

Planning Committee (Smaller Applications)

Wednesday 24 January 2024

7.00 pm

G02 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 or please contact the person below.

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

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 16 January 2024



Planning Committee (Smaller Applications)

Wednesday 24 January 2024

7.00 pm

G02 meeting rooms, 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	1 - 4
	To approve as a correct record the minutes of the meeting held on 14 November 2023.	
6.	DEVELOPMENT MANAGEMENT	5 - 9
6.1.	SITE AT 1-36 PRITER ROAD LONDON SOUTHWARK SE16 4QW	10 - 88

Item No.	Title	Page No.
6.2.	LAND TO NORTH OF FEATHERSTONE MEWS AND REAR 13-16 TALBOT ROAD, SE22 8EH, 25-30 ST FRANCIS ROAD SE22 8DE	89 - 114
6.3.	LAND ADJACENT 100 GLENGALL ROAD, SE15 6RR	115 - 134

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

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

Planning Committee (Smaller Applications)

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

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

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

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

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

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

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

Please note:

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

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

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

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



Planning Committee (Smaller Applications)

MINUTES of the Planning Committee (Smaller Applications) held on Tuesday 14 November 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 Ketzia Harper Councillor Laura Johnson (reserve) Councillor Richard Leeming
OTHER MEMBERS PRESENT:	Councillor Maggie Browning (ward member) Councillor Charlie Smith (ward member)
OFFICER SUPPORT:	Dennis Sangweme (Head of Development) Alison Brittain (Team Leader Enforcement) Zoe Brown (Team Leader, Major Applications and New Homes) Anna Poulouse (Development Management) Alex Gillott (Legal Officer) Beverley Olamijulo (Constitutional Officer)

1. APOLOGIES

Apologies for absence were received from Councillors Adam Hood and Richard Livingstone.

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

The following member made a declaration regarding the agenda item below:

Agenda item 6.2 – Alleyns School, Townley Road, London SE22 8SU

Councillor Richard Leeming, non-pecuniary, although the planning application was not in his ward, a number of local residents from the ward he represents, expressed an interest in the proposed development. He stated that he would consider the application with an open mind.

5. MINUTES

RESOLVED:

That the minutes for Planning Committee (Smaller Applications) meeting held on 18 October 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 2 BELVOIR ROAD, LONDON SE22 0QY

Planning application reference 22/AP/2447

Report: See pages 10 to 58 of the agenda pack and addendum pages 1 – 3.

PROPOSAL

Erection of two storey three bedroom dwelling at rear with raised terrace, landscaping and parking, single storey extension to existing dwelling and associated alterations.

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's agents addressed the meeting and responded to questions from members.

There were no supporters present who lived within 100 metres of the development site and wished to speak.

Councillor Maggie Browning spoke in her 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:
 - a) The conditions set out in the report and addendum report and,
 - b) The completion of a Section 106 Legal Agreement.
2. That in the event that a legal agreement is not signed by 14 April 2024, the director of planning and growth be authorised to refuse planning permission if appropriate.

At 8.19pm, the meeting took a five-minute comfort break. The committee reconvened at 8.24pm.

6.2 ALLEYNS SCHOOL, TOWNLEY ROAD, LONDON SE22 8SU

Planning application reference 23/AP/1792

Report: See pages 59 to 94 of the agenda pack and addendum page 3.

PROPOSAL

Retention of an engineering operation for temporary use of amenity grassland as a staff parking area by installation of tarmac drive and unbound gravel over permeable membrane until 31 August 2025.

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

There were no objectors present at the meeting wishing to address the committee.

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

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

Councillor Charlie Smith 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:

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

The meeting ended at 9.00 pm

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 24 January 2024	Meeting Name: Planning Committee (Smaller Applications)
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Levelling Up, Housing and Communities and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within

the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.

- c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.
6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive – Governance and Assurance

12. A resolution to grant planning permission shall mean that the director of planning and growth is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the director of planning and growth shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth is authorised to issue a planning

permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the assistant chief executive – governance and assurance, and which is satisfactory to the director of planning and growth. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the assistant chief executive – governance and assurance. The planning permission will not be issued unless such an agreement is completed.

14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission.
15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently the Southwark Plan which was adopted by the council in February 2022. The Southwark Plan 2022 was adopted after the London Plan in 2021. For the purpose of decision-making, the policies of the London Plan 2021 should not be considered out of date simply because they were adopted before the Southwark Plan 2022. London Plan policies should be given weight according to the degree of consistency with the Southwark Plan 2022.
16. The National Planning Policy Framework (NPPF), as amended in July 2021, is a relevant material consideration and should be taken into account in any decision-making.
17. Section 143 of the Localism Act 2011 provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
18. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010 as amended, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

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

BACKGROUND DOCUMENTS

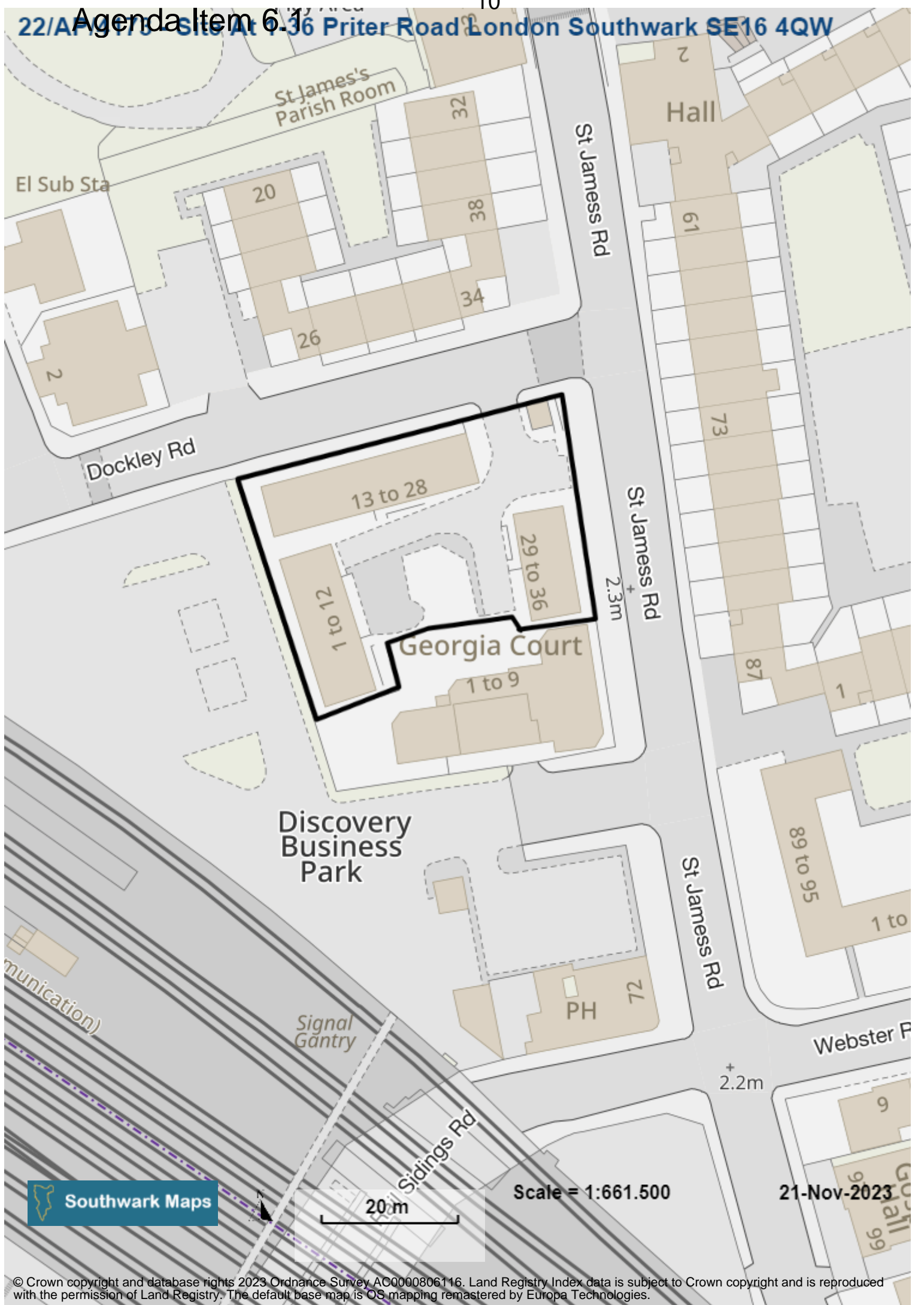
Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	Planning Department 020 7525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

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Beverley Olamijulo, Constitutional Officer Nagla Stevens, Deputy Head of Law (Planning and Development)	
Version	Final	
Dated	11 January 2024	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Assistant Chief Executive – Governance and Assurance	Yes	Yes
Director of Planning and Growth	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		11 January 2024



Southwark Maps

20 m

Scale = 1:661.500

21-Nov-2023

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Item No. 6.1	Classification: Open	Date: 24 January 2024	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application for: Full Planning Application Address: SITE AT 1-36 PRITER ROAD LONDON SE16 4QW Proposal: Demolition of 3no. two storey buildings previously used as temporary housing accommodation and the construction of a part 5 and part 6 storey building to provide 35 residential units (C3) (12 x 1 bed; 10 x 2 bed and 13 x 3 bed) and associated landscaping, cycle storage, play space and blue badge parking space.		
Ward or groups affected:	North Bermondsey		
From:	Director of Planning and Growth		
Application Start Date 16.12.2022		PPA Expiry Date	
Earliest Decision Date 17.03.2023			

RECOMMENDATIONS

1. That planning permission be granted, subject to: the conditions as set out in the report; and the completion of a unilateral undertaking.
2. That in the event that a legal agreement is not signed by 24 April 2024 the director of Planning and Growth be authorised to refuse planning permission if appropriate.

EXECUTIVE SUMMARY

3. This small scale major application is for decision by the Planning Committee (Smaller Applications) as five or more objections have been received.
4. The application is for the demolition of the existing three two-storey temporary housing/hostel buildings on the site and the construction of a part 5, part 6 storey block containing 35 flats (12 x 1 bed; 10 x 2 bed and 13 x 3 bed), the provision of new

communal amenity space and young child play space, 1 no. blue badge parking bay, and refuse and cycle storage.

5. The temporary housing/hostel buildings on site have been vacant since 2020. In December 2021 an Individual Decision Maker (IDM) report approved the inclusion of a number of hostels in the New Homes Programme, including Priter Road, to meet the strategic aim of Policy SP1 of the Southwark Plan (2022) to build 11,000 new council homes by 2043. The proposed residential use of the site is considered to be acceptable in principle given its location within a predominanently residential area.
6. The proposed tenure mix is as follows and would comply with Policy H4 of the London Plan (2021) and Southwark Plan (2022) Policy P1.

Tenure	No. units	No. hab rooms	% hab rooms
Social rent	15	67	57
Private	20	50	43
Total	35	117	100

7. The proposed dwelling mix is as follows and would meet the requirements of Policy P2 of the Southwark Plan 2022 and London Plan (2021) Policy H10.

Unit size	Total number of units	No. of social rented units	No. of private units
1 bedroom 2 person	12	1	11
2 bedroom 4 person	10	5	8
3 bedroom 5 person	13	9	1
All units	35	15	20

8. The scale of the proposed development is considered to be acceptable and would not result in an unacceptable impact on daylight or sunlight on the surrounding properties, whilst also providing a high quality of accommodation for future occupiers.

	Proposed development
Trees	No trees required to be removed
Urban Greening Factor	0.45
Car parking	0 spaces
Blue badge parking spaces	1 no. blue badge space

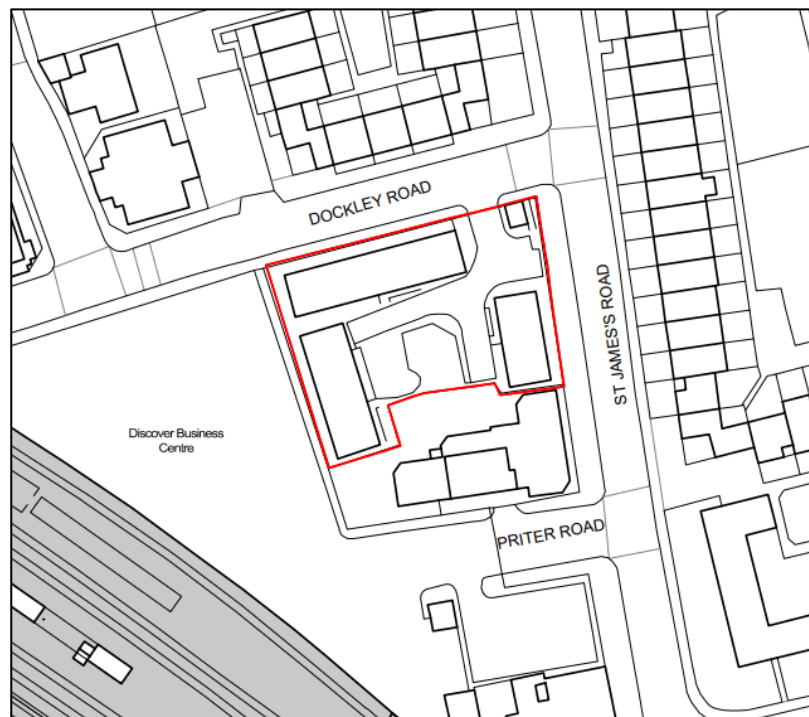
Cycle parking	64 spaces
Communal amenity space	78.5 sqm
Child play space	132sqm for 0-4 years Contribution of £18,573 towards older children playspace
Carbon reductions beyond part L Building regulations	76% beyond Part L 2021 Contribution of £22,135 towards carbon offsetting

BACKGROUND INFORMATION

Site location and description

10. The application site is bound by Dockley Road to the north, St James' Road to the east, Georgia Court (a nine unit residential development) to the south and Discovery Business Park to the west and south-west.
11. The site comprises of three two-storey buildings, arranged in a U-shape surrounding a central courtyard/child play space. The buildings contain 36 units with the capacity to house up to 144 individuals. The existing use of the site is for temporary housing/hostel, however, the buildings have been vacant since 2020 following a phased closure of the temporary accommodation.

12.



Existing site location plan

13. The surrounding area is predominately low rise low density residential accommodation,

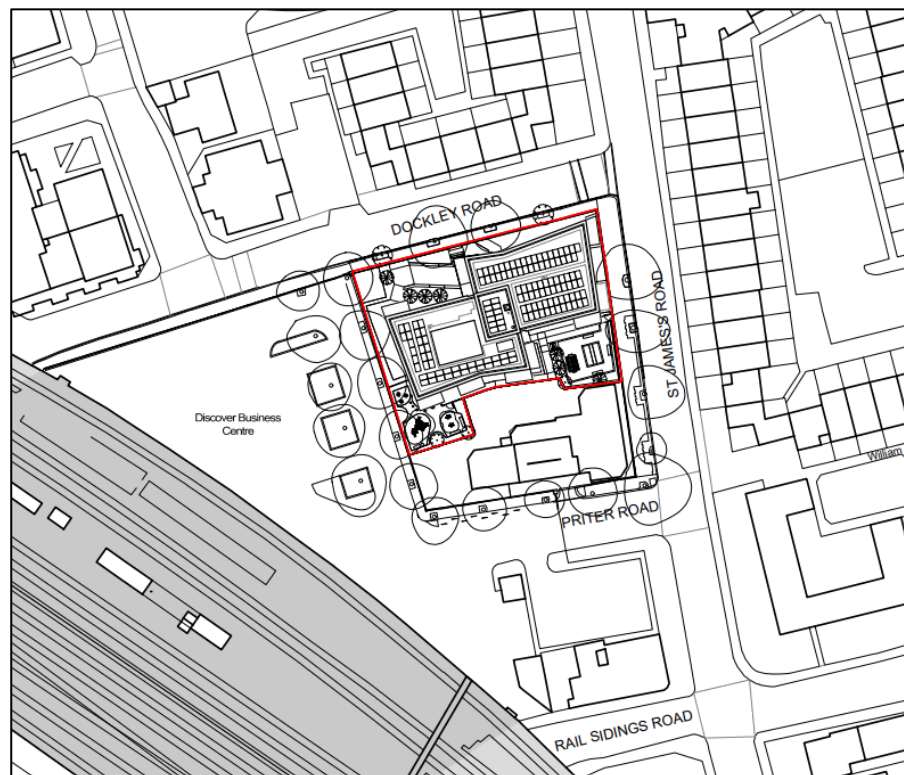
ranging from terraced single family homes on Dockley Road and St James's Road and low flatted developments to the south at Georgia Court. The site is not in a conservation area, however, the Grade II* listed St James Church is located to the north of the site and the railway bridge to the north-west of the site on Spa Road is also Grade II listed.

14. The site is subject to the following designations:

- Bermondsey Area Vision
- North Southwark and Roman Roads Archaeological Priority Area
- Air Quality Management Area
- Flood Zone 2/3
- Urban Zone (family homes designation).

Details of proposal

15. The proposed development is for the demolition of the existing three two-storey buildings on the site and the construction of a part 5, part 6 storey block containing 35 flats (12 x 1 bed; 10 x 2 bed and 13 x 3 bed).



Proposed site plan

16. 15 flats would be social rented homes and 20 flats would be market homes. The proposal forms part of the council's New Homes Delivery Programme which seeks to deliver 11,000 new homes by 2043.

17. The proposed built form comprises two staggered blocks that interlock at one corner; a five-storey block occupying the street corner and a six-storey block offset towards the southwest corner of the site. The overlapping massing contains the communal stair and two lift cores. An area of communal outdoor space is positioned onto St James's Road, intervening between the lower block and the neighbouring Georgia Court. A further area communal outdoor play space is located within the southwest corner.
18. The proposal would also provide 1no. blue badge parking space and landscaping, including a communal garden and child play space. Refuse storage and cycle storage are also proposed.



