of 52 resident cycle spaces and 4 visitor spaces would be provided. One external cycle store would provide 40 cycle spaces whilst the second external cycle store would provide an additional 10 cycle spaces, 1 accessible space and 1 cargo space. The 4 visitor spaces would be provided to the front of the proposed building.
36. 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**

37. The existing MUGA / ball court is 344sqm and the replacement MUGA / ball court would be 300sqm.
38. 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.

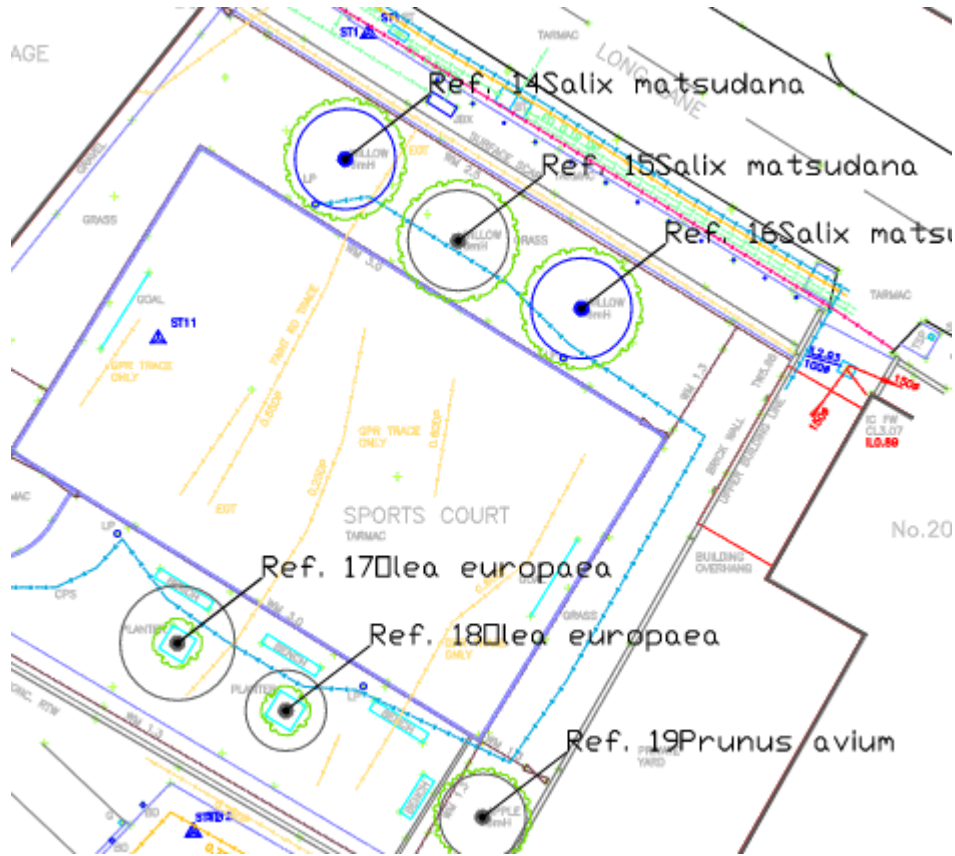


Image: Tree removal

Site 3



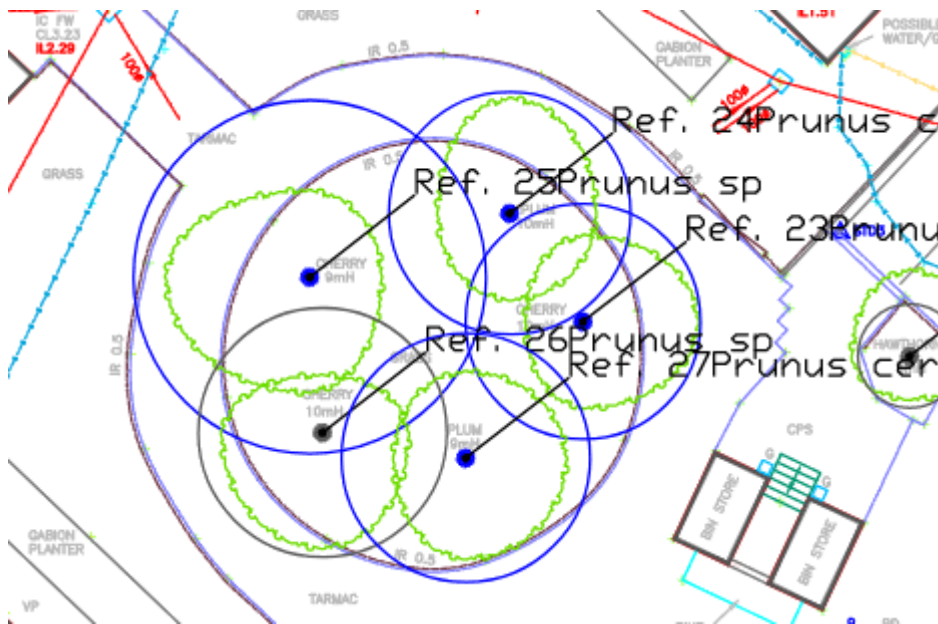
Image: Site 3 On the corner of Long Lane and Weston Street

- 39. 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

40. 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.

### Image: Site 4 tree to be removed



### Amendments to the application

41. The application has seen a number of 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.
42. The additional information provided includes:
- Parking/refuse note
  - Plan comparing existing MUGA and replacement MUGA
  - Updated energy statement
  - Sustainability Statement
  - Sustainable drainage pro-forma and greenfield runoff rate (site 1 and site 2)
  - Proposed bin stores
  - Refuse plan
  - Refuse swept path sites 1, 2 and 4
  - Site 4 existing and proposed bin store
  - Equality Impact Assessment
  - Engagement Summary
  - Early Engagement Strategy
  - Addendum daylight and sunlight report
  - Swept paths plans
  - Pedestrian visibility splays plan for site 1
  - Planting and biodiversity strategy
  - Information on the Urban Greening Factor.



Landscaping Plan - additional landscaping has been proposed including the following:

- Purus Calleryana 'Chanticleer' has been added as a species to the strategy
- Two additional trees have been added - one tree as a semi-mature Pyrus and the other a semi-mature Prunus.
- 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

### 43. 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.

### 44. Objection

45 comments of objection raising the following:

### 45. *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).

### 46. *Air quality*

- The development would impact air quality

#### 47. *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
- The council's youth and play team were not consulted
- The additional information provided is inaccurate as though the residents were consulted the form did not include a third option and results rather show a choice between two development plans
- The equalities impact assessment, engagement summary and early engagement strategy make false, misleading and/or unverifiable statements about community engagement and equalities impact data
- The engagement documents fail to demonstrate that the council has discharged its legal obligations for meaningful consultation
- Early engagement strategy has been written after the planning application has been finished.

#### 48. *MUGA*

- If the council is 'minded to approve', the ball court be "conditioned" so that it cannot be removed (site 2)
- The council's youth and play team were not consulted

#### 49. *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)

50. *Ecology*
- Impact on biodiversity and ecology
51. *Flood risk*
- Increase danger of flooding
52. *Quality of accommodation*
- Reduction of play space would impact older children more
  - Poor quality for future occupiers
53. *Security*
- The development would create a corridor behind some properties that would increase crime.
54. *Trees*
- Loss of mature trees
  - Questions whether more mature trees can be saved (site 1).
55. *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.
56. *Right to light*
- Estate residents have a right to light.
57. *Fire*
- Fire safety
58. *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)
  - No explanation why a new road at site 1 is proposed.
59. *Equality Impact Assessment*
- 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

- The equalities impact assessment document fails to discharge the council's legal obligations in respect of a meaningful equalities impact assessment.

60. *Other*

- 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

61. 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

62. 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.

63. 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**

64. 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**

65. 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.

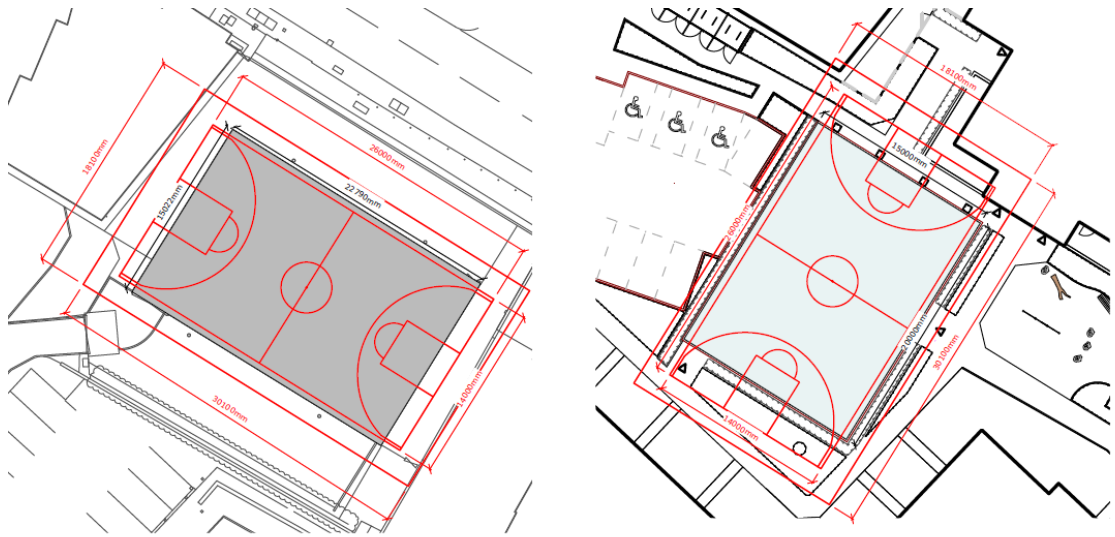
#### Housing

66. 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

67. 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.
68. Policy S4 Play and informal recreation of the London Plan 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.
69. 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**

70. 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.
71. 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.
72. 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.
73. Objectors raised concerns that the Council's Children and Youth Play team were not consulted. Officers consulted the Children and Youth Play but no comments were received.

### **Environmental impact assessment (EIA)**

74. 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

75. 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

76. 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**

77. 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.

78. 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.
79. 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

80. 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**

81. 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.
82. The proposed building would infill the frontage by adjoining 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.
83. 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.
84. 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.
85. 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.
86. 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.

87. 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.
88. 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.
89. A condition of detailed designs and material finishes is therefore recommended.

### Trees and landscaping

90. 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.
91. The proposed enhancement landscaping would include planting of 35 new trees. It is proposed to plant 15 trees on site 2, 9 trees on site 3, 7 trees on site 4 and 4 trees on site 6.



**Image: Proposed tree planting on site 2 (15 trees)**



Image: Proposed tree planting on site 3 (9 trees)

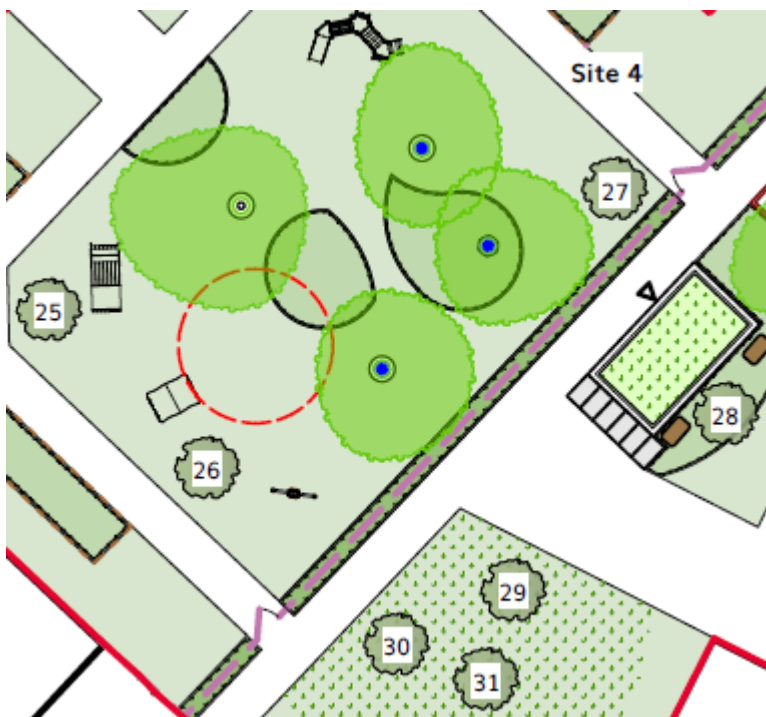


Image: Proposed tree planting on site 4 (7 trees)

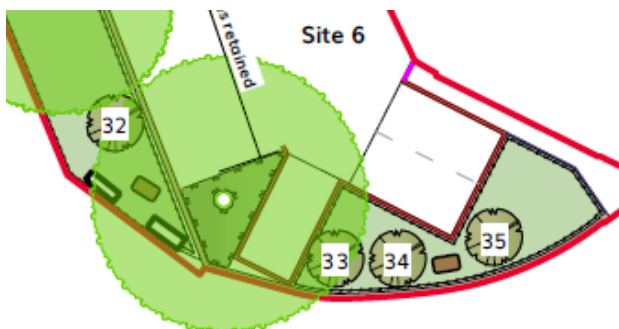


Image: Proposed tree planting on site 6 (4 trees)

92. 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 mature trees and it is questioned whether more mature trees can be saved.

93. An amended landscaping plan has been submitted. The initial CAVAT assessment was incorrect and the council's urban forester provided an updated CAVAT assessment. Through comparison between the CAVAT assessment of the removed trees and the proposed planting, there would be a net loss of £52,485 amenity tree value. This loss would be mitigated through a financial contribution to provide off-site trees where they can be accommodated as part of a S106 legal agreement. The landscaping strategy would now also include the species *Pyrus calleryana* 'Chanticleer', two additional trees – one tree as a semi-mature *Pyrus* and the other a semi-mature *Prunus* and three extra heavy standard Birch which have been replaced with semi-mature *Pyrus*.
94. Objectors also raised concerns that the proposal does not refer to Heygate Legacy trees, which must be replaced with a minimum of the 4 trees it embodies.

### Site 1

95. 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. The Council's Urban Forester advised that 1 Heygate Legacy tree have been planted on Elim Estate, a category B tree (T9 (Foxglove)) and would be removed as part of the current planning application. Following detailed discussions the need for the loss of mature trees facing Weston Street and to the rear of the new residential block has been substantiated. A suitable replacement planting plan has been proposed to help mitigate the loss of canopy cover.