Proposed ground floor plan



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 4. Borough Blend (or similar) brick, running bond protruding detail with light natural mortar recessed joints
 5. Aluminium timber composite framed balcony door w/ glazed fixed lower panel polyester powder coat finish
 6. Aluminium timber composite framed balcony door w/ glazed fixed side panel polyester powder coat finish
 7. Aluminium timber composite framed A/DV
 8. Powder coated galvanized mild steel vertical balustrade polyester powder coat finish to match window frames
 9. Glazed aluminium stairfront system polyester powder coat finish to match window frames
 10. Commercial entrance metal framed glazed door
 11. Polyester powder coated metal louvre feature door
 12. External lighting to entrance and balconies. Metal downlights polyester powder coat finish to match window frames
 13. Air bricks polyester powder coat finish to match window frame
 14. Indicative entry signage cast acrylic
 15. Metal weather louvre assemblies for ventilation colour to match window frames and balconies
 16. Metal coping polyester powder coat finish to match window frames
 17. Generator free stainless steel
 18. Acoustic ventilation unit
 19. External stair
 20. Metal roof and half door system with top panel colour to match window frames and balconies

ST. JAMES'S ROAD **SITE** DISCOVERY BUSINESS CENTER

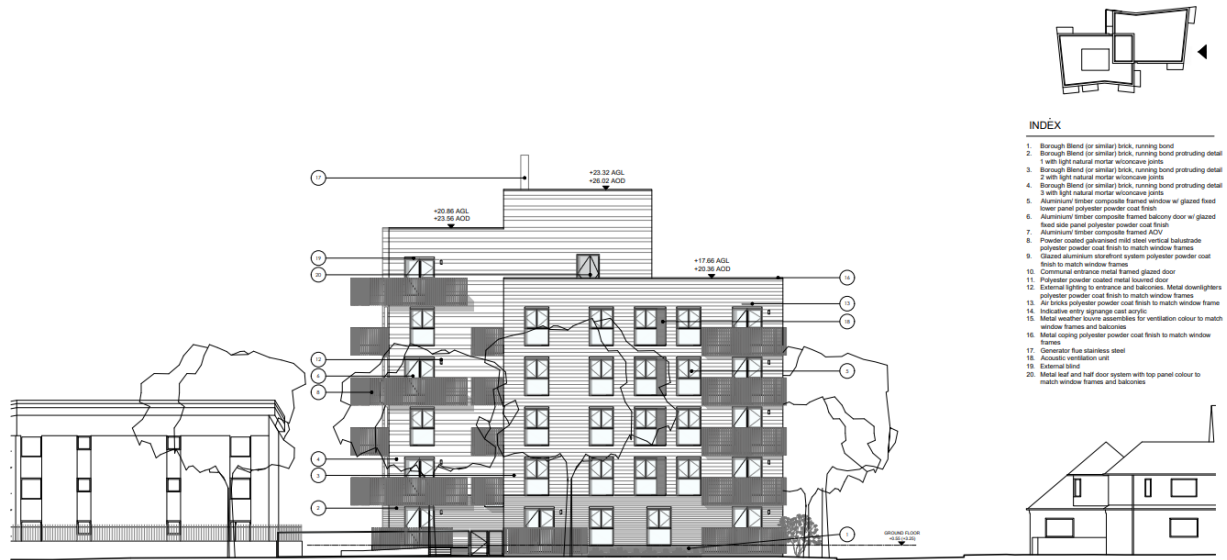
Proposed north elevation



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DISCOVERY BUSINESS CENTRE **SITE** ST. JAMES'S ROAD

Proposed south elevation



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4. Borough Blend (or similar) brick, running bond protruding detail 3 with light natural mortar recessed joints
5. Aluminium timber composite framed window w/ glazed fixed lower panel polyester powder coat finish
6. Aluminium timber composite framed balcony door w/ glazed fixed side panel polyester powder coat finish
7. Aluminium timber composite framed ADV
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17. Generator fan stainless steel
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GEORGIA COURT SITE DOCKLEY ROAD

Proposed east elevation



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15. Metal weather louvre assemblies for ventilation colour to match window frames and balconies
16. Metal coping polyester powder coat finish to match window frames
17. Generator fan stainless steel
18. Acoustic ventilation unit
19. External blind
20. Metal leaf and half door system with top panel colour to match window frames and balconies

DOCKLEY ROAD SITE GEORGIA COURT

Proposed west elevation

Consultation responses from members of the public and local groups

19. Consultation responses:

Summarised below are the material planning consideration raised by members of the public.

20. 7 objections have been received including 2 petitions (signed by 17 people and 14 people respectively) relating to the following matters:
21. Design quality and site layout:
- The building is too high
 - It should be the same height as the existing structure
 - Should be no more than 2 storeys.
22. Neighbouring amenity impacts:
- The proposed application would mean an invasion of privacy and loss of enjoyment of their property
 - The daylight/sunlight assessment has not considered the loss of light to neighbouring gardens – in particular the front and rear gardens belonging to 20, 22 and 24 Dockley Road, 36-40 and 71 St James' Road
 - Similar concerns were also raised by the Keetons Tenants and Residents Association – detrimental impact on light and privacy to the homes on St James's and Dockley Road
 - Adequate and appropriate acoustic treatment should be built into the development to protect future resident's amenity from occupiers on the Discovery Business Park in order to protect existing business operations.
23. Transport, parking, highways, deliveries and servicing matters:
- Increased traffic through Dockley Road
 - Transport infrastructure – the tube is already too busy
 - The new housing would not have parking, all the cars will be parked along St James's Road resulting in increased pollution and noise
 - Concern regarding the building works on day-to-day impact on the Discovery Business Park who require 24-hour access.
24. Other matters:
- Would increase pressure on existing community infrastructure and services
25. Engagement undertaken by the applicant:
- An Engagement Summary has been provided by Southwark Construction which outlines the engagement that has been undertaken since November 2021
 - This includes emails to stakeholders within the vicinity of the site including Network Rail, Hyde Housing, ArchCo Discovery Business Park from November 2021 – March 2022
 - Online consultation in December 2022
 - Drop in events in September 2022
 - Lead and Ward Member Briefing 6 September 2022

- Letters to residents and notices via the Consultation hub in February, August and November 2022
 - Subsequent site visits to local businesses and service providers in the area including The German Kindergarten, Bermondsey Spa Medical Practice, and the St James's of Bermondsey Pub.
26. During the committee members site visit on 25 September 2023, a query was raised regarding the occupants of Georgia Court. Through discussion with property manager, Hyde Housing, it became apparent to officers that some of the occupants of Georgia Court have learning disabilities and as a result all formal letters are also provided in an Easy Read format. To ensure that all of the occupants have had the opportunity to comment on the application an Easy Read version of the neighbour consultation letter has been prepared and circulated to residents on 13 November 2023. No comments were received from the residents of Georgia Court or Hyde Housing.

Planning history of the site, and adjoining or nearby sites

27. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 4.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

28. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
 - Tenure mix, dwelling mix and wheelchair accessible housing
 - Quality of residential accommodation
 - Design, layout, heritage assets
 - Landscaping and trees
 - Ecology and biodiversity
 - Outdoor amenity space, children's playspace and public open space
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area
 - Transport and highways
 - Secured by Design
 - Noise and vibration
 - Energy and sustainability
 - Air quality
 - Ground conditions and contamination
 - Flood Risk

- Archaeology
- Fire Safety
- Planning obligations
- Consultation responses from internal and divisional consultees
- Consultation responses from external consultees
- Community impact and equalities assessment
- Human rights.

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

Legal context

30. 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.
31. S66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. There are also specific statutory duties in respect of human rights and the application 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.
32. 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

33. The statutory development plans for the Borough comprise the London Plan (2021) and the Southwark Plan (2022). The National Planning Policy Framework (2023) and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 2. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of the proposed development in terms of land use

34. Under Section 21 of the Housing Act 1988 the council has a duty to prevent individuals

from become homeless. If a person is considered to be homeless the council has a duty to help them to secure accommodation that is available for at least six months. The temporary hostel accommodation at Priter Road originally comprised 36 self-contained units with the capacity to house 144 individuals from a range of backgrounds including families.

35. The proposal seeks the demolition of the existing temporary hostel housing accommodation and the construction of a new building containing 35 residential flats. Southwark Plan (2022) Policy P10 sets out that:

'Change of use from supported housing and hostels to other uses will not be permitted where the existing use meets an identified local housing need'.

36. In 2017 by the director of Resident Services commissioned an external review of the council's hostel/temporary accommodation by Campbell Tickell. The review concluded that there were 21 council hostels in the borough; 3 offering high support to the residents (Keyworth St, Wren Road and Northcoot), and the remaining 18 were unsupported family hostels that offer poor quality shared accommodation.
37. In 2019, following the external review, the head of accommodation and support met with the New Homes team and outlined the opportunities for development or renewal of the 18 hostel sites that were identified as poor quality. In early 2020 Government Guidance was released as a result of the COVID-19 outbreak stating that it was not appropriate to house residents where they are required to share facilities.
38. The Priter Road hostel accommodation had basic shared facilities including shared kitchens, bathrooms and laundry rooms. The site was occupied until 2020, however, following the external review by Campbell Tickell, the Government Guidance during COVID-19 and the opportunity identified by the New Homes Team to redevelop the site, a phased approach was taken to move the occupants to alternative permanent council accommodation within the borough. The temporary accommodation/hostel at Priter Road has been vacant since 2020.
39. In December 2020, an Individual Decision Maker (IDM) report was submitted to the cabinet members for housing to agree to 12 hostel/temporary accommodation sites, including Priter Road, into the New Homes programme. The IDM considered that given the unsuitability of the buildings, long term capital investment, and the Government guidance in response to COVID-19, the continued usage of the temporary hostel accommodation would not be appropriate. At the time of writing the IDM report it was explained that the 18 hostels, including Priter Road were empty as a result of re-housing residents into self-contained accommodation with residents supported by the temporary accommodation and housing solutions teams.
40. On 29 April 2021 the cabinet member for council housing agreed to add Priter Road, and the other 11 identified sites to the New Homes Programme.

41. Overall, it is considered that the principle of the redevelopment of the hostel/temporary accommodation at Priter Road would comply with Southwark (2022) Plan Policy P10. The principle of the redevelopment of the site to provide additional residential units would also meet the strategic aim of policy SP1 of the Southwark Plan (2022) to build 11,000 new council homes by 2043.

Tenure mix, dwelling mix and wheelchair accessible housing

Tenure mix:

42. In terms of tenure mix the habitable room breakdown is as follows:

Tenure	No. hab rooms	% hab rooms
Social rent	67	57
Private	50	43
Total	117	100

43. London Plan Policy H4 requires public sector land to provide a minimum of 50% affordable housing on site (calculated per habitable room). The development will provide 57% social rent which would meet the threshold set by the London Plan.
44. Southwark Plan 2022 Policy P1 requires developments to provide the maximum possible amount of affordable housing with a minimum of 35% social and intermediate housing and a tenure split of 25% social and 10% intermediate. The policy also allows for developments which provide 40% social and intermediate housing with a policy compliant tenure mix to follow the fast track route i.e. not provide a viability assessment.
45. The proposed development would not comply with the tenure split as specified in Policy P1 as it would not provide intermediate housing. However, it would provide 57% social rent. London Plan Policy H6 allows for schemes to follow the fast track route where the applicant elects to provide low-cost rented homes in place of intermediate homes. Therefore, the provision of social rent housing is considered acceptable and the scheme can follow the fast track route (which means it is not necessary for the developer to provide a viability assessment).

Dwelling mix:

46. The proposed housing mix is as follows:

Unit size	Total number of units	No. of social rented units	No. of private units
1 bedroom 2 person	12	1	11
2 bedroom 4 person	10	5	8
3 bedroom 5 person	13	9	1
All units	35	15	20

47. 65.7% of the new homes would have two or more bedrooms which exceeds the minimum 60% requirement as set out in Policy P2 of the Southwark Plan 2022. Furthermore, 37% of homes would have 3 bedrooms which exceeds the 25% minimum requirement in the urban zone. The housing mix is policy compliant.

Wheelchair units

48. Three wheelchair units are provided at ground floor level including (1x 1 bed, 1 x 2 bed and 1 x 3 bed). This represents 11 of the 117 habitable rooms proposed (10.6%) and is compliant with the requirement of Southwark Plan Policy P8 to provide 10% wheelchair housing.

Quality of residential accommodation

Dwelling sizes

49. All dwellings meet the Nationally Described Space Standards. In addition, all individual room sizes meet the recommended minimum standards as set out in Southwark Plan (2022) Policy P15 (Residential Design).

Daylight and sunlight

50. An internal daylight and sunlight assessment concluded that the overall proposed daylight and sunlight into the new residential units is acceptable in relation to BRE Guidance 2022.
51. The Climate Based Daylight Modelling (CBDMM) methodology was used to assess the proposed internal daylighting and is based on target illuminances from daylight. The UK National Annex provides illuminance recommendations of:

- 100 Lux in bedrooms
- 150 Lux in living rooms; and
- 200 Lux in kitchens

It should be noted that if a kitchen forms part of a wider living room space then a 150 lux should be used.

52. Of the 117 habitable rooms assessed in terms of daylight amenity, 114 (97.4%) achieve the target illuminance value appropriate to the room use over at least 50% of the rooms area. Three rooms, including two living rooms and one kitchen, are only marginally below the target reaching illuminance levels of 143.8 lux, 148.9 lux and 138.1 lux. It is noted in the submitted daylight sunlight report that the minor derogations to these rooms are caused because of the depth of the rooms and balconies which block some of the daylight which is considered to be acceptable.
53. With regards to sunlight, BRE guidance states that a space should receive a minimum of 1.5 hours of sunlight on 21 March. All dwellings exceed the target level of sunlight in at least one room.
54. The assessment also tested the overshadowing on the proposed private amenity spaces. BRE Guidance recommends that at least half a garden or amenity space should receive at least two hours of sunlight on 21 March. The assessment concludes that the amenity space is fully compliant with BRE's recommendations.
55. In addition, 29 (85%) of the units are dual aspect with five (15%) units being single aspect. These single aspect units are all one bedroom dwellings and are south facing so will receive good levels of daylight and sunlight which on balance is considered acceptable.

Private and communal amenity space

56. All dwellings have access to private amenity space of a minimum of 10sqm in line with Southwark's Residential Design Standards SPD (2015) and Southwark Plan (2022) Policy P15. At ground floor level, planting is proposed around the balconies on the eastern elevation to provide defensible space against the public footway and communal amenity space.
57. 78.5 sqm of communal amenity space is provided to the south east of the site which accords with the requirements to provide 50sqm. Residents of the social and intermediate dwellings and private dwellings will both have access to the communal amenity space.

Conclusion

58. Overall the proposed development would provide a high quality of both internal and external accommodation for future occupiers.

Design, layout and heritage assets

Layout

59. The proposed built form comprises two staggered blocks that interlock at one corner; a five-storey block occupying the street corner and a six-storey block offset towards the southwest corner of the site. The general built form works well to make the most of the site and to provide an efficient layout, with the two housing tenures sharing the main entrance and cores. The building is positioned generally 2.5m behind the back edge of the pavement, with railings and a planted margin onto the street. The modest setback reflects the wider general building line along the west side of St James's Street, albeit the neighbouring terrace north of Dockley Road briefly sets back further for visual relief.
60. The building sits detached from its neighbour, Georgia Court, with the intervening space helping to preserve the latter's amenity. Its stand-alone form is out of character with the terraced form of St James's Road, but reflects the emerging building pattern within the Dockley Road area. In terms of the layout, the building has a single main communal entrance, which is positioned towards the secondary street, Dockley Road. Whilst this is not onto the main road, St James's Road, it does help to activate Dockley Road, which is a quieter side street. Nonetheless, the flat layouts will support sufficient informal surveillance of St James's Road, assisted by the slightly raised ground floor level, which also serves to improve the amenity of the accommodation.
61. The communal entrance is positioned on the building's west elevation and sides onto Dockley Road rather than addressing the street directly. Whilst the entrance canopy has a short return onto the Dockley Road frontage, its street presence is underwhelming and not especially legible, particularly when viewed from the junction with St James's Road. While it would have been beneficial from a design point of view to have the entrance onto Dockley Road in order to activate the street, it is understood from the applicant that a change in level would have required there to be a separate entrance for wheelchair users. Given the equalities impacts that this would have, the current entrance layout is considered acceptable on balance.
62. Elsewhere at ground floor, the accommodation is concentrated into the street-facing block, whereas the rear block comprises plant and cycle storage. Whilst the latter deadens the elevations, it is contained within the rearmost part of the development and is onto the neighbouring business estate, and as such is sensible. A condition requiring the provision of a fixed window onto the bike store is advised to allow some visual relief and oversight.

Height, scale and massing

63. Regarding the height and massing, at five storeys (c.18m to parapet) onto St James's/Dockley Road the development will be taller than its immediate context of St James's Road, which is predominantly two to three storeys along this stretch of St James's Road. The proposed height, however, works well in terms of the street width and the presence of the large street trees. Moreover, the proposed height references the recent residential developments further northwards along St James's Road and Dockley Road. This emerging context is generally five or six storeys, albeit with a four-storey shoulder height. At five proposed storeys, the new building would have a strong corner presence

on the junction of Dockley Road, but would not read as uncomfortable.

64. The height of the building steps up to the rear, with the interlocking rear volume comprising six storeys (c.23.5m AOD to parapet). However, the additional height is pushed sufficiently away from the adjacent street frontages, reducing its sense of scale and visual impact on the adjoining townscape. The six-storey height would be more evident to the rear, although this is onto the open space of the neighbouring business estate and would be read within the context of the tall railway viaduct.
65. The core overrun/plant results in an additional 3m in height (c.26m AOD), but is positioned centrally and has been compressed to minimise its massing. Whilst it would remain visible above the lower street-facing block, it would only be seen obliquely and not present excessive rooftop bulk. The use of decorative brickwork would offer subtle visual interest and a coherent design. Importantly, the core overrun provides access to the rooftop PVs, which remain below the height of the parapet walls, ensuring uncluttered rooflines.
66. Regarding its general massing, whilst the block footprints are large, the overlapping form and articulation of the north and south facades greatly help to ease the apparent scale and avoid the building becoming overly bulky. The articulation of the north and south elevations with the subtle inflexions of the façade lines work well to break up the elevations and add visual interest, without unduly affecting the internal room layouts.