Image – Tree removal site 1



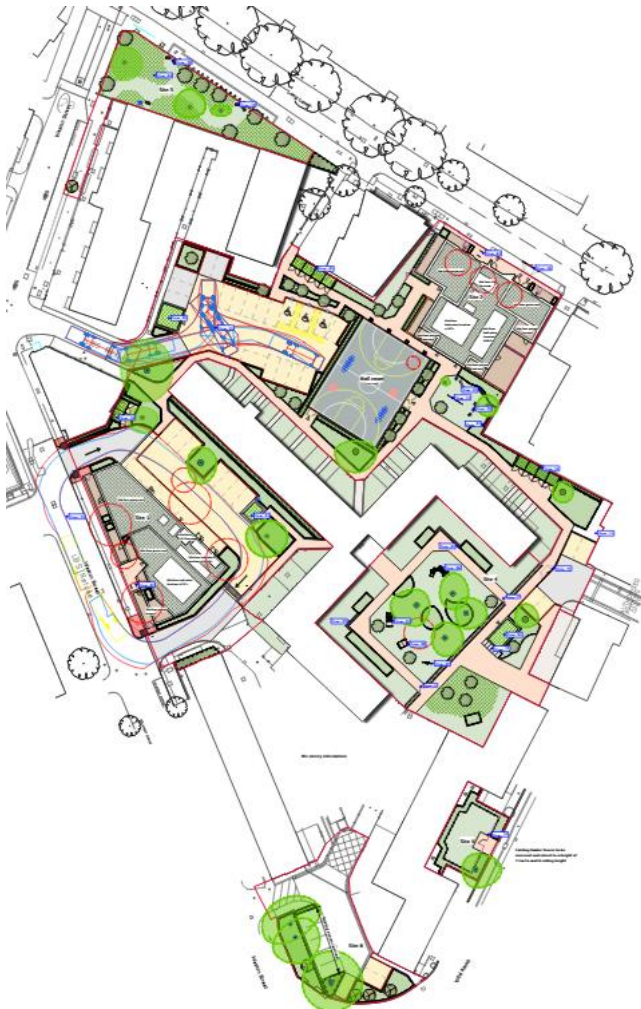
**Photo – Tree T9 (Foxglove) to be removed site 1**



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

## **Site 2**

96. 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.
97. 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**

98. 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**

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

### Urban Greening Factor (UGF)

100. 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.

101. 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.
102. 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**

103. 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.
104. 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**

105. 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.
106. 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	

107. 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**

108. 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**

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

#### Unit sizes

110. 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

111. 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

112. 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

113. 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).
114. 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.<sup>1</sup> The targets set out within the national annex are as follows:
- Bedrooms – 100 Lux
  - Living Rooms – 150 Lux
  - Kitchens – 200 Lux

#### Site 1

115. 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

116. 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

117. 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.

Site 1

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

Site 2

119. 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

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

Site 2

121. 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

122. 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

123. 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

124. Objectors raised concerns that the development would lead to a reduction of play space which would impact older children more and that the council's children and youth play team was not consulted.
125. 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

126. 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.
127. 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.
128. 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.

129. 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.
130. The council's children and youth Play team were consulted, but no comments have been received.

#### Noise

131. 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.
132. 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**

133. 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

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

### Privacy and overlooking

136. 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.
137. Objectors raised concerns with regards to loss of privacy and that the proposed buildings would be in close proximity to adjoining properties.

#### Site 1

138. 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.
139. 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.
140. 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

141. 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.
142. 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.

143. 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.
144. 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

145. Objectors raised concerns with regards to loss of daylight and sunlight.
146. 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.
147. 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*

148. 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.
149. 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*

150. 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.

151. 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*

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

### *Daylight*

153. 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.

154. 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.

155. 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	No. of
--	----------------	------	------	--------	--------



	tested			Failures between 21% - 38% loss	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)*

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

No Sky Line (NSL) 134 Weston Street					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
7	7	100%	0	0	0

No Sky Line (NSL) 32-41 Elim Estate					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
33	31	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

157. 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*

158. 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.
159. 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

160. 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.

161. The daylight, sunlight and overshadowing report was not supplemented by an overshadowing design note.

Site 2

*Daylight*

162. 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

163. 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.

164. 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.
165. 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)*

166. 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					
Room					
Total	Pass	BRE compliant	20-30%	31-40%	40% +
26	17	65%	9	0	0

167. 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.

168. 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*

169. 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.
170. 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

171. 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.
172. The daylight, sunlight and overshadowing report was not supplemented by an overshadowing design note.

#### Conclusion on daylight and sunlight

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

#### Impact on existing properties and spaces

174. Objectors raised concerns with regards to loss of open space.
175. 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.

176. Site 2 comprises a play space, ball court and a strip of landscapes 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.
177. The proposed development would not result in the loss of any protected open space.

#### Right to light

178. 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

179. 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

180. 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

181. 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.

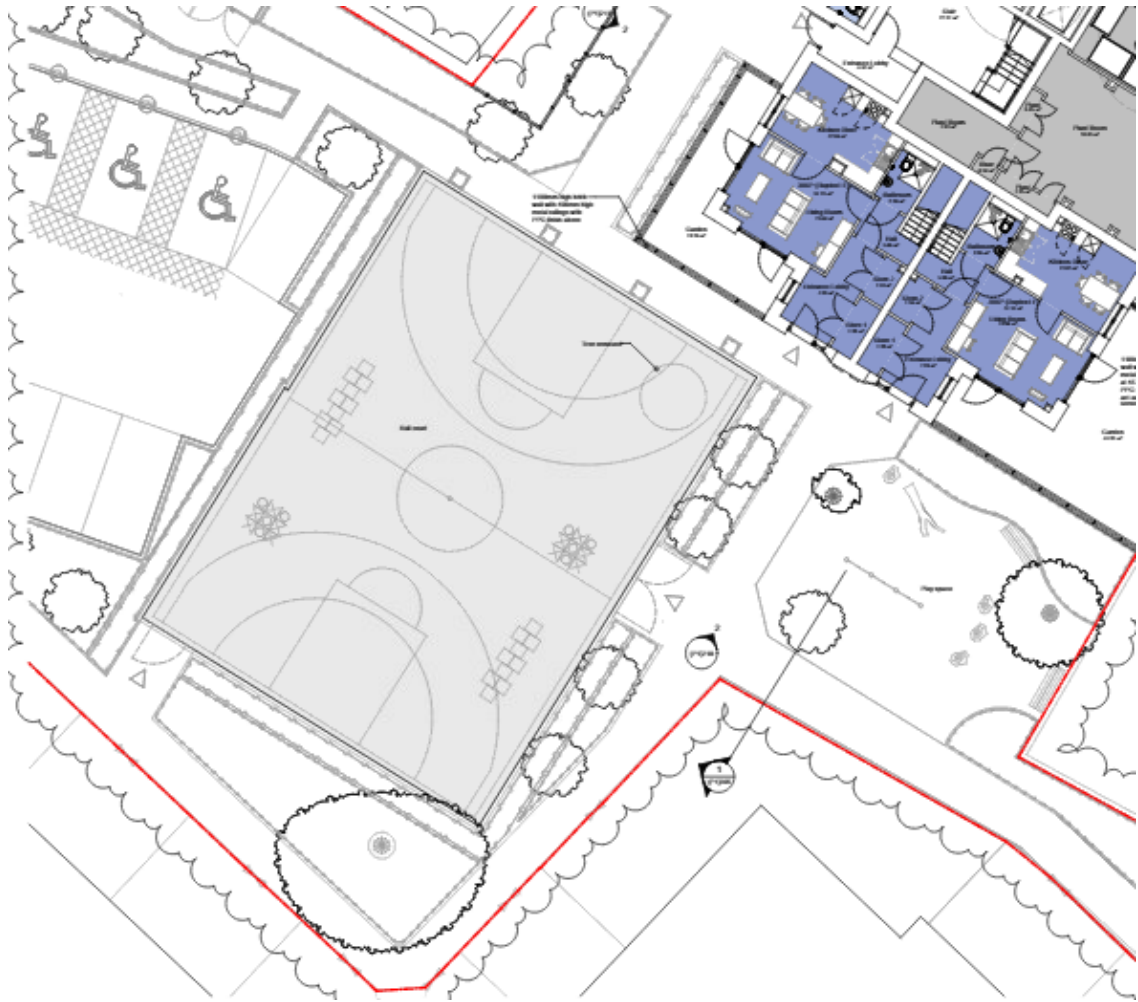
#### Site 1

182. 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

183. 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.
184. 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.
185. 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.
186. 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**

187. Objectors raised concerns that the development would have an impact on biodiversity and ecology.
188. 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

189. 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

190. 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**

191. 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.
192. 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

193. 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
194. 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**

195. 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**

196. 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**

197. 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

198. Objectors raised concerns that the development would result in an increase in traffic.
199. 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

200. 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.
201. 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

202. 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.
203. The site has a PTAL of 6a/6b. The London Plan policy calls for 'car free' but limited Blue Badge spaces in inner Southwark.
204. 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.
205. 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.
206. 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.
207. The 3 new wheelchair spaces would have electric vehicle charging points.

### Cycle parking

208. Objectors raised concerns that no cycle parking would be provided and that active travel is not encouraged.
209. 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.

210. 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

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

### **Highways works**

213. 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](mailto: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.

214. It is recommended that permission be granted subject to these matters being included in the legal agreement.
215. 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**

216. Objectors raised concerns that the development would impact air quality.
217. 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.
218. 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**

219. 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.
220. 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.
221. Objectors raised concerns that the proposed development would increase the risk of flooding.
222. The Flood Risk Team reviewed an updated Flood Risk and Drainage Strategy for both site 1 and site 2 (Rev H) and object on the grounds that updated calculations for site 2, which should include the full site area of 0.2165ha, should be submitted. Existing runoff rate calculations should also be provided which use the full site area of 0.2165ha.
223. Officers recommend that permission be granted subject to a pre-commencement condition requiring calculations for the proposed attenuation storage for site 2

and existing runoff rate calculations for sites 1 and 2, which use the full site area of 0.2165 hectares, to be submitted to and approved in writing by the Local Planning Authority.

### **Sustainable development implications**

224. 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.
225. 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.
226. 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.
227. 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

228. The first stage of the energy hierarchy is to use less energy through passive and active design measures.
229. 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.
230. The on-site saving achieved at the Be Lean stage is calculated to be 24.9% beyond 2021 Building Regulations.

#### Be Clean

231. 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

232. 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

233. 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.
234. The design of the proposed development incorporates energy efficiency measures to reduce energy consumption on site.

### Carbon payment calculation

235.

Off-set payment

Residential	£21,390.00 at £95/tonne
7.51 tonnes/annum	
225.15 tonnes across 30 years	

236. 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)

237. 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

238. 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**

239. Objectors raised concerns with regard to fire safety.
240. 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**

- 241. Objectors raised concerns that the development would create a corridor behind some properties that would increase crime.
- 242. 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**

- 243. 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**

- 244. 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**

- 245. 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**

- 246. 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.
- 247. 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.
- 248. 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.

249. Objectors questioned whether a briefing note will be produced for members on the funding for this scheme. Officers however did not request the applicant to submit information in this regard as funding is not a planning matter.

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

250. 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.
251. 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.

<b>Planning obligation</b>	<b>Mitigation</b>	<b>Applicant's position</b>
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 and used to plant trees in the Chaucer ward	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 lies beyond the planters and outward opening doors.	Agreed
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"> <li>• 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.</li> <li>• Construct new vehicular entrance at Weston Street in accordance with the SSDM standards.</li> <li>• Reconstruct existing vehicle exit at Weston Street in accordance with the SSDM standards.</li> <li>• Upgrade street lighting to current LBS standards (including on private roads). Please contact Perry Hazell at Perry.Hazell@southwark.gov.uk for further details.</li> <li>• 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</li> </ul>	Agreed

	<p>widths.</p> <ul style="list-style-type: none"> <li>• Refresh road markings following kerb installation.</li> <li>• 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.</li> <li>• Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development.</li> <li>• The creation of a raised entry treatment at Weston Street / Elim Street junction.</li> <li>• The upgrade of the zebra crossing on Long Lane to a raised zebra crossing.</li> </ul>	
Total financial contributions	£120,115	Agreed
Administration and monitoring fee (excluding affordable housing monitoring fee and servicing bond)	2% of total financial contributions	Agreed

252. 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:
253. 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)**

254. 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
255. 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**

256. Objectors raised concerns that:
- Not all neighbouring properties were consulted and only a few site notices were displayed
  - The applicant did not consult with the residents of the Elim Estate in line with the council's statement of community involvement and development consultation charter
  - The applicant did not submit an early engagement statement
  - 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
  - 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
  - The Equalities Impact Assessment fails to provide a detailed assessment of how the change to the ball court will affect the young people who use it
  - The Equalities Impact Assessment fails to consider how the environmental effects of the development, in particular the loss of air quality caused by the loss of trees and additional road, will impact children, the elderly and those with disabilities
  - The Equalities Impact Assessment fails to consider the effects that the relocated ball court would have on elderly and disabled residents in terms of increased noise, density and overshadowing – there are particular concerns around the potential impacts on those with mental health issues
  - The council did not fulfil its' public sector equality duty as they did not engage with specific individuals with protected characteristics from the Elim Estate, did not consider alternative approaches and did not consider the broader impacts of delivering affordable housing through 'infilling' the Elim Estate.

257. 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.
258. 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.
259. In accordance with the Statement of Community Involvement and Development consultation charter adopted on 6 December 2022, an engagement summary has been submitted with the application. This provides a summary of the engagement that has been undertaken by the applicant within local residents and resident associations:
260. The applicant engaged with the local community as follows:
261. 2018: Consultation meetings with the Decima Street TRA.
262. November-December 2018: The applicant carried out door knocking on Elim Estate.
263. 13 December 2018: The applicant held a drop-in event.
264. 2019: Consultation meetings with the Decima Street TRA.
265. January 2019: Consultation with Decima Street TRA and Leathermarket JMB board.
266. 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.
267. March 2019: Follow-ups were held with residents via door-knocking and phone calls.
268. June 2019: Update and discussions/consultation was held at Decima Street TRA meeting.
269. August 2019: Two estate walkabouts with residents.
270. September 2019: The applicant carried out door knocking on Elim Estate and consultation leaflets mailed to Elim Estate residents.
271. 10 September 2019: A drop-in consultation event was held.
272. 2020: Consultation meetings with the Decima Street TRA.
273. January 2020: Consultation held at Decima Street Tenants Residents Association.

- 274. June-August 2020: Leaflet with an update sent to residents and follow-ups made via phone calls/email.
- 275. 30 September 2020: Webinar held between the developer, architect, landscape architect and the public.
- 276. October 2020: Letter sent to residents and the applicant carried out door knocking on Elim Estate.
- 277. October 2021: The applicant carried out door knocking on Elim Estate, drop-in consultation for Elim Estate residents and consultation leaflets mailed to Elim Estate residents.
- 278. November 2021: Drop-by exhibition at Elim ballcourt and school consultation carried out where officers spoke to 25+ parents and children.

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

#### Environment Agency

- 279. 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

- 280. No comments received.

#### Thames Water

- 281. No comments received.

#### Greater London Authority

- 282. No comment received.

#### Health and Safety Executive

- 283. No comment received.

#### London Fire and Emergency Planning Authority

- 284. The London Fire Brigade (LFB) had no observations.

#### Metropolitan Police

- 285. 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 consultees**

#### Environmental Protection Team



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

Children and Youth Play

287. No comments received.

Transport Policy

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

- 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

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

Highways Team

290. 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

291. The outstanding matters reassessed were as follows:

- The proposed storage volume for each SuDS feature differs across the drawings, dimensions provided on the drawings, calculations, and SuDS Proformas. The proposed storage volume for each feature should be clearly stated and all documents should be updated so they are in line with each other. The calculations for Site 2 do not include the whole site area of 0.2165ha.
- The applicant has provided calculations. However, these do not match with those stated in the SuDS Proforma. The site area for site 2 should be confirmed, as the figure of (0.075ha) does not match what is stated within the SuDS Proforma (0.2165ha). Existing runoff rate calculations should be

provided for the full site area.