Elevational design and architecture

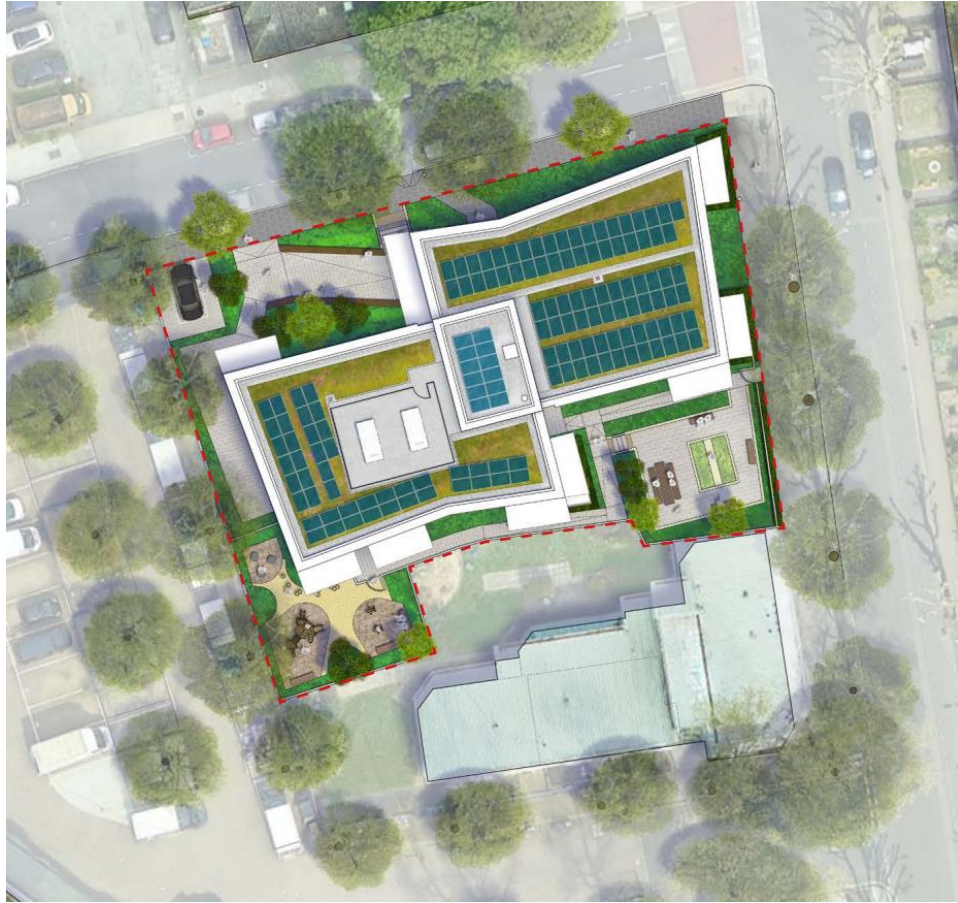
67. Looking at the elevational design, the aesthetic of brickwork facades with punched-hole openings is welcome, providing a robust appearance to the building. This is reinforced by the banded rusticated brickwork and moderately deep window and door reveals of the flats, the details of which should be confirmed by condition. The ordered placement and uniform length of the window openings give a calm appearance, whilst there is variation in window sizes reflecting the room use, which is supported.
68. The use of the blended London stock brickwork is welcome, being contextual with the adjacent railway viaduct and more recent developments within the wider area, with the occasional white brick further softening the appearance. The brick choice is complemented by a natural mortar. The quality of the brickwork should be confirmed by condition. The window frames should be in aluminium and in a contrasting dark colour, which similarly should be confirmed by condition.
69. The inclusion of brickwork detailing to relieve the facades is welcome, providing visual richness. The proposal is for brickwork banding that subtly differs between the two blocks and interweave for the rooftop plant overrun. This design is intriguing, although the detailing should be confirmed by condition, including sample panels.
70. A notable feature is the inclusion of external roller shutters, which are fitted within the brickwork openings. The provision is understandable, although the shutter boxes and

guides would need to be carefully detailed, including hidden shutter boxes, if they are not to clutter the design.

71. Balconies are provided for all flats. As the ground floor flats are for wheelchair users, the need for level access and the building's plinth requires the provision of balconies at this level too. Importantly, the balconies are set back from the property boundary, albeit the space onto the pavement is tight, it would be designed to allow for boundary railings and an intervening planting. The satisfactory detailing of this arrangement will be confirmed by condition, as will how any gap beneath the ground floor balconies is secured to prevent litter accumulation. Furthermore, the boundary finish for the balconies will be agreed via condition, as the full use of railings is too transparent a design, impacting upon the amenity of the flats.

Landscaping and trees

72. The site occupies an area of land surrounded by mature London Plane trees, planted by Dr Salter as part of the Beautification of Bermondsey. Whilst trees to the North on Dockley Road have since been replaced by Norway Maple and there have been other losses, the majority remain intact with the trees still marking the extents of Priter Road. Of these trees, an avenue of 10 London Planes form the most striking arboricultural feature for the site.
73. Foundation design and impacts to the canopies of trees have been addressed through an AIA (Arboricultural Impact assessment) which takes into account the interface between the buildings and the trees and due consideration of the construction methods. With regards foundations, this should be of raft and pile design to limit impact on tree roots, it is recommended that a condition is attached to secure these details prior to commencement of development.
74. No trees are to be removed to facilitate the development, whilst pruning requirements are suitable to species and location without any undue harm or perceived loss of amenity.
75. Ground levels will be altered but full details are not yet available. The greatest risk area is in the vicinity of T6 & T9 where transitioning from the existing arrangement will require competent contractors and arboricultural oversight of works. Scope exists to only protect a very minimal part of T9 and be practical in the delivery of the project. This work will be kept under review during the site inspection and delivery phases. It is recommended that conditions are attached so that an arboricultural method statement is submitted and to ensure arboricultural site supervision is undertaken.
76. General landscaping arrangements proposed on the site are acceptable as shown in the indicative layout below, but will be subject to further specification for planting and long term maintenance via condition. Details of the green roof are to be confirmed via condition.



Proposed landscaping plan

Ecology and biodiversity

77. The Ecology Officer has reviewed the proposed and has confirmed that the proposed brown roof and soft landscaping across the site would contribute to biodiversity net gain in accordance with policy P60 of the Southwark Plan (2022).
78. Policy G5 of the London Plan requires major development to contribute to the greening of London. For predominantly residential development a UGF score of 0.4 should be achieved. The Urban Greening Factor of the proposed development would be 0.45 which exceeds the London Plan policy requirements of 0.4.
79. It is recommended that conditions are attached requiring details of hard and soft landscaping, the biodiversity brown roof, external lighting to be submitted and the installation of 12 universal nesting bricks and 6 bat tubes.

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

80. The proposed development would provide 78.5 sqm of formal communal amenity space on site, not including play space. This quantity exceeds the 50 sqm minimum

requirement as set out by planning policy.

81. As determined by the GLA calculator, the expected child yield of the development:

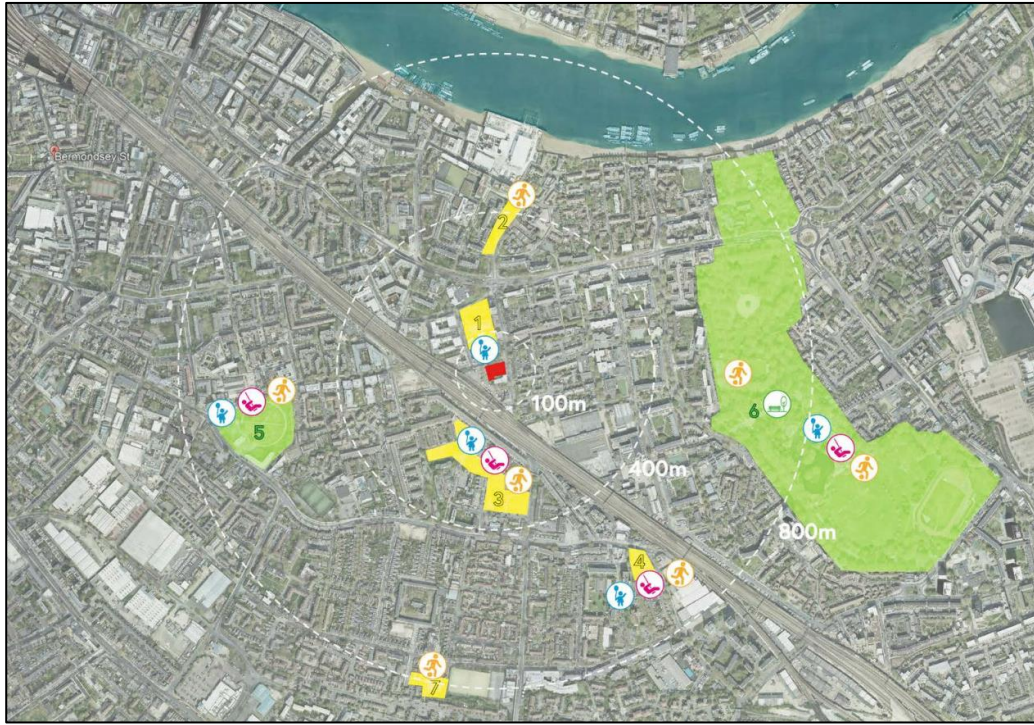
Age group	Child yield	Play space requirement
0-4	10.4	104
5-11	8.4	84
12+	4.4	44
16-18	2.3	23

82. A minimum of 10sqm of play space per child is required which would give a total play space requirement of 255sqm. The proposed development would provide 132sqm of child play on site for ages 0-4, which meets requirement for children aged 0-4. This is shown on the landscape plan below.



*Child play located to the south west of the site
and communal amenity to the south east*

83. Given the limited space on the site, there is no further opportunity for child play space on site. There is existing play space for 5-11 year olds and 12 + year old within 400m of the site at Mack's Road playground and additional play space for 12+ year olds at Bevington Street. In accordance with the S106 Planning and CIL SPD (2020) any shortfall in the required amount of child play space will be charged at £151 per sqm which is the average cost in Southwark for improving play space. There would be a shortfall of 123sqm, which would equate to a contribution of £18,573.00. This would be secured in the unilateral undertaking.



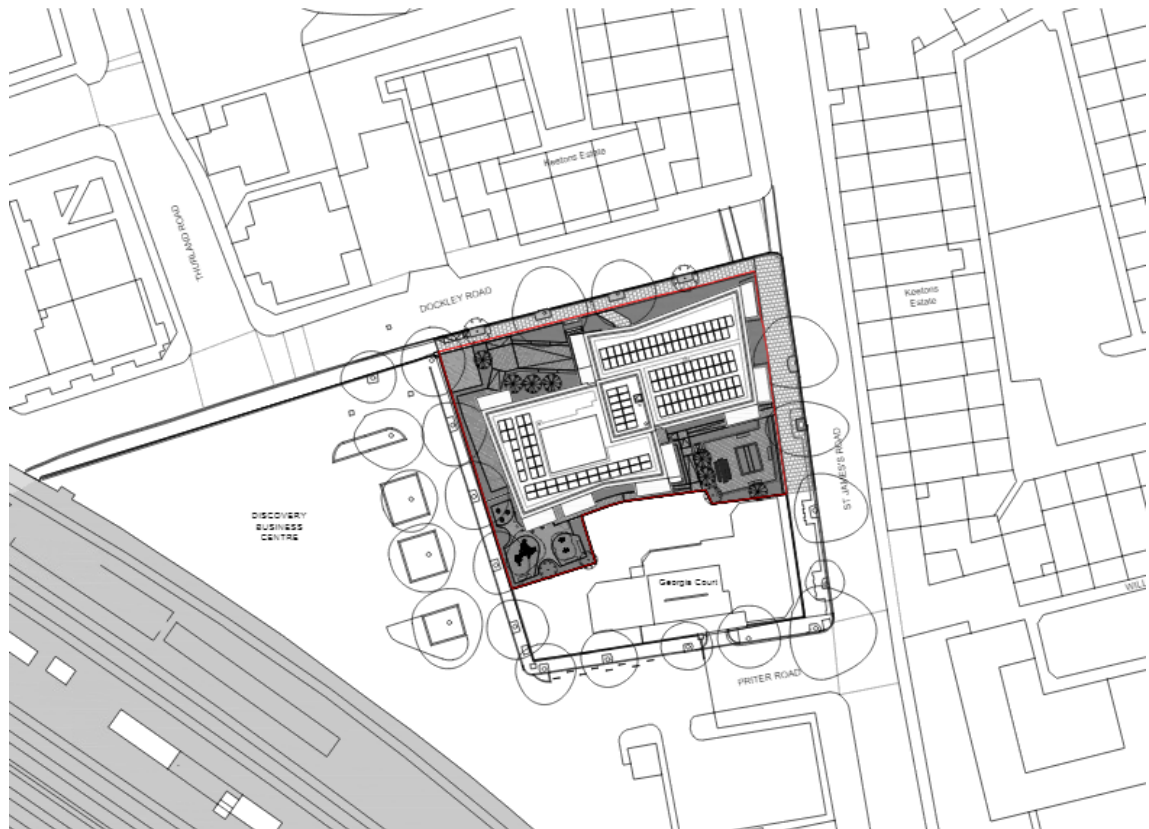
Child play space in proximity of the site

84. Given that the communal amenity space is adjacent to a public highway and the child play space is in relatively close proximity to a business park, boundary treatments are of great importance in order to preserve privacy and amenity. It is therefore recommended that a condition is attached to ensure that details of boundary treatment are submitted for approval.

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

85. 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.
86. The nearest properties to the site are:
- Messenger Court
 - Dickens Whinney House, 2 Thurland Road
 - 26-34 Dockley Road (even)
 - 61-85 St James' Road and 89-95 St James' Road (odd)
 - Georgia Court

- Discovery Business Park



Proposed scheme in context

Impact of the proposed use

87. The proposed residential use would be acceptable in principle given its location within a predominately residential area.

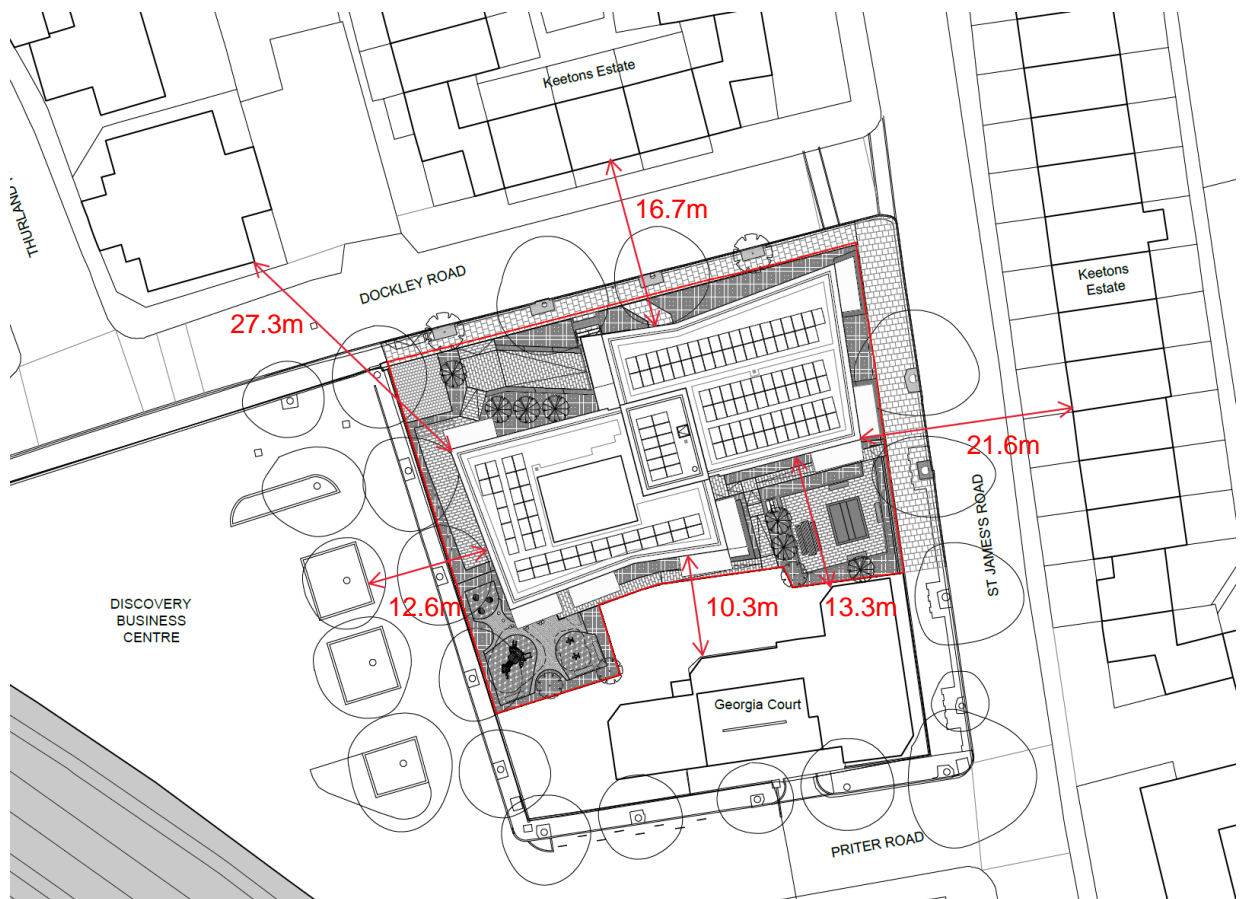
Privacy, outlook and sense of enclosure

88. 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.

89. Objectors have raised concerns with regards to loss of privacy and that the proposed buildings would be in close proximity to adjoining properties, particularly the front garden areas which are used by residents on St James's Road.



Proposed Site plan with distances

90. An overlooking study has been undertaken and submitted with the application which considers the relationship with the nearby residential properties.
91. The proposed building would comply with the minimum separation distance of 12m between any elevation that fronts onto a highway, with a minimum of at least 16.7m being retained between the properties on Dockley Road, 21.6m on St James's Road and 27.3m with 2 Thurland Road.
92. In regards to Georgia Court, to the south of the proposed building, a separation distance of between 10.3m and 13.3m would be retained with the side elevation of the proposed development. This is considered to be sufficient to ensure that there is no overbearing impact on the neighbouring properties. There would be balconies positioned on the southern elevation of the new building which would be situated in the same location on the 1st and 3rd floors, and the same location on the 2nd and 4th floors, as shown in the drawings below.



Indicative floor plan floors 1 and 3



Indicative floor plan floors 2 and 4

93. Although the separation distance between the southern elevation of the new building and Georgia Court is considered satisfactory, there are some concerns regarding overlooking and loss of privacy. Amended plans have been submitted to include obscure/frosted screening on the first floor southern elevations windows of the new flats which face Georgia Court to mitigate against overlooking. It is recommended that a condition is included to ensure that the obscure/frosted screening is installed prior to occupation.
94. The boundary fence along the shared southern boundary of the application site has also been raised to 2.75m so that it is above the line sight of those in the ground floor conservatory at Georgia Court.

Daylight and sunlight

95. The following properties have been assessed for daylight and sunlight impacts in line with Building Research Establishment (BRE) guidance:
- Messenger Court
 - Dickens Whinney House
 - 26-34 (even) Dockley Road
 - 61-85 (odd) St James' Road
 - Georgia Court



Location of properties tested for daylight and sunlight impacts

96. With regards to Vertical Sky Component (VSC), the BRE guidelines state that the VSC should not be reduced to less than 0.8 times its former value which is unlikely to cause a noticeable change in the daylight.
97. With regards to the No Sky Line Assessment (NSL), the BRE guidelines state that the working planes within the room that has a view of the sky should not be reduced to less than 0.8 times its former value.
98. The Annual Probable Sunlight Hours Assessment (APSH) tests the sunlight into neighbouring properties. This is only relevant to windows that face 90 degrees south. Windows facing within 90 degrees of due north are not analysed as the impacts are deemed to be negligible. The BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter.

Messenger Court

99. 37 windows that face the site have been tested. In terms of daylight, all windows experience changes of VSC of less than 20% and there are no changes to the NSL. With regards to sunlight, each affected window is compliant with regards to the BRE guidelines for APSH.

Dickens Whinney House

100. 33 windows facing the site have been tested. All windows experience changes to the VSC and NSL of less than 20% in line with BRE guidelines. In terms of sunlight, all relevant windows also meet the BRE guidelines for APSH.

26-34 Dockley Road (even)

101. This row of terraced housing contains five dwellings. Each have been individually assessed.
102. With regards to 26 Dockley Road, four windows have been assessed which serve 3 habitable rooms. All 3 rooms experience changes in VSC and NSL, two of the window would experience a change of less than 20% in line with BRE guidelines. Two windows experience minor changes of 22.3% and 26.1%. These changes are minor and not considered unreasonable in a built up urban environment and residual VSC levels of over 23% would be retained. All relevant windows comply with BRE guidance for the sunlight.
103. Four windows serving three habitable rooms have been assessed for 28 Dockley Road. Two windows and one room would experience alterations of VSC and NSL of less than 20% which the BRE concludes will be unnoticeable. Window W3/30 would have a more noticeable change of 34% however, the window retains a residual daylight of 21.3% which is generally considered acceptable in a built up environment.

104. A more significant reduction is present in the remaining window which serves the living room (labelled as W4/30 in the daylight and sunlight assessment) which experiences a change in daylight of 93.4%. However, this window already experiences lower levels of VSC at 9.6% as it is obstructed by its set-back from the front elevation. The daylight and sunlight report concludes that if the obstruction was removed, the window would retain VSC levels of approx. 20% which is generally considered acceptable in an urban environment. With regards to sunlight, only one window would fall below the recommended BRE guidance for APSPH, however, as already highlighted, this window is already obstructed by its set back.
105. Three windows serving two habitable rooms have been assessed for 30 Dockley Road. Two windows and one room would experience changes of VSC and NSL of less than 20% in line with the BRE guidelines. One window will experience VSC reductions of 39.4% and NSL reductions of 46.7%. However, the residual VSC for this window will be 19.7% which is generally considered acceptable in a built up urban environment. All relevant windows pass the sunlight test.
106. With regards to 32 Dockley Road, seven windows serving three habitable rooms have been assessed. Three of the seven windows which serve two of the habitable rooms experience changes in VSC and NSL of less than 20% in line with BRE guidelines.
107. Four windows experience changes to VSC that range from 36% - 43% and a change in NSL in one room of 55.7%. However, each of the windows maintains adequate residual VSC of at least 19% which is generally considered acceptable in a built up urban environment. All of the relevant windows tested for sunlight meet the BRE guidelines.
108. Four windows serving three habitable rooms were assessed for 34 Dockley Road. Two windows experience changes of less than 20% for VSC and NSL. The remaining two windows experience changes slightly above the recommended 20% with changes of 29.1% and 25.8%. However, these changes are relatively minor and the windows will retain residual VSC of 25.3% and 22.9% which is generally considered acceptable in a built up urban environment.

61-85 (odd) St James' Road

109. This row of terraced houses have been individually assessed.
110. With regard to 61 St James's Road, five windows serving two habitable rooms have been assessed. Four of the windows would experience changes in VSC and NSL of less than 20%. The remaining window would experience a reduction of VSC of 27.1%, this window already suffers from a high degree of obstruction and is not the primary light providing window. In terms of ASPH all rooms would comply with BRE guidelines.
111. With regards to 63, 65, 67 and 69 St James's Road each property has five windows

associated with four habitable rooms which have been assessed. At all of the properties, four windows would experience unnoticeable alterations of VSC and NSL of less than 20%. The remaining windows would have a reduction of 26.8%, 28.3%, 27.9%, and 29.9%. These windows already suffer from a high degree of obstruction as they face a porch, and are not the primary light providing window. In terms of ASPH all rooms would comply with BRE guidelines.

112. At 71 St James's Road there are seven windows serving four habitable rooms. All windows would experience unnoticeable alterations of VSC and NSL of less than 20%. In terms of ASPH all rooms would comply with BRE guidelines.
113. At 73 St James's Road there are three windows serving two habitable rooms. All windows would experience unnoticeable alterations of VSC and NSL of less than 20%. In terms of ASPH all rooms would comply with BRE guidelines.
114. With regard to 75 St James's Road there are three windows serving two habitable rooms. Two windows would experience noticeable alterations of VSC of 21.8% (kitchen which is also served by a secondary window) and 21.1% (bedroom) which is considered to be minor. In terms of NSL there would be a reduction in the bedroom of 26.8% which is considered to be minor. Each would still retain a residual VSC of 26.6% and 25.9%. In terms of ASPH all rooms would comply with BRE guidelines.
115. At 77 St James's Road five windows and two rooms have been assessed. Two rooms served by three windows would experience a reduction of VSC and NSL of less than 20%. The remaining two windows would have a reduction of 22% which is considered to be minor. There would be no noticeable alterations of NSL in the kitchen. The bedroom window would have a minor noticeable reduction of NSL at 29.9%. In terms of ASPH all rooms would comply with BRE guidelines.
116. At 79 St James's Road all of the three windows serving two rooms would experience VSC and NSL reductions of less than 20%. The remaining room (bedroom) would experience a reduction of NSL of 29.3% which is considered to be minor and would still provide good daylight levels. In terms of ASPH all rooms would comply with BRE guidelines.
117. With regard to 81 St James's Road there are five windows serving two habitable rooms. All of the windows would experience alterations of VSC and NSL of less than 20%, the remaining rooms would experience reductions of NSL of 35.4% and 27% overall; this would still provide good daylight levels. In terms of ASPH all rooms would comply with BRE guidelines.
118. At 83 St James's Road there are three windows serving two habitable rooms. All windows would experience unnoticeable alterations of VSC and NSL of less than 20%. In terms of ASPH all rooms would comply with BRE guidelines.

119. At 85 St James's Road there are seven windows serving three habitable rooms. Six windows would experience alterations of VSC and NSL of less than 20%. One window serving the living room would experience a noticeable alterations of VSC of 29.2% and NSL of 65.2%. This window is already obstructed, therefore the assessment has also considered the impact without the obstruction in place. With the obstruction removed there would be a reduction of VSC of 13.4% which would be unnoticeable. In terms of ASPH all rooms would comply with BRE guidelines.

Georgia Court

120. 50 windows serving 12 habitable rooms were assessed. 26 of the windows experience unnoticeable daylight reductions (5 of the window experience increases in daylight as the new building is set back further than the existing). Eight of the 12 rooms experience unnoticeable change to the NSL.
121. Of the remaining 24 windows, 11 of the affected windows serve a conservatory and would experience reductions of between 25% - 67.5%, however there are no changes to NSL in this room which results in good levels of daylight would be retained.
122. 12 of the noticeable alterations relate to kitchen/living/diners. Within 5 of the habitable rooms, 2 of the windows would experience alterations of VSC of less than 20%, the remaining 10 windows would experience reductions of between 25.3% - 91.4%. These windows are already obstructed by the roof overhangs, therefore in accordance with BRE Guidance the assessment has also considered the impact without the obstruction in place. With the obstruction removed the majority of the windows would retain a VSC of at least 15% which is generally considered acceptable in a built up urban environment. One window (labelled R2/50) would have a residual VSC of 10.21%. The NSL reductions would be modest at between 23.4%- 36.5%
123. The remaining window (labelled R2/52) serves a bedroom and would experience noticeable alteration of VSC of 29.7%. This window again is already obstructed by the roof overhang, therefore the assessment has also considered the impact without the obstruction in place. With the obstruction removed there would be a residual VSC of 25.91% which is generally considered acceptable in a built up urban environment.
124. With regards to sunlight, seven windows facing within 90 degrees of due south were tested. Five remain compliant with BRE recommendations. One window (labelled R5/50) achieves a APSH of 20% against a target of 25% which is a marginal reduction. The remaining window (labelled R1/52) results in a fall in APSH from 21% to 16%. However, this window is already obstructed and when tested without the existing obstruction, it experiences a APSH of 36% against a target of 25% making it compliant with the BRE guidance.

Overshadowing

125. The overshadowing impacts have been assessed on the following amenity spaces:
- Whinney House, 2 Thurland Road
 - Georgia Court
126. BRE guidelines recommend that at least 50% of a garden or amenity space should receive at least two hours of sunlight on March 21. All of the amenity spaces assessed meet BRE guidance. It is therefore concluded that there will not be a noticeable increase in overshadowing as a result of the development.

Transport and highways

127. This proposed development is in an area with a good public transport accessibility level and within short walking distances of Bermondsey tube station and the pedestrian/cycle routes along Southwark Park at its eastern side. There are few pedestrian highway safety measures in the vicinity of this development indicated by a raised entry treatment at Dockley Road/St James Road junction plus a zebra crossing on its northern arm on St James's Road.

Cycle parking

128. The development will include a cycle store containing 64 cycle parking spaces close to the highway on Dockley Road and another cycle parking area containing 2 Sheffield cycle racks on the north-west corner of the site adjacent to Dockley Road, plus the removal of the redundant vehicle crossover at the north-eastern end of this site. While the proportion of Sheffield is 11% which is below the 20% target, the overall quantity of cycle storage spaces is acceptable and the cycle storage is in a secure location. Therefore, this is considered acceptable.

Car parking

129. The development does not proposed any additional car parking with the exception of one blue badge car parking space on the north west of the site. This is considered acceptable and the applicant has agreed that future occupiers will not be eligible for car parking permits in this location in line with the aims of the Southwark Plan which seeks to ensure that new developments are car-free.

Impacts on highways including pedestrian access to the site

130. The council's transport officers have reviewed vehicular trips emanating from this development and have also reviewed comparable sites' travel surveys using TRICS database. The results indicate the proposed development would likely generate some 4 additional two-way vehicle movements in the morning or evening peak hours, a figure that compares with those of the applicant's consultants. It is also estimated that the proposal would produce around 5 two-way service vehicle movements per day.

131. A car parking survey undertaken by the applicant in the early morning of Tuesday / Wednesday 15 and 16 November 2022 which indicates that there is considerable spare capacities (with 114 (50%) of the calculated 226 on-street spaces on average being, unoccupied).
132. Overall, it is considered that this development proposal would not have any noticeable adverse impact on the prevailing vehicular traffic and car parking demand on the surrounding roads and is therefore considered to be acceptable in this regard.

Servicing and construction traffic

133. Servicing of this development would take place along the adjoining roads.
134. It is recommended that a D/CEMP is submitted to protect the amenity of neighbours during the construction period.

Highways works

135. The applicant would need to enter into a Section 278 agreement to undertake the following highway works:
- Repave the footways including new kerbing fronting the development on Dockley Road and St James's Road using precast concrete paving slabs with 150mm wide granite kerbs.
 - Reinstate redundant vehicle crossover on Dockley Road as footway.
 - Construct new vehicle crossover on Dockley Road.
 - Construct a dropped kerb on Dockley Road for refuse bin collection.
 - Promote a Traffic Management Order to implement new parking and waiting/loading restrictions. Works to include road markings and signage.
 - Upgrade street lighting columns fronting the site.
 - Repair any damage to the highway due to construction activities for the Development including construction work and the movement of construction vehicles.
 - All of which shall be in accordance with the Southwark Streetscape Design Manual.
136. The council's highways team advise that prior to works commencing on site, including any demolition, a joint survey should be arranged with them to catalogue the condition of streets and drainage gullies. An informative about this, the need to design to highway works in accordance with the council's Southwark Streetscape design manual, and the Section 278 agreement would be secured as part of the permission.

Refuse storage

137. Refuse storage is provided on the ground floor in a secure location. It is located approximately 10m from the public highway and is in accordance with council guidance

in terms of drag distances and collections.

Secured by design

138. The proposed development has been reviewed by the Metropolitan Police Designing Out Crime officer who has raised no objection subject to the submission of secure by design measures to minimise the risk of crime and to meet the specific security needs of the development.

Noise and vibration

139. The applicant submitted a noise assessment in May 2022. EPT reviewed the initial report and raised concerns regarding the lack of a vibration assessment.
140. An updated noise assessment was prepared and submitted (prepared by Noise Solutions Ltd; revised date 26 May 2023). This further report has been reviewed by EPT who have recommended that given the surrounding uses and the requirements of Policy D13 and D14 of the London Plan and Policy P66 of the Southwark Plan that conditions are included requiring the design of the building to meet appropriate internal noise levels to ensure the quality of accommodation is secured. This would also ensure that in accordance with London Plan policy D13 'Agent of change' whereby the development is designed to ensure that established noise and other noise generating uses remain viable and continue to grow without unreasonable restrictions being placed on them. This is considered satisfactory in dealing with the concerns raised by the adjacent business park during the consultation period.
141. Within the objections raised by local residents it was suggested that acoustic screening should be installed within the new development. EPT have not considered it necessary to request additional screening as part of the proposal.

Energy and sustainability

142. Energy:

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.

143. Policy P70 of the Southwark Plan states that major development must reduce operational greenhouse gas emissions and minimise both annual and peak energy demand in accordance with the London Plan energy hierarchy.
144. 'Be Lean'

'Be Lean' requires development to use less energy and manage demand during operation. The proposal will provide a 22% saving using passive design measures such as air tightness improvement, fabric energy efficiency and thermal bridging as well as active design measures such as high efficacy lighting and heat recovery ventilation.

145. 'Be Clean'

'Be Clean' expects development to exploit local energy resources and supply energy efficiently and cleanly. The application site is located in the area of the proposed Southeast London Combined Heat and Power (SELCHP). However, connection is not currently available. A site-wide low carbon heat network is therefore proposed, comprising a single energy centre supplied by ASHP.

146. 'Be Green'

'Be Green' seeks to maximise opportunities for renewable energy by producing, storing and using renewable energy on site. The site will have a 54% saving by using measures such as Solar PV panels and ASHP.

147. Southwark Plan policy P70 requires major development to reduce carbon emissions on site by 100% against Building Regulations and major non-residential development on site by 40% against Building Regulations. The proposed development would achieve 76% carbon reduction over Part L 2021 regulations. In order to achieve zero carbon as required by planning policy, 233 tonnes of carbon would need to be offset. A financial contribution payment of £22,135.00 is to be secured via Unilateral Undertaking which is considered to be acceptable.

148. 'Be Seen' (monitor and review)

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.

149. Sustainability

In relation to Southwark Plan policy P69, development must also reduce the risk of overheating, taking into account climate change predications over the lifetime of the building, in accordance with prioritised measures set out in the cooling hierarchy. The overheating assessment submitted recommends a number of measures to minimise the risk of overheating. It is recommended that these mitigation measures are secured by condition.

150. Conclusion on energy strategy

Overall the energy strategy is considered acceptable.

Air Quality

151. An Air Quality Assessment has been submitted which concludes that the development meets air quality neutral benchmarks and there are no unacceptable impacts arising from the proposal.

Ground conditions and contamination

152. Given that the proposal includes the demolition of the existing building on site, it is recommended that a condition is included to conduct a desktop study of the historic and current use of the site to identify any potential contaminants of the land and provide necessary mitigation if required.

Flood risk

153. The site is located in Flood Zone 3 and is located in an area benefitting from flood defences. The Environment Agency were consulted on the application and raised no objection. The finished floor level is to be set over 3.235m above Ordnance Datum to minimise the risk of flooding. This is to be secured via a compliance condition.

Archaeology

154. The applicant's archaeologist has produced a desk-based assessment that has involved a search of radius 500m. The main potential archaeological significances in the area date from the prehistoric period, suitable geology is present within the site that has evidence for prehistoric exploitation in the immediate vicinity. Again works on Spa Road have revealed evidence for Roman land management and exploitation; it is possibly the case that much of the Bermondsey eyot was divided into a Roman field system, exploited from a major property just to the north of Bermondsey Square.
155. It is apparent that the housing formerly occupying the site survived into the early 1970s before the redevelopment of the area with the present buildings. There are two primary phases of development and therefore the potential for Roman or prehistoric material to be present.
156. It is recommended that following the demolition to slab level of buildings presently occupying the site a programme of archaeological evaluation trenching be undertaken and subsequently mitigation works should follow this to record the archaeology present on site. Should any site investigation works be undertaken on site it would be useful for these to be archaeologically monitored. In accordance with Southwark Plan policy P23 and the S106 Planning and CIL SPD (2020) it is recommended that this is secured via condition and a contribution towards monitoring is secured in the unilateral undertaking.

Fire safety

157. Fire safety details have been submitted in accordance with policy D12 of the London Plan 2021. A Fire Statement has been provided for this proposal and reviewed by the London Fire Brigade who had no observations. The statement covers matters required by planning policy including details of evacuation, access for firefighting personnel and details of construction methods and fire resistant materials. This is in no way a professional technical assessment of the fire risks presented by the development.
158. Paragraph 3.12.9 of policy D12 explains that Fire Statements should be produced by someone who is “third-party independent and suitably-qualified”. The council considers this to be a qualified engineer with relevant experience in fire safety, such as a chartered engineer registered with the Engineering Council by the Institution of Fire Engineers, or a suitably qualified and competent professional with the demonstrable experience to address the complexity of the design being proposed. This should be evidenced in the fire statement. The council accepts fire statements in good faith on that basis. The duty to identify fire risks and hazards in premises and to take appropriate action lies solely with the developer.