- The applicant has provided greenfield runoff rates for site 2 which use a site area of 0.075ha. The SuDS Proforma states that the Site 2 area is 2165m<sup>2</sup>. The applicant should confirm why the greenfield calculations have not been based on the whole site area.
- The application has changed in the following way: The applicant has provided an updated Flood Risk and Drainage Strategy for both site 1 and site 2 (Rev H). Responses to each of the outstanding matters has also been provided.

We object of the application for the following reasons:

- More information required – The applicant has confirmed the proposed attenuation storage which has been aligned across the drawings and SuDS Proformas for both sites. The applicant should provide updated calculations for site 2 which include the full site area of 0.2165ha.
- More information required – The applicant has confirmed that the site area for site 2 is 0.2165ha and this is consistent within the report. Existing runoff rate calculations should be provided which use the full site area of 0.2165ha.
- Decision: Based on the above, we recommend that the application is not approved. There are details which require more information.

#### Urban Forester

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

#### Waste Management

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

#### Policy Team

294. No objection.

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

295. Objectors raised concerns that an Equality Impact Assessment was not initially submitted and that the Equality Impact Assessment 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 that the applicant did not engage with the users of the ball court and play area together with groups representing children and young people, such as the Children and Youth Play Area team, and that there are no details about what the impacts on children and young people actually are, how equality groups/ users were consulted and what the required mitigation measures are.

296. 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.
297. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
298. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
299. 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.
300. The protected characteristics are: age, disability, race, sex, pregnancy and maternity, religion or belief, sexual orientation, gender reassignment, marriage and civil partnership.
301. The amended equality impact assessment included all above protected characteristics and concludes that the proposal would contribute to meeting housing needs in Southwark and would improve community facilities and would enable wider community use.
302. The council's children and youth play area services were consulted, but have not provided comments.
303. The proposal would provide family homes which would support families with

children and young people currently living in overcrowded conditions. The re-provision of the ball court on site 2 would encourage increased usage by young males and women. The 3 wheelchair homes would be allocated to disabled residents, who currently do not live in a home that meets their disability needs and a proportion of the 1 bed-flats would be provided to residents who currently require a home due to mental health issues. The new proposed ball court would enable easy access for residents with a physical disability and would offer numerous benefits to individuals with physical or mental impairments as it would promote inclusive recreation, physical fitness, mental well-being, social interaction, and community engagement.

304. JMB tenants were consulted in the 2013 Housing Needs Survey, Elim Estate resident consultations were carried out in 2018-2019 and a Ball Court Usage Survey was undertaken by the CBS in 2021.
305. The applicant propose the following mitigation measures:
- The new proposed ball court, and children's play space (currently at site 2, to be replaced at site 4), would be provided before the current ball court and play space is closed. This would ensure there is no loss of these existing community facilities during the implementation of the proposed scheme.
  - Reasonable contractor working hours to minimise disruption during construction; using hoses to damp down dust; and regular letter drops to residents to give them advance warning of when a particularly noisy part of the construction activity will take place.
  - Minimise disturbance of ball court use by the installation of specialist sports fencing with minimal movement and noise-reducing fixings and a management plan for the ball court would be put in place.
306. 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**

307. 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.
308. 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

309. The council has published its development plan and core sStrategy 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.
310. 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.

311. **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

312. The proposal would be acceptable in principle. The massing and height of the proposed buildings on both sites would be acceptable.
313. 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.
314. Overall, the proposed development would not result in a significant impact on the surrounding residential properties.
315. 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.
316. 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	Environment neighbourhoods and Growth. 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

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Andre Verster, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	30 May 2023	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
<b>Date final report sent to Constitutional Team</b>		23 August 2023

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

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

This document is not a decision notice for this application.

---

<b>Applicant</b>	Leathermarket Community Benefit Society	<b>Reg. Number</b>	22/AP/1887
<b>Application Type</b>	Major application		
<b>Recommendation</b>	GRANT permission	<b>Case Number</b>	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. (resubmission)

Elim Estate Weston Street London Southwark

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

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. 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).

12. Prior to the commencement of development a drainage strategy detailing any on and or off site drainage works shall be submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. No discharge of foul or surface water from the site shall be accepted into the public systems until drainage works referred to in the strategy have been completed and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

The development may lead to sewage flooding and to ensure that sufficient capacity is made available to cope with the new development and in order to avoid adverse environmental impact upon the community in accordance with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 13 (Sustainable drainage) of the London Plan (2021); P67 Reducing water use, P68 Reducing flood risk, P63 Land for waste management, P64 Contaminated land and hazardous substances of the Southwark Plan 2022.

13. Prior to works commencing, including any demolition, calculations for the proposed attenuation storage for site 2 and existing runoff rate calculations for sites 1 and 2, which use the full site area of 0.2165 hectares, shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order to avoid adverse environmental impact upon the community in accordance with Chapter 14 (Meeting the challenge of climate change, flooding and coastal change) of the National Planning Policy Framework (2021); Policy SI 13 (Sustainable drainage) of the London Plan (2021); P67 Reducing water use, P68 Reducing flood risk, P63 Land for waste management, P64 Contaminated land and hazardous substances of the Southwark Plan 2022.

14. **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).

## 15. 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).

#### 16. 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.

#### 17. 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.

#### 18. 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)

19. 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.

20. 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.

21. 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).

## 22. 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

## 23. 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)

## 24. PROVISION OF CYCLE STORAGE

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

shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with: Chapter 9 (Promoting Sustainable Transport) of the National Planning Policy Framework (2021); Policy T5 (Cycling) of the London Plan (2021); and Policy P53 (Cycling) of the Southwark Plan (2022).

25. 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.

26. 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.

## 27. 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

## 28. 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)

## 29. 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.

## 30. 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 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.

## 31. 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.
- 2 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 Hernan Castano, Highway Development Manager on 020 7525 4706 to arrange.



## 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 S11 Improving air quality
- Policy S12 Minimising greenhouse gas emissions
- Policy S17 Reducing waste and supporting the circular economy
- Policy S113 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**

<b>Reference and Proposal</b>	<b>Status</b>
<p><b>20/AP/3616</b> 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><b>83/AP/1092</b> Court Yard Improvements 1-121 Elim Estate ( LBS Reg 1092-83 )</p>	<p>GRANT - Regulation 3/4 18/10/1983</p>