Planning obligations (Unilateral Undertaking)

159. Planning obligation	Mitigation	Applicant's position
Housing, Viability and Amenity Space		
Affordable housing Provision	57% social rent 43% private	Agreed
Children's play space	Shortfall contribution £18,573.00	Agreed
Wheelchair accessible units	To secure three wheelchair units are provided at ground floor level including (1x 1 bed, 1 x 2 bed and 1 x 3 bed	Agreed
Transport and Highways		
Highways Works s278	<ul style="list-style-type: none"> Repave the footways including new kerbing fronting the development on Dockley Road and St James's Road using materials in accordance with Southwark's Streetscape Design Manual - SSDM (precast concrete paving slabs with 150mm wide granite kerbs). 	Agreed

	<ul style="list-style-type: none"> • Reinstate redundant vehicle crossover on Dockley Road as footway. • Construct new vehicle crossover on Dockley Road in accordance to latest standards. • Construct a dropped kerb on Dockley Road for refuse bin collection. • Promote a Traffic Management Order to implement new parking and waiting/loading restrictions. Works to include road markings and signage. • Upgrade street lighting columns fronting the site to latest standards. • Repair any damage to the highway due to construction activities for the Development including construction work and the movement of construction vehicles. 	
Parking permit restriction	Removal of all parking permit rights in CPZ except blue badge permits	Agreed
Wheelchair parking space	To secure 1no. blue badge parking space	Agreed
Energy, Sustainability and the Environment		
Carbon offset fund	7.8 tonnes/annum 233 tonnes over 30 years £22,135 at £95/tonne.	Agreed
'Be Seen'	Monitoring, reporting and verifying of energy performance	Agreed
Archaeology	Monitoring and supervisory of archaeological works £3,389.00	Agreed
Other		
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

160. The planning obligations agreed would satisfactorily mitigate against the adverse impacts of the proposed development.
161. In the event that a satisfactory legal agreement has not been entered into by 14 February 2024 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a legal agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of development through projects or contributions in accordance with Policy DF1 (Delivery of the London Plan and Planning Obligations) of the London Plan 2021, Policy IP3 (Community Infrastructure Levy (CIL) and Section 106 Planning Obligations) of the Southwark Plan 2022 and Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2020).

Community Infrastructure Levy

162. 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.
163. The site is located within Southwark CIL Zone 2 and MCIL2 Central London Zone. 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. 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.

Consultation responses from internal and divisional consultees

164. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.
165. Environmental Protection Team:
- Conditions should be attached to comply with recommendations in overheating assessment
 - Throughout the assessment of the application, EPT requested additional information relating to noise and vibration given the proximity to the adjacent business park. Following an update to the noise impact assessment EPT are satisfied that the quality of accommodation would be acceptable, subject to conditions regarding the design of the building meeting internal noise levels.

166. Design and Conservation Team:

- Full comments detailed in the relevant section of the report
- Subject to minor adjustments and conditions confirming the detailing of the brickwork facades, balcony treatments and use of high quality materials, no objection is raised on design grounds.

167. Ecologist:

- Acceptable subject to conditions.

168. Transport Planning Policy:

- The footway segments abutting this development on Dockley Road and St James's Road would need to be reconstructed
- As there are limited traffic calming measures on the stretch of St James's Road adjoining this site, pedestrians would benefit from the zebra crossing being raised and the creation of a raised table across its nearest southern section
- The proportion of Sheffield cycle racks, at some 11%, is low
- A construction management plan will be necessary.

The applicant will need to agree that this development will be excluded from those eligible for car parking permits in this locality.

169. Urban Forester:

- Comments detailed under relevant section of report
- Concern raised about proximity of balconies to trees
- Condition to ensure that suitable arboricultural supervision is undertaken during construction.

170. Archaeologist:

- No objection subject to conditions in relation to archaeological monitoring and contribution secured in the unilateral undertaking to cover costs for monitoring and supervision.

Consultation responses from external consultees

171. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

172. Environment Agency:

- Acceptable subject to a condition securing the finished floor level at 3.235m above Ordnance Datum

173. London Fire Brigade

- Reviewed Fire statement by Brisac Gonzalez dated 1-10 August 2022 and have no further observations to make

174. Network Rail

- No comments.

Community impact and equalities assessment

175. 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.

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

177. The development will result in the redevelopment of the temporary accommodation/hostel with a new residential building comprising a mix of private and social rented units.

178. As per paragraph 37 of this report, the temporary accommodation/hostel has not been used since 2020, and all existing residents were moved to alternative permanent council accommodation within the borough. In December 2020 an IDM report, referred to in paragraph 39, was submitted to the cabinet members for housing to agree for inclusion 12 hostel/temporary accommodation sites, including Priter Road, into the New Homes Programme. The IDM considered that given the unsuitability of the buildings, long term capital investment, and in response to COVID-19, the continued usage of this type of temporary accommodation would not be appropriate given that residents were required

to share basic facilities including kitchens, bathrooms and laundry room. At the time of writing the IDM report it was explained that the 18 hostels, including Priter Road were empty as a result of re-housing residents into self-contained accommodation with residents supported by the Temporary Accommodation and Housing Solutions Teams. The proposed redevelopment of the site would have no negative impact on the former residents of the hostel accommodation.

179. An Equalities Impact Assessment has been undertaken by the applicant which summarises the key stakeholders and users of the site and the potential (positive and negative) impacts on groups with protected characteristics.

Age:

It is identified that the new homes would have a positive impact by helping to meet the housing need of a wide range of the community. It is acknowledged that the proposal would increase pressure on nurseries and schools in the locality. The development will however provide larger units for families.

The use of the gardens in the front gardens of properties on St James's Road was raised in the engagement process. This is identified as having some impact on elderly residents. It is explained in the EqIA that these residents would still have access to private rear gardens and that a D/CEMP would manage the disruption on the street/dust/pollution during construction.

The impact on the front garden areas of these properties has been considered in the assessment of the impact of the development on neighbouring properties. It has been confirmed by the applicants Daylight and Sunlight Consultant that the front gardens have not been assessed in line with BRE Guidance para 3.3.8 which states that with regard to overshadowing "in working out the total area to be considered...around housing front gardens that are relatively small and visible from public footpaths should be omitted".

Disability:

The proposed development would provide 3 wheelchair accessible homes, 1 blue badge space and involve the widening of the pavement along Dockley Road, which would improve accessibility along the frontage of the site.

During the Committee Members site visit on 25 September 2023, a query was raised regarding the residents of Georgia Court. Through discussion with property manager, Hyde Housing, it became apparent to officers that some of the residents of Georgia Court have learning disabilities and as a result all formal letters are also provided in an Easy Read format. To ensure that all of the residents have had the opportunity to comment on the application an Easy Read version of the neighbour consultation letter has been prepared and circulated to residents on 13 November 2023.

In relation to the impact of the proposed development on the residents of Georgia Court additional obscure glazing is proposed on the first floor southern elevation windows to ensure that there is no direct overlooking or loss of privacy on the nearest rooms at Georgia Court. The fence on the southern shared boundary of the application site has also been increased in height to prevent any direct overlooking or loss of privacy on the ground floor conservatory at Georgia Court.

Gender reassignment:

The council's policy is to allocate council homes on the basis of housing need, regardless of whether or not an individual is undergoing gender reassignment.

Pregnancy and maternity:

The proposal provides a high percentage of two or more bedroom units which will meet the needs of families. The provision of young child play space will also benefit families.

The increase in residents on the site will increase demand for health facilities, which could have direct implications for pregnant women and new mothers. Likewise nurseries are oversubscribed in the area.

Race:

26.7% of the population in the postcode area for the development identify as BME. 6% Asian, Asian British and Asian Welsh. 8.4% Black, Black British, Black Welsh, Caribbean or Africa. 9.1% mixed or multiple ethnic groups. 2.8% other ethnic groups. Within Southwark the BME community are disproportionately living in crowded homes, therefore the provision of larger units on site will provide several families with larger living accommodation.

Religion and belief:

The council allocate council homes based on housing need, regardless of religion and belief.

The Bermondsey Gospel Hall is situated 70m to the south of the site on St James's Road. The hall is mainly used on Sunday and Friday and the construction of the development is considered unlikely to have a negative impact on its use. The D/CEMP will help to safeguard disruptions from site traffic.

St James's Bermondsey CoE Parish Church is more than 100m from the site. The construction work will have no direct impact on the church, and the D/CEMP will again help to safeguard disruptions from site traffic.

Sex:

The proposal will have positive impacts on both men and women. The range of unit sizes will make them suitable for a range of occupants. 1-bed units are likely to be allocated to elderly residents who are currently under occupying their current homes and who may be struggling with maintenance demands.

Sexual orientation:

The council allocate council homes based on housing need regardless of sexual orientation.

180. The EqIA demonstrates the positive and negative impacts of the proposed Priter Road scheme. The assessment demonstrates the potential benefit for residents with protected characteristics and those facing socio-economic disadvantage. There would be short-term disruption of construction however this would be managed in the Construction Environment Management Plan condition. In relation to the residents at George Court, the addition of obscure glazing on the first floor southern elevation windows of the new development will prevent any direct overlooking or loss of privacy. The assessment therefore demonstrates that there are no negative impacts to those with protected characteristics.

Human rights implications

181. The Human Rights Act 1998 prohibits unlawful interference by public bodies with conventions rights. Convention rights include Article 1 (right to peaceful enjoyment of possessions), Article 6 (right to a fair and public hearing) and Article 8 (right to respect for private and family life, a person's home and his correspondence). This planning application and its determination is not considered to unlawfully interfere with any of the protected rights.
182. Article 1 and Article 8 allow there to be an interference with a convention right if it is in the public interest and subject to the conditions provided for by law. The interference must also be in pursuit of a legitimate aim.

Positive and proactive statement

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

Positive and proactive engagement: summary table

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

CONCLUSION

186. The proposed development would make an efficient use of an existing vacant site to provide 35 new homes for market and social rent. The proposed dwellings would be of a high quality design, both internally and externally. The height, scale, massing and detailed design of the proposed building is considered acceptable, and would not adversely impact on the amenity of neighbouring occupiers in terms of daylight and sunlight, overlooking or loss of privacy. The proposal would comply with BRE Guidance.
187. The proposal would provide new communal amenity space and play space for young children, along with cycle parking, 1 no. blue badge parking space and improvements to the footways along Dockley Road and St James's Road.
188. It is therefore recommended that the application is approved, subject to conditions and completion of a legal agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site History file : TP 347-1 Southwark Local Development Framework and Development Plan Documents	Environment, Neighbourhoods & Growth Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Zoe Brown, Team Leader	
Version	Final	
Dated	8 January 2024	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team	11 January 2024	

APPENDIX 1**RECOMMENDATION**

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

This document is not a decision notice for this application.

Applicant	Ms Danielle Patten Southwark Construction Housing & Modernisation	Reg. Number	22/AP/4173
Application Type	Local Authority Development		
Recommendation	GRANT subject to Legal Agreement	Case Number	347-1

Draft of Decision Notice**Grant subject to Legal Agreement for the following development:**

Demolition of 3no. two storey buildings previously used as temporary housing accommodation and the construction of a part 5 and part 6 storey building to provide 35 residential units (C3) (12 x 1 bed; 10 x 2 bed and 13 x 3 bed) and associated landscaping, cycle storage, play space and blue badge parking space.

Site At 1-36 Priter Road London Southwark SE16 4QW

In accordance with application received on 9 December 2022 and Applicant's Drawing Nos.:

Proposed Plans

PROPOSED FACADE DETAILS - ENTRY NORTH SIDE 879 GA-D-002 REV 03
received 27/03/2023

PROPOSED FACADE DETAILS - SERVICE DOORS 879 GA-D-003 REV 03
received 27/03/2023

PROPOSED NORTH ELEVATION 879 GA-E-002 REV 04 received 27/03/2023

PROPOSED SOUTH ELEVATION 879 GA-E-004 Rev 04 received 27/03/2023

PROPOSED SITE PLAN 879 GA-P-000 REV 03 received 27/03/2023

PROPOSED LEVEL 00 879 GA-P-001 REV 04 received 27/03/2023

PROPOSED LEVELS 01&03 879 GA-P-002 REV 04 received 27/03/2023

PROPOSED LEVELS 02&04 879 GA-P-003 REV 03 received 27/03/2023

PROPOSED LEVEL 05 879 GA-P-004 REV 03 received 27/03/2023

PROPOSED LEVEL 06 879 GA-P-005 REV 03 received 27/03/2023

PROPOSED ROOF LEVEL 879 GA-P-006 REV 03 received 27/03/2023

PROPOSED LOCATION PLAN 879 GA-P-L000 REV 03 received 27/03/2023

PROPOSED EAST ELEVATION 879 GA-E-001 REV 01 received 15/12/2022

PROPOSED FACADE DETAILS - BALCONY GROUND FLOOR 879 GA-D-004
REV 01 received 15/12/2022

PROPOSED FACADE DETAILS - COMMUNAL CORRIDORS WINDOW 879 GA-D-
007 REV 01 received 15/12/2022

PROPOSED FACADE DETAILS - ENTRY WEST SIDE 879 GA-D-001 REV 01
received 15/12/2022

PROPOSED FACADE DETAILS - SERVICE DOORS 879 GA-D-003 REV 01
received 15/12/2022

PROPOSED FACADE DETAILS - TYPICAL BALCONY 879 GA-D-005 REV 01
received 15/12/2022

PROPOSED FACADE DETAILS - TYPICAL WINDOW 879 GA-D-006 REV 01
received 15/12/2022

PROPOSED FACADE DETAILS - ENTRY NORTH SIDE 879 GA-D-002 REV 01
received 15/12/2022

PROPOSED SECTION B-B 879 GA-S-002 REV 03 received 14/11/2023

Other Documents

GENERAL SECTIONS - RESIDENTIAL GARDEN ON ST. JAMES'S ROAD
(GROUND FLOOR) MRG-197-PRS-GS-GF-03 REV 00 received 09/12/2022

GENERAL SECTIONS - PARKING TO PLAY AREA (GROUND FLOOR) MRG-197-
PRS-GS-GF-01 REV 00 received 09/12/2022

GENERAL SECTIONS - RESIDENTIAL ENTRANCE ON DOCKLEY ROAD
(GROUND FLOOR) MRG-197-PRS-GS-GF-02 REV 00 received 09/12/2022

Time limit for implementing this permission and the approved plans

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

Reason:

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

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

3. CEMP

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

- o ' 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 DCEMP 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 2023.

4. Arboricultural method statement

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 (2023) 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.

5. 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 (2023); 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).

6. Archaeological Evaluation

Before any work hereby authorised begins, [excluding demolition to slab level and site investigation works] the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2023.

7. Archaeological Mitigation

Before any work hereby authorised begins, [excluding archaeological evaluation, demolition to slab level, and site investigation works] the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2023.

8. Archaeological Pre-commencement Foundation Design

Before any work, hereby authorised, [excluding demolition to slab level, archaeological evaluation and site investigation works], begins, the applicant shall submit a detailed scheme showing the complete scope and arrangement of the foundation design, and all associated subterranean groundworks, including the construction methods. The submitted documents should show how archaeological remains will be protected by a suitable mitigation strategy. The detailed scheme will need to be approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approval given.

Reason: In order that all below ground impacts of the proposed development are known and an appropriate protection and mitigation strategy is achieved to preserve archaeological remains by record and/or in situ in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2023.

9. Overheating assessment

Prior to the commencement of any development, an overheating assessment shall be submitted to and approved in writing by the Local Planning Authority in accordance with CIBSE TM59. The assessment shall include a scheme of mitigation measures necessary to ensure thermal comfort of future occupants, accounting as far as is reasonably practicable for the local noise environment and the unacceptability of an 'open window' strategy to overheating control. Once approved the development shall be carried out in accordance with the approval given and any mitigation measures permanently maintained thereafter.

Reason:

In the interests of residential amenity in accordance with Southwark Plan 2022 Policy P56 'Protection of amenity' and to minimise overheating risk in accordance with Policy SI 4 of the London Plan 2021.

10. Contamination

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

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

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

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

e) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification

report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2023.

Permission is subject to the following Grade Condition(s)

11. Hard and soft landscaping

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion of the development. Details shall include:

- 1) a scaled plan showing all existing vegetation and landscape features to be retained with proposed trees, hedging, perennial and other plants;
- 2) proposed parking, access, or pathway layouts, materials and edge details;
- 3) location, type and materials to be used for hard landscaping including specifications, where applicable for:
 - a) permeable paving
 - b) tree pit design
 - c) underground modular systems
 - d) sustainable urban drainage integration
 - e) use within tree Root Protection Areas (RPAs);
- 4) typical cross sections;
- 5) a schedule detailing sizes and numbers/densities of all proposed trees/plants;
- 6) specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and

7) types and dimensions of all boundary treatments.

There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority.

The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. Any trees, shrubs, grass or other planting 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.

Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting.

Works shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations, BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard.

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 2023; 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), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

12. Green/Brown roofs for biodiversity

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

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

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

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

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

Reason:

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

13. Drainage strategy

No works (excluding demolition and site clearance) shall commence until full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should achieve a reduction in surface water runoff rates during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance, as detailed in the Flood Risk Assessment Revision B (dated January 2023). The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason:

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

14. Details of means of enclosure

Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing

by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In the interests of visual and residential amenity in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivery good design) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P15 (Residential Design) and Policy P56 (Protection of Amenity) of the Southwark Plan (2022).

15. Security measures:

Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority. Any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

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 (2023); 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).

16. Protection from Vibration and Re-radiated Noise

Following piling but prior to commencement of above-ground construction of the development hereby approved assessment of vibration and re-radiated noise shall be conducted which shall include measurement of vibration on in-situ piles. A report shall be submitted to the Local Planning Authority alongside a scheme of mitigation as necessary to ensure that residential occupants shall not be exposed to vibration in excess of 0.13 m/s VDV during the night-time period of 23.00 - 07.00hrs or re-radiated noise in excess of 35dB LASmax.

Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2023.

17. Details of means of enclosure balconies

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

Reason:

In the interests of visual and residential amenity in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivery good design) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality), Policy P15 (Residential Design) and Policy P56 (Protection of Amenity) of the Southwark Plan (2022).

18. Sample materials/panels/boards

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

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); 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).

19. Details - roller shutters

Prior to above grade works commencing details of the external roller shutters which are fitted within the brickwork openings on units affected by solar gain shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that a high quality of design and detailing is achieved in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); 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).

20. Cycle storage details

Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle store shall include a fixed shut window. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2023); Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

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

21. Bat tubes

Details of 6no. bat tubes shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission. No less than 6no. bat tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The tubes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting tubes 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 bat tube features and mapped locations and Southwark Council agreeing the submitted plans, and once the bat tube features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the bat tube 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 (2023); 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).

22. Swift bricks

Details of Swift bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission. No less than 12 bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The Swift nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter. Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2023); 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).

23. Finished floor levels

The ground floor finished floor level must be set no lower than 3.235 metres above Ordnance Datum (mAOD), in line with the submitted 3.235mAOD.

The mitigation measure shall be full implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangement. The measure detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason:

To reduce the risk of flooding to the development and occupants. The ground floor is the lowest floor level that will have sleeping accommodation, according to the submitted documentation. In accordance with Southwark Plan Policy P68

'Reducing Flood Risk' and London Plan 2021 Policy SI 12 'Flood Risk Management'.

24. Drainage verification

No dwelling shall be occupied until a drainage verification report prepared by a suitably qualified engineer has been submitted to and approved in writing by the Local Planning Authority. The report shall provide evidence that the drainage system (incorporating SuDS) has been constructed according to the approved details and specifications as detailed in the Flood Risk Assessment Revision B (dated January 2023). and shall include plans, photographs and national grid references of key components of the drainage network such as surface water attenuation structures, flow control devices and outfalls. The report shall also include details of the responsible management company.

Reason:

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

Permission is subject to the following Compliance Condition(s)

25. Provision of refuse storage

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

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); 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).

26. External lighting

Any external lighting system installed at the development shall comply with Institute of Lighting Professionals Guidance Note 01/21 'Guidance notes for the reduction of obtrusive light'

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with the Southwark Plan 2022 Policy P16 (Designing out crime); Policy P56 (Protection of amenity), and the National Planning Policy Framework 2023.

27. Plant noise

The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific 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 in full accordance with the methodology of BS4142:2014 +A1:2019

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 2023.

28. Internal noise levels restriction

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

- Bedrooms - 30dB LAeq, T* and 45dB LAFmax
- Living rooms - 30dB LAeq, T***
- Night-time 8 hours between 23:00-07:00**
- Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation

sources in accordance with Chapter 8 (Promoting healthy and safe communities) and Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P15 (Residential Design), Policy P56 (Protection of Amenity) and Policy P69 (Sustainability Standards) of the Southwark Plan (2022).

29. Arboricultural Site Supervision

Part 1: All Arboricultural Supervisory elements are to be undertaken in accordance with the approved Arboricultural Method Statement site supervision key stages (BS: 5837 (2012)) for this site, as evidenced through signed sheets and photographs.

Part 2: The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in tree protection condition shall be submitted for approval in writing by the Local Planning Authority within 28 days of completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained project or pre-appointed tree specialist.

Works shall comply to BS: 5837 (2012) Trees in relation to demolition, design and construction; BS3998: (2010) Tree work - recommendations; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 01:2021 (EN) - Tree Pruning Standard; EAS 02:2022 (EN) - Tree Cabling/Bracing Standard; EAS 03:2022 (EN) - Tree Planting Standard.

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 2023 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), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022)

30. Disabled parking

Prior to occupation of the unit(s) hereby approved, 1 no. disabled parking spaces as shown on the drawings hereby approved, shall be made available and

retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason:

To ensure that the parking spaces for disabled people are provided and retained in accordance with: Chapter 9 (Promoting sustainable transport) of the National Planning Policy Framework (2023); Policy T6 (Car parking) of the London Plan (2021); Policy P55 (Parking Standards for Disabled People and the Physically Impaired) of the Southwark Plan (2022).

Permission is subject to the following Special Condition(s)

31. Archaeological reporting

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

Reason:

In order that the archaeological interest of the site is secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Policy P23 Archaeology of the Southwark Plan (2022) and the National Planning Policy Framework 2023.

Informatives

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

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

developer.

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

- 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.

Relevant planning policy

National Planning Policy Framework (the framework)

The revised National Planning Policy Framework ('NPPF') was published in September 2023 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental. Paragraph 218 states that the policies in the Framework are material considerations, which should be taken into account in dealing with applications.

The relevant chapters from the Framework are:

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

The London Plan 2021

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

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D6 Housing quality and standards
- Policy D7 Accessible housing
- Policy D8 Public realm
- Policy D12 Fire safety
- Policy D13 Agent of change
- Policy D14 Noise
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H4 Delivering affordable housing
- Policy H6 Affordable housing tenure
- Policy H10 Housing size mix
- Policy HC1 Heritage conservation and growth

- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage
- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the plan and planning obligations

Southwark Plan 2022

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

- Policy SP1 Homes for all
- Policy P1 Social rented and intermediate housing
- Policy P2 New family homes
- Policy P8 Wheelchair accessible and adaptable housing
- Policy P10 Supported housing and hostels
- Policy P13 Design of places
- Policy P14 Design quality
- Policy P15 Residential design
- Policy P16 Designing out crime
- Policy P18 Efficient use of land
- Policy P23 Archaeology
- Policy P50 Highways impacts
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P55 Parking standards for disabled people and the physically impaired
- Policy P56 Protection of amenity
- Policy P59 Green infrastructure
- Policy P60 Biodiversity
- Policy P61 Trees
- Policy P65 Improving air quality
- Policy P66 Reducing noise pollution and enhancing soundscapes
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy

SPDs

Of relevance in the consideration of this application are:

- Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015)
- Heritage SPD (2021)

APPENDIX 3**Planning history of the site and nearby sites****Reference and Proposal****Status****22/EQ/0080**

Advice issued

Pre application planning advice - Demolition of three 2 storey buildings last used a temporary housing accommodation and construction of building up to 6 storeys with residential accommodation comprising circa 36 dwellings. Exterior communal and play spaces.

APPENDIX 4

Consultation undertaken

Site notice date: 03/01/2023

Press notice date: n/a.

Case officer site visit date: n/a

Neighbour consultation letters sent: 16/01/2023

Internal services consulted

Environmental Protection

Highways Development and Management

Transport Policy

Archaeology

Design and Conservation Team [Formal]

Local Economy

Ecology

Highways Development and Management

Flood Risk Management & Urban Drainage

Urban Forester

Waste Management

Statutory and non-statutory organisations

Environment Agency

London Fire & Emergency Planning Authori

London Underground

Network Rail

Metropolitan Police Service (Designing O

Thames Water

Neighbour and local groups consulted:

Flat 3 Messenger Court 150 Spa Road	8 William Ellis Way London Southwark
Flat 11 Messenger Court 150 Spa Road	Unit 7 Discovery Business Park St Jamess Road
Flat 9 Messenger Court 150 Spa Road	Flat 3 6A Webster Road London
Flat 6 Messenger Court 150 Spa Road	Flat 1 6 Webster Road London
Arch 4 To 6 Spa Business Park Dockley Road	Flat 29 24 St Jamess Road London
Flat 43 30 St Jamess Road London	Unit 1 Discovery Business Park St Jamess Road
22 Dockley Road London Southwark	Room 25 1 Priter Road London
Flat 3 6 Webster Road London	Unit 18 Discovery Business Park St Jamess Road
Flat 2 6 Webster Road London	97 St Jamess Road London Southwark
Flat 2 6A Webster Road London	71 St Jamess Road London Southwark
2 William Ellis Way London Southwark	59 St Jamess Road London Southwark
2 Tranton Road London Southwark	38 St Jamess Road London Southwark
10 Tranton Road London Southwark	Room 14 1 Priter Road London
Unit 1 Spa Business Park Dockley Road	Room 17 1 Priter Road London
74-94 St Jamess Road London Southwark	Room 32 1 Priter Road London
Unit 6 Discovery Business Park St Jamess Road	Room 16 1 Priter Road London
32 Dockley Road London Southwark	Flat 24 Messenger Court 150 Spa Road
5 Tranton Road London Southwark	Unit 14 Discovery Business Park St Jamess Road
81 St Jamess Road London Southwark	Flat 32 Messenger Court 150 Spa Road
Unit 20 Discovery Business Park St Jamess Road	Unit 4B 1 Priter Road London
Unit 13 Discovery Business Park St Jamess Road	11 John Mckenna Walk London Southwark
Railway Arch 16 Linsey Street London	11 Tranton Road London Southwark
Flat 40 30 St Jamess Road London	31 Webster Road London Southwark

Room 34 1 Priter Road London
 21 Webster Road London Southwark
 26 Dockley Road London Southwark
 9 William Ellis Way London Southwark
 Unit 3 Discovery Business Park St
 Jamess Road
 3 John Mckenna Walk London
 Southwark
 63 St Jamess Road London Southwark
 Unit 12 Spa Business Park Dockley
 Road
 Unit 10 Spa Business Park Dockley
 Road
 Room 27 1 Priter Road London
 Room 20 1 Priter Road London
 Flat 31 Messenger Court 150 Spa Road
 Flat 29 Messenger Court 150 Spa Road
 Flat 21 Messenger Court 150 Spa Road
 Flat 49 30 St Jamess Road London
 150B Spa Road London Southwark
 26 St Jamess Road London Southwark
 Unit 12B 1 Priter Road London
 Unit 7B 1 Priter Road London
 Unit 1B 1 Priter Road London
 17 Webster Road London Southwark
 85 St Jamess Road London Southwark
 Flat 19 Messenger Court 150 Spa Road
 Flat 6 Dickens Whinney House 2
 Thurland Road
 Forecourt 1-10 Priter Way London
 Flat 41 30 St Jamess Road London
 19 Webster Road London Southwark
 11 Webster Road London Southwark
 Unit 9 Discovery Business Park St
 Jamess Road
 89 St Jamess Road London Southwark
 2 John Mckenna Walk London
 Southwark
 87 St Jamess Road London Southwark
 77 St Jamess Road London Southwark
 Unit 27 Discovery Business Park St
 Jamess Road
 Unit 15 Discovery Business Park St
 Jamess Road
 Room 39 1 Priter Road London
 Room 36 1 Priter Road London
 Room 29 1 Priter Road London
 Room 15 1 Priter Road London
 Room 8 1 Priter Road London
 Flat 25 Messenger Court 150 Spa Road
 Flat 12 Messenger Court 150 Spa Road
 Flat 37 30 St Jamess Road London
 Flat 30 24 St Jamess Road London
 Flat 28 24 St Jamess Road London
 Flat 27 24 St Jamess Road London
 Unit 9A 1 Priter Road London
 Unit 5B 1 Priter Road London
 Flat 4 6 Webster Road London
 1 William Ellis Way London Southwark
 Room 13 1 Priter Road London
 Flat 16 Messenger Court 150 Spa Road
 Unit 1A Discovery Business Park St
 Jamess Road
 17 Tranton Road London Southwark
 Room 40 1 Priter Road London
 Room 7 1 Priter Road London

Unit 5 Discovery Business Park St Jamess Road	8 John Mckenna Walk London Southwark
Living Accommodation St James Tavern 72 St Jamess Road	17 John Mckenna Walk London Southwark
28 Dockley Road London Southwark	14 John Mckenna Walk London Southwark
75 Storks Road London Southwark	Room 31 1 Priter Road London
7 John Mckenna Walk London Southwark	Room 22 1 Priter Road London
4 John Mckenna Walk London Southwark	Flat 30 Messenger Court 150 Spa Road
19 John Mckenna Walk London Southwark	Flat 22 Messenger Court 150 Spa Road
10 John Mckenna Walk London Southwark	Surgery Thurland Road London
9 Tranton Road London Southwark	Unit 4 Spa Business Park Dockley Road
7 Tranton Road London Southwark	9 Webster Road London Southwark
Unit 10 Discovery Business Park St Jamess Road	25 Webster Road London Southwark
Unit 7 Spa Business Park Dockley Road	71 Storks Road London Southwark
Room 26 1 Priter Road London	6 William Ellis Way London Southwark
Room 23 1 Priter Road London	16 John Mckenna Walk London Southwark
Room 19 1 Priter Road London	12 John Mckenna Walk London Southwark
Flat 7 Dickens Whinney House 2 Thurland Road	1 Webster Road London Southwark
Flat 5 Messenger Court 150 Spa Road	34 St Jamess Road London Southwark
Flat 2 Messenger Court 150 Spa Road	Room 38 1 Priter Road London
Flat 34 30 St Jamess Road London	Room 35 1 Priter Road London
Flat 33 30 St Jamess Road London	Room 5 1 Priter Road London
Unit 11A 1 Priter Road London	Room 2 1 Priter Road London
Unit 5A 1 Priter Road London	Flat 18 Messenger Court 150 Spa Road
5 Webster Road London Southwark	Flat 15 Messenger Court 150 Spa Road
91 St Jamess Road London Southwark	Flat 13 Messenger Court 150 Spa Road
27 Webster Road London Southwark	Flat 10 Messenger Court 150 Spa Road
Room 37 1 Priter Road London	Flat 31 24 St Jamess Road London
	Unit 8B 1 Priter Road London
	Unit 6A 1 Priter Road London

Unit 3A 1 Priter Road London
 Unit 2B 1 Priter Road London
 Unit 2A 1 Priter Road London
 Unit 8 Discovery Business Park St
 Jamess Road
 Flat 26 Messenger Court 150 Spa Road
 30 Dockley Road London Southwark
 12 Tranton Road London Southwark
 3 Webster Road London Southwark
 Room 28 1 Priter Road London
 Room 10 1 Priter Road London
 Room 1 1 Priter Road London
 96-96A St Jamess Road London
 Southwark
 Flat 27 Messenger Court 150 Spa Road
 Flat 8 Dickens Whinney House 2
 Thurland Road
 Flat 47 30 St Jamess Road London
 36 St Jamess Road London Southwark
 6 John Mckenna Walk London
 Southwark
 15 John Mckenna Walk London
 Southwark
 1 Tranton Road London Southwark
 4 Tranton Road London Southwark
 57 St Jamess Road London Southwark
 Unit 8 Spa Business Park Dockley Road
 Room 21 1 Priter Road London
 Room 9 1 Priter Road London
 Unit 6B 1 Priter Road London
 St Jamess Vicarage 4 Thurland Road
 London
 Flat 23 Messenger Court 150 Spa Road
 Flat 8 Messenger Court 150 Spa Road

Unit 3B 1 Priter Road London
 Unit 25 Discovery Business Park St
 Jamess Road
 99 St Jamess Road London Southwark
 24 Dockley Road London Southwark
 5 John Mckenna Walk London
 Southwark
 5 William Ellis Way London Southwark
 79 St Jamess Road London Southwark
 St James Christ Church Thurland Road
 London
 Flat 1 Dickens Whinney House 2
 Thurland Road
 Nursery 28 St Jamess Road London
 Unit 6 Spa Business Park Dockley Road
 20 Dockley Road London Southwark
 77 Storks Road London Southwark
 36 Collett Road London Southwark
 4 William Ellis Way London Southwark
 55 St Jamess Road London Southwark
 9 John Mckenna Walk London
 Southwark
 13 John Mckenna Walk London
 Southwark
 13 Tranton Road London Southwark
 75 St Jamess Road London Southwark
 53 St Jamess Road London Southwark
 Unit 5 Spa Business Park Dockley Road
 Room 6 1 Priter Road London
 Flat 28 Messenger Court 150 Spa Road
 Flat 45 30 St Jamess Road London
 Flat 36 30 St Jamess Road London
 Unit 6 To 8 Discovery Business Park St
 Jamess Road

Ground Floor Unit 150 Spa Road London	67 St Jamess Road London Southwark
Unit 11B 1 Priter Road London	61 St Jamess Road London Southwark
Unit 10B 1 Priter Road London	51 St Jamess Road London Southwark
Unit 8A 1 Priter Road London	Unit 19 Discovery Business Park St Jamess Road
Unit 4A 1 Priter Road London	Room 33 1 Priter Road London
Unit 1A 1 Priter Road London	Room 24 1 Priter Road London
69 St Jamess Road London Southwark	Room 18 1 Priter Road London
18 John Mckenna Walk London Southwark	Room 3 1 Priter Road London
Flat 7 Messenger Court 150 Spa Road	Flat 5 Dickens Whinney House 2 Thurland Road
Unit 2 Discovery Business Park St Jamess Road	Flat 4 Messenger Court 150 Spa Road
21 John Mckenna Walk London Southwark	Flat 48 30 St Jamess Road London
20 John Mckenna Walk London Southwark	Flat 46 30 St Jamess Road London
3 Tranton Road London Southwark	Flat 39 30 St Jamess Road London
6 Tranton Road London Southwark	Unit 12A 1 Priter Road London
81 Storks Road London Southwark	Unit 10A 1 Priter Road London
Flat 1 6A Webster Road London	Unit 9B 1 Priter Road London
Flat 17 Messenger Court 150 Spa Road	Unit 7A 1 Priter Road London
Flat 14 Messenger Court 150 Spa Road	15 Webster Road London Southwark
Flat 38 30 St Jamess Road London	Flat 2 Dickens Whinney House 2 Thurland Road
Flat 32 24 St Jamess Road London	Flat 1 Messenger Court 150 Spa Road
29 Webster Road London Southwark	Room 30 1 Priter Road London
13 Webster Road London Southwark	65 St Jamess Road London Southwark
95 St Jamess Road London Southwark	23 Webster Road London Southwark
3 William Ellis Way London Southwark	Flat 35 30 St Jamess Road London
23 John Mckenna Walk London Southwark	Unit 16 Discovery Business Park St Jamess Road
7 Webster Road London Southwark	25 John Mckenna Walk London Southwark
83 St Jamess Road London Southwark	73 Storks Road London Southwark
73 St Jamess Road London Southwark	93 St Jamess Road London Southwark

Room 4 1 Priter Road London
 Flat 3 Dickens Whinney House 2
 Thurland Road
 Flat 44 30 St Jamess Road London
 Flat 26 24 St Jamess Road London
 Unit 11 Spa Business Park Dockley
 Road
 Unit 9 Spa Business Park Dockley Road
 St James Tavern 72 St Jamess Road
 London
 34 Dockley Road London Southwark
 79 Storcks Road London Southwark
 Dickens Whinney House 2 Thurland
 Road London
 7 William Ellis Way London Southwark
 Unit 4 Discovery Business Park St
 Jamess Road
 1 John Mckenna Walk London
 Southwark
 15 Tranton Road London Southwark
 8 Tranton Road London Southwark
 32 St Jamess Road London Southwark
 Unit 13 Spa Business Park Dockley
 Road
 Room 12 1 Priter Road London
 Room 11 1 Priter Road London
 Flat 4 Dickens Whinney House 2
 Thurland Road
 Flat 33 Messenger Court 150 Spa Road
 Flat 20 Messenger Court 150 Spa Road
 Flat 42 30 St Jamess Road London
 150A Spa Road London Southwark
 5 Georgia Court 13 Priter Road London
 4 Georgia Court 13 Priter Road London
 7 Georgia Court 13 Priter Road London

8 Georgia Court 13 Priter Road London
 2 Georgia Court 13 Priter Road London
 9 Georgia Court 13 Priter Road London
 6 Georgia Court 13 Priter Road London
 3 Georgia Court 13 Priter Road London
 1 Georgia Court 13 Priter Road London

Re-consultation:

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

Environmental Protection

Highways Development and Management

Transport Policy

Archaeology

Design and Conservation Team [Formal]

Ecology

Highways Development and Management

Urban Forester

Statutory and non-statutory organisations

Environment Agency

London Fire & Emergency Planning Authori

Network Rail

Metropolitan Police Service (Designing O

Neighbour and local groups consulted:

24 Dockley Road London SE16 4QT

26 Dockley Road London Se164qt

24 Dockely Road London SE164QT

Flat 34, 30 St James's Road, Bermondsey London SE164QJ

83 St Jamess Road London Southwark

71 St James Road

Spa Terminus Ltd, Unit 3 Discovery Business Park St James's Road London

6-8 Discovery Business Centre

Item No. 6.2	Classification Open	Date: 24 January 2024	Meeting Name: Planning Committee (Smaller Applications)
Report title:		TPO 701 Confirmation Report Land to North of Featherstone Mews and Rear 13-16 Talbot Road, SE22 8EH, 25-30 St Francis Road SE22 8DE	
Ward(s) or groups affected:		Champion Hill	
From:		Director of Planning and Growth	

RECOMMENDATION

1. That the provisional TPO reference 701 be confirmed, with the following amendments: A change to the extent of the map and updated schedule of species.