**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 organisation**

Environment Agency

Great London Authority

London Fire & Emergency Planning Authority

Natural England - London & South East Region

Metropolitan Police Service

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

**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

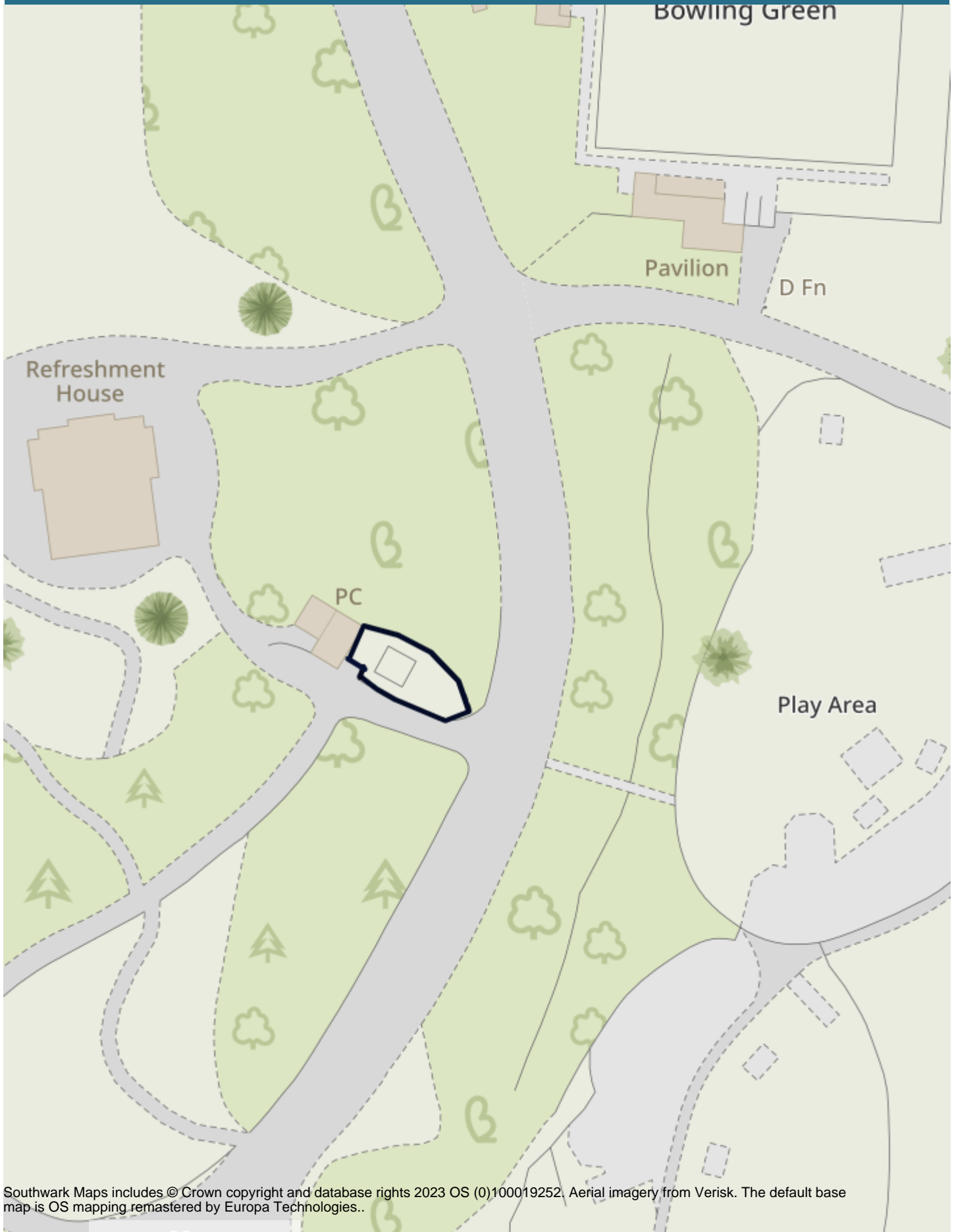
**Neighbour and local groups consulted:**

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





Southwark Maps includes © Crown copyright and database rights 2023 OS (0)100019252. Aerial imagery from Verisk. The default base map is OS mapping remastered by Europa Technologies..



20 m

## Contents

Contents .....	1
BACKGROUND INFORMATION .....	2
Details of proposal .....	3
Planning history of the site, and adjoining or nearby sites. ....	4
KEY ISSUES FOR CONSIDERATION .....	4
Summary of main issues.....	4
<b>Legal context</b> .....	4
Planning policy.....	5
ASSESSMENT .....	5
Principle of the proposed development in terms of land use.....	5
Impact on openness of MOL.....	6
Design and layout .....	6
Impact of proposed development on amenity of adjoining occupiers and surrounding area.....	6
Transport and Highways .....	6
Landscaping and trees.....	7
Ecology and biodiversity .....	7
Mayoral and borough community infrastructure levy (CIL).....	7
Community impact and equalities assessment .....	11
Human rights implications.....	11
Positive and proactive statement .....	12
Positive and proactive engagement: summary table .....	12
CONCLUSION.....	12
BACKGROUND DOCUMENTS .....	13
APPENDICES.....	13
AUDIT TRAIL.....	13

<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 11 September 2023	<b>Meeting Name:</b> Planning Committee (Smaller Applications)
<b>Report title:</b>	<b>Development Management planning application:</b> Application 23/AP/1956 for: Full Planning Application  <b>Address:</b> Dulwich Park, College Road, London, SE21 7EB  <b>Proposal:</b> Changing place facility next to existing WC facilities within Dulwich park and relocation of existing bike and bin storage facilities.		
<b>Ward(s) or groups affected:</b>	Dulwich Village		
<b>From:</b>	Director of Planning and Growth		
<b>Application Start Date:</b>			<b>PPA Expiry Date:</b>
<b>Earliest Decision Date</b>			

## RECOMMENDATIONS

1. That planning permission be granted subject to conditions.

## EXECUTIVE SUMMARY

2. The application proposes to construct a new composting accessible toilet and changing facilities to the east of the existing toilet facilities, as well as the relocation of the existing bin and cycle storage. The proposal meets national and local planning policy tests for appropriate development within Metropolitan Open Land (MOL). Therefore, the principle of the proposed land use is acceptable.
3. The small scale of the proposal and the proposed design and positioning of the new WC facilities would have little impact on the setting, accessibility, and quality of the MOL, and would not affect its openness or detract from its character. The relocation of the bin and cycle parking facilities would have a similarly negligible impact. The proposal will provide facilities that can be used by visitors to the park. The proposal will also preserve the appearance and character of the area and the Dulwich Wood Conservation Area in which it sits and would not be harmful to the setting of the park which is a registered park and garden.

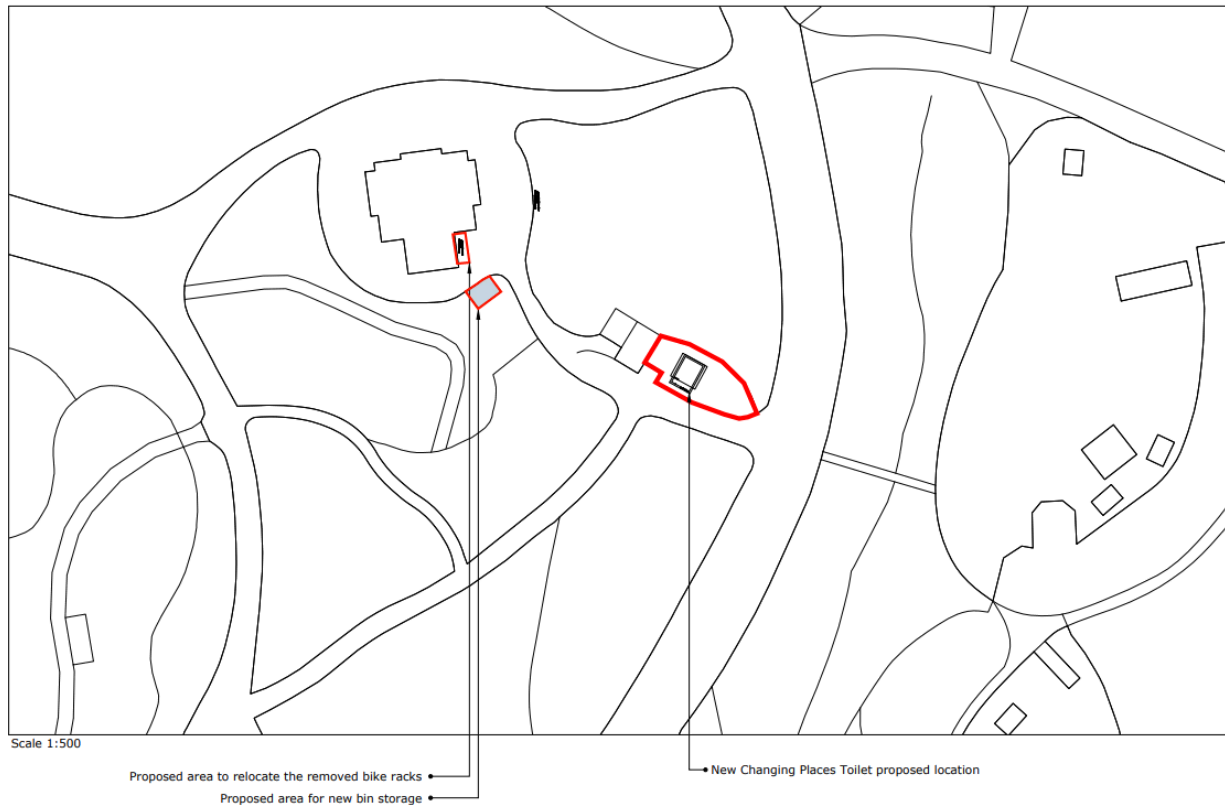
## BACKGROUND INFORMATION

### Site location and description

4. The area is designated Metropolitan Open Land, within the Dulwich Wood Conservation

Area, a registered park and garden and a Site of Importance for Nature Conservation Area.