BACKGROUND INFORMATION

2. A Tree Preservation Order (TPO) was served, by hand, on a provisional basis, by the urban forester during a pre application request which would have impacted upon the SINC. Following the serving of the TPO, a full planning application has been submitted for the site in question.
3. The order was posted at site, was served by hand to local residents neighbouring the land, and sent to registered addresses for Network Rail and; also by email, to the agent for Featherstone Homes on the 14 August 2023.
4. The TPO covers a Site of Borough Grade Importance for Nature Conservation with the following habitat designation: Roughland, non-native-woodland, scrub.
5. The site, which forms part of a larger Borough SINC was designated in January 1989 with a Boundary change in 1995 and last reviewed in March of 2015.
6. The citation reads:..."The railway running south from this cutting through East and North Dulwich stations to Herne Hill Stadium runs through a narrow cutting, then on an embankment, both of which contain a similar mix of sycamore - ash woodland and roughland. The habitat corridor supports a good range of bat species with records for soprano pipistrelle,

pipistrelle, noctule and lesser noctule bats being present. Common frog and stag beetle have also been recorded. The site forms a strategic habitat corridor through a residential part of the borough, connecting a number of SINC's and open space. For this reason, it is of high value as a foraging and dispersal corridor for wildlife. Hedgehogs have been recorded around Greendale fields and reptiles are likely present in the area. Owned by Network Rail, there is no public access to the site, but the railsides form a pleasant backdrop for train travelers."

7. The amendments proposed follow a site visit which highlighted the extent of woodland, boundary fencing and species therein. The amended plan would allow for continued access and maintenance by Network Rail and for any future planning applications relating to turning this 3m wide strip outside of the TPO zone to hard-standing.
8. Two letters in support and two objections to the TPO have subsequently been received, which according to the council's standing orders must be considered at planning committee before the order can be confirmed.

KEY ISSUES FOR CONSIDERATION

9. To continue to have effect the TPO attached in Appendix 1 must be confirmed within 6 months from the date of being served
10. The TPO was served following consultation with the borough ecologist during considerations for a development proposal for the site under a pre application submission to the Council.
11. The site was assessed as attaining a score of 15 (out of a potential total 25) under the Tree Evaluation Method for Tree Preservation Orders (TEMPO), with officers paying due regard to the condition and life expectancy of the trees, together with consideration of the site's woodland structure and its heightened habitat status and resulting in a decision guide indicating that the making of a TPO is definitely merited.
12. The confirmation of a TPO cannot be appealed. However, any subsequent refusal of an application for works to a TPO or imposition of conditions upon consent can be appealed to the Secretary of State via the Planning Inspectorate.
13. Anyone proposing to carry out works to a tree or trees subject to a TPO must seek permission from the local planning authority. This involves completing an application form identifying the trees, detailing the works proposed and explaining the reasons for the works. The council's planning officer will usually inspect the trees prior to making a decision and may recommend alternative works or refuse consent. If authorisation is given to fell a protected tree, a new tree will usually be required to be planted as a replacement. However, this will in turn require a new TPO to be served.

14. If a tree protected by a TPO is felled, pruned or willfully damaged without consent, both the person who carried out the works and the tree owner are liable to be fined up to £20,000 through the Magistrates Court or, if taken to the Crown Court, an unlimited fine.
15. There are exceptional circumstances, such as when a tree is dead, dying or dangerous, when permission is not required. However, in order to avoid the risk of prosecution advice must be sought from the council and five days' notice given before carrying out any works (except in an emergency).
16. The TPO would therefore not preclude any works of a Health and Safety nature being undertaken, at any time, by Network Rail on operational land under its ownership.

Policy implications

17. The law on Tree Preservation Orders is in Part VIII of the Town and Country Planning Act 1990 as amended and in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
18. Section 198 of the Act imposes a duty on the local planning authority to ensure the preservation and protection of trees whenever appropriate.
19. Priority 3 of the council's climate change strategy, with particular reference to the Southwark Nature Action Plan (SNAP) (2020); sets out the vision and strategy for the continued protection, conservation and enhancement of nature in the borough. "Southwark will continue to ensure protection of trees and woodlands subject to Tree Preservation Orders, in Conservation Areas and Sites of Importance for Nature Conservation, with trees to be retained on development sites and to require high standards of replacement tree planting. (1.18 Biodiversity and Trees (SNAP) (2020))"
20. London Plan Policy G7 Trees and woodlands states that trees and woodlands should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework.
21. Policy P57 of the Southwark Plan 2022:
 1. 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; or
- It consists of the extension or alteration of an existing building providing that it does not result in disproportionate additions over and above the size of the original building; or
 - It consists of the replacement of an existing building, provided that the new building is no larger than the building it replaces.
2. Development will not be permitted on Other Open Space (OOS). In exceptional circumstances development may be permitted if it consists of replacement OOS of equivalent or greater size or substantially better quality can be secured on site or nearby before development commences.
22. Protecting and improving open space plays an important role in climate change adaption and mitigation, as such any development proposal would constitute a departure from the Development Plan.
23. All sites of borough grade importance for nature conservation are, by default, designated Borough Open Land (BOL).
24. Policy P61 of the Southwark Plan 2022 states that:
- 3. Development must retain and enhance the borough's trees and canopy cover; and
 - 4. 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; either
 - Within the development whereby valuation may be calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology or other assessment or;
 - If this is not possible, outside the development. In this case a financial contribution must be provided to improve borough tree planting located according to 'right tree right place' principles. The financial contribution will include ongoing maintenance costs where trees are planted in the public realm.
25. The current recommendation supports the relevant national legislation, London and Southwark policies to retain trees and landscape with proven amenity or habitat value.

Objection to the order

26. Two objections have been received from parties with interest in the land.

27. The basis of the objections are on the woodland designation for the order and the quality of trees subject to the same order and that it may prejudice development of the site.
28. Featherstone Homes are a Party with an Interest in the Land – Contract with Option to Purchase subject to Planning Approval.
29. Network Rail is the freehold owner of the site which is currently utilised as access for inspection and maintenance of Network Rail's infrastructure.
30. As a statutory undertaker, Network Rail is able to remove trees in order to facilitate inspection, repair or renewal of their infrastructure.
31. Under section 14 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 this enables railway undertakers to remove TPO trees.
32. It has been argued that development of the site would improve pedestrian and vehicular access to the site, however it was apparent that there is an area to the entrance to the site and a long strip to the side which could be laid to hard standing and which are recommended to be excluded from the TPO map (see Appendix 3).
33. Nothing in this order would preclude Network Rail from applying to undertake such works as to improve access to the Network.
34. A long pedestrian ramp is located to the side of the TPO with access from the station and from the bottom of Dog Kennel Hill. Currently this has a wooden fence running the length of the ramp and there are metal railings separating the site at the station.
35. In the event that the site is sold on, Network rail would retain a 3m wide strip to the railway, in any event.
36. Access could easily be afforded by a gate erected either within the wooden fence or within the metal railings.
37. All borough SINCs are Borough Open Land by default regardless of whether they are open or not as openness is not necessarily an ecological consideration, indeed it can provide further protection for those species outlined in an ecological appraisal. Here it is the distinct contribution of the site, as a whole, which is considered.
38. Similarly woodland sites would comprise a mix of healthy trees, young saplings and deadwood habitats attracting a range of fauna including protected invertebrate species.
39. The topography of the site, comprising an embankment which drops down and away from the railway would limit the potential for trees to fall towards the railway should they fail.

40. The TEMPO assessment took into consideration the site, as a whole, and did not consider dead trees. Whilst these are invaluable to insects and fungi and contribute to overall biodiversity, this would not be suitable for the purposes of TEMPO scoring.
41. TEMPO is but one tool in consideration for issuing a Tree Preservation Order. Section 197 (b) of the Town and Country Planning Act provides for TPOs to be served in consideration of granting a planning permission, overwhelming public support for a TPO and other considerations, such as site designation, also form part of the decision making process when recommending provisional orders.
42. TPOs are considered at every stage of the Planning Process from pre-application, to assessment of full planning applications and post occupation under s.197 (tree protection and tree planting conditions, and TPOs in respect of granting permission) and 198 (Power to issue TPO) of the TCPA 1990. Indeed they are usually best served early on in the process to guarantee sufficient appraisal is given to trees, a material consideration (paragraph 136, National Planning Policy Framework, 2023).
43. The serving of a TPO can be undertaken, at any time, in respect of fulfilling the Local Planning Authority's Statutory Duty, in the interests of amenity, to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order. (s.198 of the Town and Country Planning Act, 1990 (as amended)).
44. In terms of the woodland designation, Officers have visited site to review the citation for the Borough SINC and to record the current condition and range of taxa visible at time of survey.
45. Officers noted the majority of the site retains what would be considered a woodland structure formed of some mature dead trees, older mature trees with branch junction cavities and potential for roosts. Multistem mature Sycamore (coppice regrowth). Yew, Holly, emergent Holm Oak and Ash. Bramble, Fern, native Clematis. At least 3 different bird species were heard. Some Cherry Laurel is found within the site and could be considered invasive, these are excluded from the Order.
46. The mature tree line is visible from St Francis Park and Dog Kennel Hill estate.
47. Essential cables and a modicum of litter from visitors to the railway was noted at the top end of the site. Network rail will retain 3m boundary along its land if plot is sold.

48. There would be potential for enhanced planting and further screening to railway, however this would remain Network rail land with no assurances that trees would not be felled and so given limited weight.
49. A fence line is erected circa 3m from the rear boundary of the houses on St Francis Road and the Woodland proper. This is also identified on OS maps. To the entrance to the site is a flat area upon which a rubbish skip was located.
50. Site storage and waste were located at the entrance to the site and the Officer was informed that this was not the responsibility of Network Rail. Network Rail have verbally agreed to have this removed to avoid an enforcement (s.215 notice).
51. Based on the above, Officers will be recommending an amendment to the Order in respect of the TPO map extent and an update to the schedule of species.
52. Where relevant to an assessment of the amenity value of trees or woodlands, authorities may consider taking into account other factors, such as importance to nature conservation or response to climate change. However, these factors alone would not warrant making an Order.
53. Orders covering a woodland protect the trees and saplings of whatever size within the identified area, including those planted or growing naturally after the Order was made. This is because the purpose of the Order is to safeguard the woodland as a whole, which depends on regeneration or new planting.
54. If planning permission is granted for a site and the felling of a tree protected by a TPO is included in the application, then planning permission outweighs any protection that the TPO may have offered. However, if a tree protected by a TPO does need to be felled, the landowner has a duty to replace the tree.
55. An order affords trees the highest level of protection available and places a greater duty on the tree owner, or any affected party, to provide overwhelming evidence in support of any removal. Where removals are granted, these are subject to conditional replanting in order to preserve amenity.
56. However, where removals are conducted unlawfully, the provisions of S.210 of the Town and Country Planning Act allow for the Council to enforce, and where appropriate, prosecute suspected breaches, seeking reasonable compensation for the loss in amenity afforded by the unlawful removal of any tree.
57. The law requires that in order for a TPO to be served the amenity must be assessed. Officers conclude that, for the reasons set out above, the TEMPO methodology has in this instance been applied correctly taking

into account any evidence of trees being a nuisance based on the available evidence, that the tree is generally free of defects, showing good health and has reached normal longevity and size for the species.

58. Currently, there is a live application for the construction of nine new houses within the Borough SINC on land designated as Borough Open Land.
59. The current application is being considered with due regard to the Development Plan (the Southwark Plan 2022), London Plan Policies and the National Planning Policy Framework.
60. In assessing development proposals at all stages of the planning process, from Pre-Application through to Full Planning and Prior to Occupation, Officers weigh the impacts on trees within and without the red line boundary and will consider the issuing of a Provisional Tree Preservation Order.
61. Should the recommendation be accepted and the order confirmed then an application to carry out works can be submitted in the usual way with consent or refusal considered on the basis of any further evidence provided. Further that, in the event that a scheme is deemed acceptable at full planning, then on the granting of a planning permission, a TPO could be annulled if it is required to facilitate development.
62. This is considered to be sufficient protection of the rights of all parties concerned and their ability to enjoy and protect their property.

Consultation

63. The TPO was lawfully served to Network Rail and near neighbours of the site and included in the TPO register which is publically available online. A further email was sent and included in the Pre App discussion with Shorten for Featherstone Homes.
64. Two letters in support of the TPO were received by local residents. These related to the benefit of the site in providing habitat and screening.
65. Two objections to the Order were received from Network rail and from Shorten for Featherstone Homes.
66. Once confirmed the planning and land charges registers are updated.

Conclusion

67. It is recommended for the reasons set out above that the site merits the protection of a Woodland TPO.
68. Whilst there is no right of appeal against confirmation, the affected parties

can apply with further evidence to carry out works to the tree should that be considered necessary. There is special dispensation afforded to Network Rail on Operational Land.

69. This is considered to be sufficient protection of the rights of all parties concerned and their ability to enjoy and protect their property.
70. Should the provisional TPO not be confirmed, the trees would not be afforded any statutory protection. However, for the purposes of Bio Diversity Net Gain (BNG), the trees and their canopy would have been captured as of January 2020 and be duly considered in respect of relevant policy, particularly P61 of the Southwark Plan 2022.
71. In order to afford greater legislative protection to the site, along with suitable consideration in respect of planning policy, and in the event that removal is requested, it is therefore recommended that that the Provisional Tree Preservation Order be confirmed, with the following amendments.
72. A change to the extent of the TPO map.
73. An updated schedule of species.

Legislative requirement

74. The TPO lapses on 14 February 2024 if not confirmed.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
TPO guidance https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#confirming-tree-preservation-orders	Online	Email trees.envl@southwark.gov.uk Telephone 020 7525 0511
TEMPO guidance http://www.flac.uk.com/wp-content/uploads/2014/12/TEMPO-GN.pdf	Online	
Southwark Council TPO information http://www.southwark.gov.uk/environment/trees/tree-preservation-orders-and-conservation-areas	Online	
Southwark TPO register https://geo.southwark.gov.uk/connect/analyst/mobile/#/main?mapcfg=Southwark%20Design%20and%20Conservation&overlays=TPO%20zones	Online	

APPENDICES

No.	Title
Appendix 1	TPO 701 (Tree Preservation Order)
Appendix 2	Slides
Appendix 3	Maps
Appendix 4	TEMPO (Tree Evaluation Method for Tree Preservation Order)
Appendix 5	SINC Citation SoBII02 (Sites of importance for Nature Conservation)
Appendix 6	SINC Map (Extract)

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Liam Bullen, Senior Planner - Urban Forester	
Version	Final	
Dated	20 December 2023	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance and Assurance	No	No
Strategic Director of Finance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	10 January 2024	

APPENDIX 1**IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012

**London Borough of Southwark
Tree Preservation Order (No. 701) 2023**

Land to North of Featherstone Mews and Rear 13-16 Talbot Road, SE22 8EH, 25-30 St
Francis Road SE22 8DE

THIS IS A FORMAL NOTICE to let you know that on the 14th August 2023 the Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the Schedule and shown on the map, without the local planning authority's consent.

Some explanatory guidance on tree preservation orders is available via <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#tree-preservation-orders--general>.

The Council has made the order because the trees make a positive contribution to the local environment as assessed by a TEMPO evaluation.

The order took effect on a provisional basis on 14th August 2023. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect permanently. Before this decision is made, the people affected by the order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the order.

If you would like to make any representations, please make sure we receive them in writing within 28 days of this date of this notice (17:00 14/09/2023). Your comments must comply with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided. Send your comments to London Borough of Southwark, (Ref TPO/701), 160 Tooley Street, PO Box 64529, London SE1P 5LX. All valid objections or representations are carefully considered before a decision on whether to confirm the order is made. Additional information regarding tree preservation orders can be found at <https://www.southwark.gov.uk/environment/trees/tree-preservation-orders-and-conservation-areas>

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this notification, please contact the Urban Forestry team on 0207 525 5338.