5.



Site location plan

6. The site refers to an area to the east of the existing toilet facilities within the park, as well as two areas to the South/rear of the Dulwich Park Café. The area to the east of the toilet is currently in use as the existing bin storage area. The area to the south of the café off the path is currently in use as the cycle parking area, while the area to the rear of the café is vacant, though adjoins the outdoor seating area of the café.

### Details of proposal

7. The application seeks to relocate the existing bin stores to the area currently in use as cycle parking, with the cycle parking to be relocated to the area abutting the café. These in turn would enable the construction of a new wheelchair accessible (WA) toilet and changing facility to the east of the existing park toilet facilities.
8. The new WA facilities would be of the following dimensions:

Height (max): 2.8m  
 Width: 3.5m  
 Depth: 4.8m

Proposed materials:

Roof – Rubber membrane

Walls – Timber cladding

Door – Plastic

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

9. The application has been advertised through site notices and a press notice, though no comments have been received.

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

10. None relevant to the current application.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

11. The main issues to be considered in respect of this application are:
- Principle of the proposed development on MOL in terms of land use
  - Design and layout including impact on heritage assets
  - Transport and highways including access arrangements, cycle and car parking
  - Open space, landscaping and trees
  - Ecology and biodiversity
  - Other matters
  - Mayoral and borough community infrastructure levy (CIL)
  - Consultation responses
  - Community impact, equalities assessment and human rights
12. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal context**

13. 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.
14. 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

15. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2021) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.
16. The site is located within the:
  - Air Quality Management Area
  - Site of Importance for Nature Conservation
  - Metropolitan Open Land
  - Dulwich Village Conservation Area
  - Registered Park and Garden

## ASSESSMENT

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

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

of the park and is located on an existing grassed/hard surface. The relocated bin store would take the place of the existing bicycle spaces, and the relocated cycle parking spaces would sit behind the café, thereby also preserving the openness of the MOL, while providing facilities for the outdoor enjoyment of the park. As such the proposal is considered compliant with the NPPF, London Plan 2021 and the Southwark Plan 2022.

### **Impact on openness of MOL**

21. The proposed toilet would replace the existing bin store, and would not significantly alter the openness of the MOL. The relocated in store would replace the bicycle parking, and while slightly larger in terms of footprint, would not significantly affect the openness of the MOL when compared with existing arrangements. This would also enable suitable storage of bins, which if left out would detract from the openness of the MOL. Finally, the relocated cycle parking would sit behind the café in discrete position which would also preserve the openness of the MOL. In summary, the proposal would conserve the openness of the MOL.

### **Design and layout**

22. The proposed toilet block is modest in scale, and largely comprised of timber cladding which would blend into the surrounding area. The block is of an appropriate scale, and relates sensibly to the existing toilet facilities. The overall design is acceptable.

#### Impact on heritage assets

23. As per the above, the toilet block is of an appropriate scale and material composition and would conserve the setting and character of the Dulwich Wood conservation area and the heritage park. Similarly, the relocated bin and cycle facilities would not significantly impact on the conservation area, also conserving the setting and character of the conservation area and heritage park. In summary, the scheme is acceptable in heritage terms.

#### Other matters

24. The site also sits within a registered park and garden, though for similar reasoning to that of the above assessment of the impact on the conservation area and MOL, it is not considered to adversely affect the setting or character of the registered park and garden.

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

25. The changing facilities and reoriented bin/cycle storage will not adjoin any residential occupiers. Therefore, there will be no loss of light to any property or any privacy/noise issues.

### **Transport and Highways**

26. The proposal would see the existing 10 cycle parking spaces relocated within close proximity, ensuring there would be no reduction in capacity for users of the park and café.

## **Landscaping and trees**

27. The proposal has been reviewed in consultation with the Council's Urban Forester who has recommended two conditions are included to ensure the proposal would not adversely impact on surrounding trees. The first would require foundation details for the new toilet facility to be submitted to ensure the roots protection areas of surrounding trees would be preserved. The second condition would require a scheme of tree planting to be submitted to secure 4 x 14-16cm trees replacing those lost to facilitate the development. The replacement trees would ensure there would be no net loss of amenity or biodiversity. Subject to these conditions the proposal would be acceptable in respect of impact on trees.

## **Ecology and biodiversity**

28. The toilet would feature 3 x downward facing LED lights on the south elevation though this is minimal in scale and not considered to pose a risk to local ecology.

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

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

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

30. None received.

## **Consultation responses from internal consultees**

### **Urban Forester**

31. SUMMARY

Supports, subject to condition.

### OUTLINE

The site is located within Dulwich Park, a Registered Park and Garden, which is located within the Dulwich Village Conservation Area.

The proposed works are for the construction of a Changing Places accessible WC. These facilities are solely intended to support the needs of profoundly disabled users which include washing and changing facilities. The proposed facility is located on the footprint of an existing bin-store and the proposed works include the relocation of the bin-store and provision of a bike parking rack.



The area of works lie within the theoretical root protection areas of a range of mature and also veteran trees.

Standing Advice for Ancient Woodland and Veteran Trees (Natural England and the Forestry Commission, 2017) Guidance issued by Natural England for ancient and veteran trees is a material consideration which should be taken into account when determining planning applications.

The Natural England Standing Advice states 'A buffer zone around an ancient or veteran tree should be at least 15 times larger than the diameter of the tree. The buffer zone should be 5m from the edge of the tree's canopy if that area is larger than 15 times the tree's diameter. For other trees, BS:5837:2012 depicts a root protection area of 12 x the diameter of the tree.

2 early mature trees and 2 groups of shrubs are earmarked for removal in order to facilitate the scheme. These specimens comprise Laurel, Holly and Privet and are considered of low amenity value. It is considered that 4 replacement trees with a combined stem girth of 64cm would meet the requirements of policy P61 (Where trees are removed to facilitate development, they should be replaced by new trees which result in no net loss of amenity, taking into account canopy cover as measured by stem girth;) and equate to the recommendations as outlined in the United Bank of Carbon (UBoC) Tree Replacement Strategy for Carbon Sequestration parity.

The applicant should provide details of 4 x 14-16cm trees and their location prior to above grade works with PC26B being amended accordingly to this trigger point. Tree planting should be adaptable to climate change while supporting native species. The selection and position of trees should improve air quality and they should have a long life with a high biodiversity and amenity value.

Plans for foundation design are yet to be finalised and so would be a reserved matter (PC43) and require agreement prior to commencement.

The arboricultural consultant has highlighted the need to employ an arboricultural clerk of works for this scheme given the veteran status of nearby trees and whilst the method statement is suitable to the project proposed, a compliance condition for site supervision (CC36) would be required.

## CONDITIONS

### PC43 Arboricultural Foundation Design

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works 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. All foundation depths should, as a minimum, concord with NHBC 4.2.13, or be as engineer designed.

#### Reason:

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of arboricultural mitigation works as outlined in the arboricultural impact assessment and method

statement: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with Chapter 8 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving well-designed places), Chapter 15 (Conserving and enhancing the natural environment) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening) and Policy G7 (Trees and Woodlands) of the London Plan (2021); and Policy P56 (Protection of amenity), Policy P57 (Open space), Policy P58 (Open water space), Policy P5: (Green infrastructure), P66 (Reducing noise pollution and enhancing soundscapes, Policy P13 (Design of places), P14 (Design quality), Policy P15 (Residential design), Policy P20 (Conservation areas), Policy P21 (Conservation of the historic environment and natural heritage) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

#### PC26 Tree Planting (Change to AG)

Prior to works commencing above grade works, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations.

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

#### Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity

#### CC36 Arboricultural Site Supervision

##### Arboricultural Site Supervision

The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved by this planning permission shall be submitted for approval in writing by the Local Planning Authority within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout

construction by the retained or pre-appointed tree specialist.

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs.

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); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

### **Design and conservation**

32. App no: 23/AP/1956 Site address: Dulwich Park

1. Recommendation: approve

2. Policy context:

NPPF Chapters 12. Achieving well-designed places & 16 Conserving and enhancing the historic environment

London Plan 2021: D3 Optimising site capacity; D4 Delivering good design; D5 Inclusive design; HC1 Heritage conservation and growth

Southwark Plan 2022: P13 Design of places; P14 Design quality; P20 Conservation areas; P21 Conservation of the historic environment and natural heritage.

Heritage SPD 2021

3. Site layout, context and heritage values

The site is at the centre of Dulwich Park, away from nearby residencies, and is within the Dulwich Wood Conservation Area.

4. Proposal

Changing place facility next to existing WC facilities (in the existing bin store area) within Dulwich Park and relocation of existing bike and bin storage facilities.

5. Detailed comments

The proposed changing place/ toilet facility is 3.5mx4.8m, single storey. This is modest in dimension and accords with the prevailing height of the existing toilet block nearby, thus acceptable.

The choice of materials is appropriate. Particular, the toilet will be made of timber frame and composite timber cladding in dark brown, which is sympathetic to the parkland character of the area. Other materials including black uPVC for the pipes and gutters and pale green steel for the door are appropriate for the modern structure.

The bin store will be constructed from the existing metal fencing or materials that

match existing. Although not the most aesthetically pleasing, it is acceptable at the proposed location - it is contextually appropriate against the modern extension of the café and the impact on the front elevation of the café will be minimal.

New cycle store will be of the same style as the existing, thus acceptable.

Given the minimal scale of development and location of the proposed facilities near existing structures, impact on the parkland character of the area is minimal. The height, scale, massing and design of the changing place/ toilet facility is appropriate. The proposal is therefore recommended for approval in line with the relevant design and conservation policies.

## **Community impact and equalities assessment**

33. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
34. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. The development would have a significant benefit for wheelchair users as it would provide a facility designed for a particular need but accessible for other users too.
35. 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.
36. 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**

37. This planning application engages certain human rights under the Human Rights Act

2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

38. This application has the legitimate aim of constructing a new accessible toilet for the park. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### **Positive and proactive statement**

39. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
40. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

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

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

### **CONCLUSION**

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

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Southwark Local Development Framework and Development Plan Documents	Environment neighbourhoods 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	Relevant planning policy
Appendix 3	Planning history of the site and nearby sites
Appendix 4	Consultation undertaken

## AUDIT TRAIL

<b>Lead Officer</b>	Stephen Platts, Director of Planning and Growth	
<b>Report Author</b>	Glenn Ruane, Planning Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	21 August 2023	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
<b>Date final report sent to Constitutional Team</b>	24 August 2023	

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

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

This document is not a decision notice for this application.

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

Changing place facility next to existing WC facilities within Dulwich Park and relocation of existing bike and bin storage facilities.

Dulwich Park, College Road, London, SE21 7EB

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

## 1 Proposed Plans

Plans - Proposed RADPT.0001 Version 1 Revision 6 (Date 19.06.2023)

Plans – Proposed RADPT.0001 (Date 25.07.2023)

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

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

Reason:

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

Compliance condition

## 3 Materials to be as specified

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

Reason:

To ensure that the new works blend in with the existing building in the interest of the design and appearance of the building in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

Pre-Commencement Condition

#### 4 Arboricultural Foundation Design

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works 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. All foundation depths should, as a minimum, concord with NHBC 4.2.13, or be as engineer designed.

##### Reason:

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of arboricultural mitigation works as outlined in the arboricultural impact assessment and method statement: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with Chapter 8 (Promoting healthy and safe communities), Chapter 11 (Making effective use of land), Chapter 12 (Achieving well-designed places), Chapter 15 (Conserving and enhancing the natural environment) and Chapter 16 (Conserving and enhancing the historic environment) of the National Planning Policy Framework (2021); Policy G1 (Green Infrastructure), Policy G5 (Urban Greening) and Policy G7 (Trees and Woodlands) of the London Plan (2021); and Policy P56 (Protection of amenity), Policy P57 (Open space), Policy P58 (Open water space), Policy P59 (Green infrastructure), P66 (Reducing noise pollution and enhancing soundscapes, Policy P13 (Design of places), P14 (Design quality), Policy P15 (Residential design), Policy P20 (Conservation areas), Policy P21 (Conservation of the historic environment and natural heritage) and Policy P60 (Biodiversity) of the Southwark Plan (2022).

Above grade condition

#### 5 Tree Planting

Prior to works commencing above grade works, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations.

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

##### Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2021 Parts 8, 11, 12, 15 and 16; Policies SI 4 (Managing heat risk), SI 13 (Sustainable drainage), G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of the Southwark Plan (2022) P60 Biodiversity, P13 Design of places, P14 Design quality, P56 Protection of amenity



## Compliance condition

### 6 Arboricultural Site Supervision

#### Arboricultural Site Supervision

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

All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement for this site, as evidenced through signed sheets and photographs.

**APPENDIX 2****Relevant planning policy****National Planning Policy Framework (the Framework) 2021**

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

**The London Plan 2021**

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

**Southwark Plan 2022**

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

## **APPENDIX 3**

### **Relevant planning history of the site and nearby sites**

Reference and Proposal: N/A

## Consultation undertaken

Site notice date: 02.08.2023

Press notice date: 15.08.2023

Case officer site visit date: 02.08.2023

Neighbour consultation letters sent: N/A

### Internal services consulted

Environmental Protection Team

Ecology

### External services consulted

None

### Neighbour and local groups consulted:

None, site notices displayed at entrance

### Consultation responses received

Internal services

Ecology – None received

Urban Forester – No objection subject to conditions

External services

The Gardens Trust – No response

Neighbour and local groups:

None

**OPEN**

**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

**OPEN**

<b>COPIES</b>		<b>COPIES</b>	
<b>MEMBERS</b>		<b>PLANNING TEAM</b>	
Councillor Cleo Soanes (Chair)	1	Dennis Sangweme / Stephen Platts	1
Councillor Jane Salmon (Vice-Chair)	1		
Councillor Sabina Emmanuel	1		
Councillor Ketzia Harper	1		
Councillor Adam Hood	1		
Councillor Richard Livingstone	1	<b>COMMUNICATIONS TEAM (Electronic)</b>	
<b>Electronic Copies (No paper)</b>		Louise Neilan	
Councillor Richard Leeming			
		<b>LEGAL TEAM</b>	
Councillor Natasha Ennin (reserve)		Alex Gillott	1
Councillor Laura Johnson (reserve)			
Councillor Sandra Rhule (reserve)			
Councillor Charlie Smith (reserve)		<b>CONSTITUTIONAL TEAM</b>	
Councillor Emily Tester (reserve)		Beverley Olamijulo	3
<b>MEMBER OF PARLIAMENT (Electronic)</b>		<b>TOTAL PRINT RUN</b>	11
Helen Hayes MP, House of Commons, London, SW1A 0AA			

List Updated: 1 September 2023