Dated 14th August 2023

Signed on behalf of the London Borough of Southwark

Michael Tsoukaris MSc(Arch) MSc(CVS) RIBA
Group Manager, Design, Conservation and Transport Policy
Authorised by the Council to sign in that behalf

London Borough of Southwark
160 Tooley Street
PO Box 64529
London SE1P 5LX

Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012

Objections and representations

6(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

- (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or*
- (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;*

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order (TPO Number 701) 2023

The London Borough of Southwark in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order (TPO Number 701) 2023

Interpretation

- 2.— (1) In this Order “the authority” means the London Borough of Southwark
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 14th August 2023

Signed on behalf of the London Borough of Southwark



Michael Tsoukaris MSc(Arch) MSc(CVS) RIBA
 Group Manager, Design, Conservation and Transport Policy
 Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER

This Order was confirmed by London Borough of Southwark without modification on the day of

OR

This Order was confirmed by the London Borough of Southwark, subject to the modifications indicated by , on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf]

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by London Borough of Southwark on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the London Borough of Southwark on the day of by a variation order under reference number a copy of which is attached

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the London Borough of Southwark on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

**Tree specified as an Individual
(within a black circle on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

**Trees specified as a Group
(within a broken black line on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

**Trees specified as an Area
(within a dotted black line on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

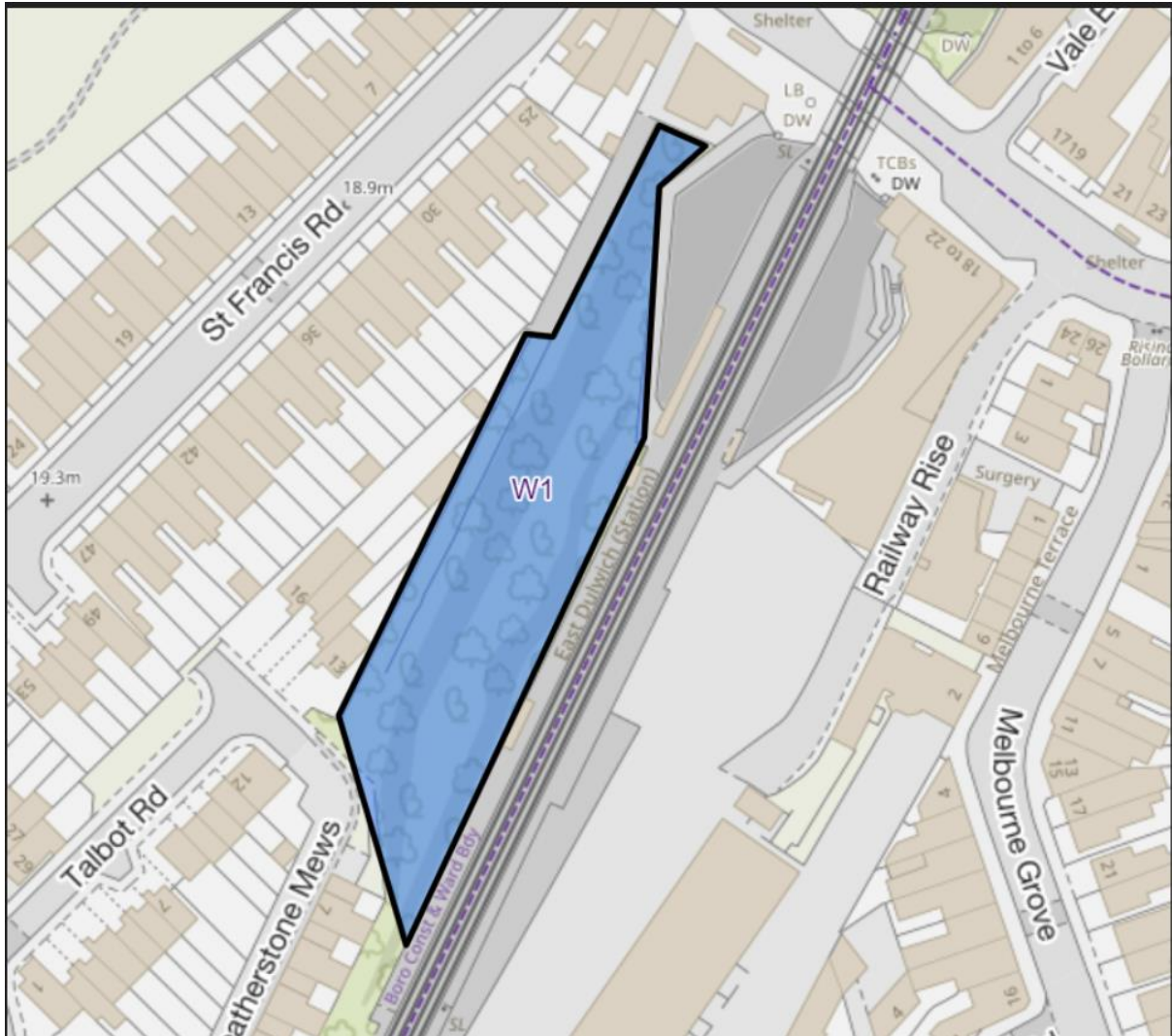
None

**Tree specified as a Woodland
(within a continuous black line on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

W1	all woodland species, Including, but not restricted to, Sycamore, Ash, Elder, Hawthorn, Holly	Land to North of Featherstone Mews
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MAP





TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)						
Survey Data Sheet & Decision Guide						
Date:	08.08.2023	Surveyor:	LB			
Tree details						
TPO Ref (if applicable):	701	Tree/Group No:	W1	Species:	Woodland	
Location:	Land North Featherstone Mews					
REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS						
Part 1: Amenity assessment			Score: Highlight as Applicable			
a) Condition & suitability for TPO			b) Retention span (in years) & suitability for TPO			
Good Highly suitable	5		100+ Highly suitable	5		
Fair Suitable	3		40-100 Very suitable	4		
Poor Unlikely to be suitable	1		20-40 Suitable	2		
Dead Unsuitable	0		10-20 Just suitable	1		
Dying/dangerous* Unsuitable	0		<10* Unsuitable	0		
* Relates to existing context and is intended to apply to severe irremediable defects only			*Includes trees which are an existing or near future nuisance			
c) Relative public visibility & suitability for TPO						
Very large trees with some visibility / prominent large trees			5	Highly suitable		
Large trees, or medium trees clearly visible to the public			4	Suitable		
Medium trees, or large trees with limited view only			3	Suitable		
Young, small, or medium/large trees visible only with difficulty			2	Barely Suitable		
Trees not visible to the public, regardless of size			1	Probably Unsuitable		
d) Other factors (Trees must have accrued 7 or more points (with no zero score) to qualify)						
Principal components of arboricultural features, or veteran trees			5			
Tree groups, or members of groups important for heir cohesion			4			
Trees with iden ifiable historic, commemorative or habitat importance			3			
Trees of particularly good form, especially if rare or unusual			2			
Trees with none of the above additional redeeming features			1			
Part 2: Expediency assessment (Trees must have accrued 9 or more points to qualify)						
				Notes:		
5) Immediate threat to tree		5				
3) Foreseeable threat to tree		3				
2) Perceived threat to tree		2				
1) Precautionary only		1				
Part 3: Decision guide						
Any 0 Do not apply TPO		Overall Score:	15		Date:	
1-6 TPO indefensible				TPO Served:		
7-10 Does not merit TPO		Recommend:	TPO			
11-14 TPO defensible			Do Not TPO	Confirmed:		
15+ Definitely merits TPO		Date:	08.08.2023			

Slides







APPENDIX 3

MAPS As served 14.08.2023



As modified



APPENDIX 4

TEMPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)					
Survey Data Sheet & Decision Guide					
Date:	08.08.2023	Surveyor:	LB		
Tree details					
TPO Ref (if applicable):	701	Tree/Group No:	W1	Species:	Woodland
Location:	Land North Featherstone Mews				
REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS					
Part 1: Amenity assessment			Score: Highlight as Applicable		
a) Condition & suitability for TPO			b) Retention span (in years) & suitability for TPO		
Good Highly suitable	5		100+ Highly suitable	5	
Fair Suitable	3		40-100 Very suitable	4	
Poor Unlikely to be suitable	1		20-40 Suitable	2	
Dead Unsuitable	0		10-20 Just suitable	1	
Dying/dangerous* Unsuitable	0		<10* Unsuitable	0	
* Relates to existing context and is intended to apply to severe irremediable defects only			* Includes trees which are an existing or near future nuisance		
c) Relative public visibility & suitability for TPO					
Very large trees with some visibility / prominent large trees			5	Highly suitable	
Large trees, or medium trees clearly visible to the public			4	Suitable	
Medium trees, or large trees with limited view only			3	Suitable	
Young, small, or medium/large trees visible only with difficulty			2	Barely Suitable	
Trees not visible to the public, regardless of size			1	Probably Unsuitable	
d) Other factors (Trees must have accrued 7 or more points (with no zero score) to qualify)					
Principal components of arboricultural features, or veteran trees			5		
Tree groups, or members of groups important for their cohesion			4		
Trees with identifiable historic, commemorative or habitat importance			3		
Trees of particularly good form, especially if rare or unusual			2		
Trees with none of the above additional redeeming features			1		
Part 2: Expediency assessment (Trees must have accrued 9 or more points to qualify)					
				Notes:	
5) Immediate threat to tree		5			
3) Foreseeable threat to tree		3			
2) Perceived threat to tree		2			
1) Precautionary only		1			
Part 3: Decision guide					
Any 0 Do not apply TPO		Overall Score:	15		Date:
1-6 TPO indefensible				TPO Served:	
7-10 Does not merit TPO		Recommend:	TPO		
11-14 TPO defensible			Do Not TPO	Confirmed:	
15+ Definitely merits TPO		Date:	08.08.2023		

SINC Citation SoBII02

APPENDIX 5

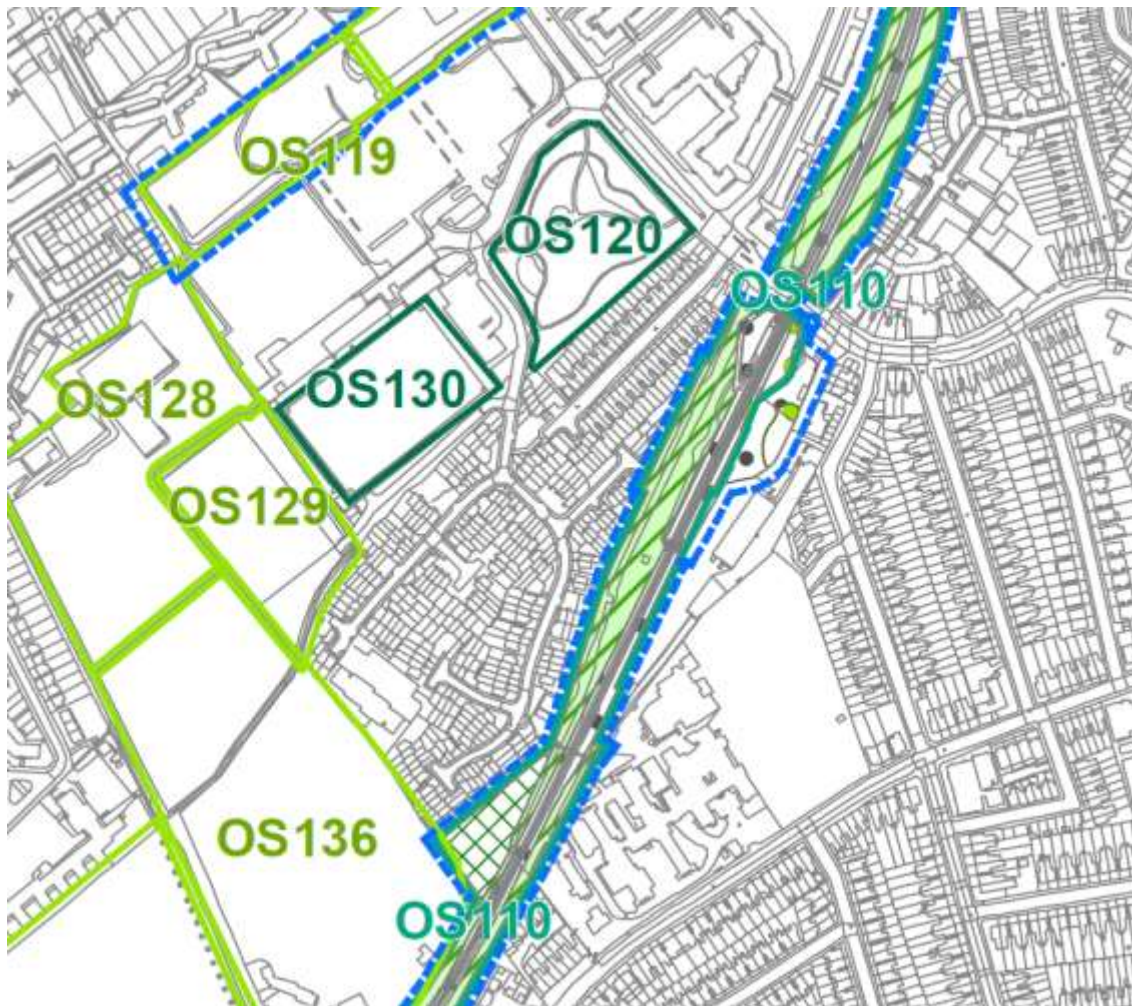
Borough Grade: Site of Borough Grade Importance for Nature Conservation
Site Reference: SoBII02
Site Name: Grove Park Cuttings and Peckham Rye to East Dulwich Railsides
Summary: Thickly-wooded railsides form an important green corridor for wildlife.
Grid ref: TQ 335 759
Area (ha): 10.64
Borough(s): Southwark
Habitat(s): Roughland, non-native woodland, scrub
Access: Can be viewed from adjacent paths or roads only
Ownership: Network Rail

Site Description:

Southwark's longest railway corridor stretching from Peckham roughly in the center of the borough to just beyond North Dulwich. At its broadest part at Grove Park, between Peckham Rye and Denmark Hill stations, the vegetation is largely dense sycamore woodland, with a shrub layer of elder and hawthorn and ground flora of ivy, cow parsley and bramble. The woodland has a good structure. There are also areas of roughland consisting of a typical mix of coarse grasses, tall herbs, bramble and elder scrub. The railway running south from this cutting through East and North Dulwich stations to Heme Hill Stadium runs through a narrow cutting, then on an embankment, both of which contain a similar mix of sycamore - ash woodland and roughland. The habitat corridor supports a good range of bat species with records for soprano pipistrelle, pipistrelle, noctule and lesser noctule bats being present. Common frog and stag beetle have also been recorded. The site forms a strategic habitat corridor through a residential part of the borough, connecting a number of SINC's and open spaces together including Heme Hill Velodrome in the south, then James Allen School, Greendale fields through to Dog Kennel Hill Estates and Warwick Gardens in the north. For this reason, it is of high value as a foraging and dispersal corridor for wildlife. Hedgehogs have been recorded around Greendale fields and reptiles are likely present in the area. Owned by Network Rail, there is no public access to the site, but the railsides form a pleasant backdrop for train travelers.

Site first notified: 01/01/1989 **Boundary last changed:** 01/06/1995
Citation last edited: 24/03/2015 **Mayor Agreed:**
Defunct: N
Last Updated: 24/03/2015

SINC Map (Extract)



Item No. 6.3	Classification Open	Date: 24 January 2024	Meeting Name: Planning Committee (Smaller Applications)
Report title:		TPO 704 Confirmation Report Land adjacent 100 Glengall Road, SE15 6RR	
Ward(s) or groups affected:		Old Kent Road	
From:		Director of Planning and Growth	

RECOMMENDATION

1. That the provisional TPO reference 704 be confirmed, unamended.

BACKGROUND INFORMATION

2. A Tree Preservation Order (TPO) was served, by hand, on a provisional basis, by the Urban Forester in consideration of a planning application for 2 properties to be built within the curtilage of the garden to 100 Glengall Road which would have necessitated the removal of the tree.
3. The order was issued to 100 Glengall Road, SE15 6RR and to the council's tree services team on 22 September 2023.
4. The TPO covers one individual tree, an early mature Red Oak, *Quercus rubra*, located on Southwark Freehold land forming a verge which wraps around the property to the East, North and West.
5. Other trees planted by the council on this land are not subject to the TPO as they are not directly impacted by the proposal and continue to be managed in accordance with the council's tree management strategy.
6. The council's tree services team have raised no objection to the serving of the TPO.
7. One objection to the TPO has subsequently been received, which according to the council's standing orders must be considered at planning committee before the order can be confirmed.

KEY ISSUES FOR CONSIDERATION

8. To continue to have effect the TPO attached in Appendix 1 must be confirmed within 6 months from the date of being served.

9. The tree was assessed as attaining a score of 21 (out of a potential total 25) under the Tree Evaluation Method for Tree Preservation Orders (TEMPO), with officers paying due regard to the condition and life expectancy of the tree, together with its heightened visibility and resulting in a decision guide indicating that the making of a TPO is definitely merited.
10. The confirmation of a TPO cannot be appealed. However, any subsequent refusal of an application for works to a TPO or imposition of conditions upon consent can be appealed to the Secretary of State via the Planning Inspectorate.
11. Anyone proposing to carry out works to a tree or trees subject to a TPO must seek permission from the local planning authority. This involves completing an application form identifying the trees, detailing the works proposed and explaining the reasons for the works. The council's planning officer will usually inspect the trees prior to making a decision and may recommend alternative works or refuse consent. If authorisation is given to fell a protected tree, a new tree will usually be required to be planted as a replacement. However, this will in turn require a new TPO to be served.
12. If a tree protected by a TPO is felled, pruned or willfully damaged without consent, both the person who carried out the works and the tree owner are liable to be fined up to £20,000 through the Magistrates court or, if taken to the Crown court, an unlimited fine. There are exceptional circumstances, such as when a tree is dead, dying or dangerous, when permission is not required. However, in order to avoid the risk of prosecution advice must be sought from the council and five days notice given before carrying out any works (except in an emergency).

Policy implications

13. The law on Tree Preservation Orders is in Part VIII of the Town and Country Planning Act 1990 as amended and in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.
14. Section 198 of the Act imposes a duty on the local planning authority to ensure the preservation and protection of trees whenever appropriate.
15. Priority 3 of the council's climate change strategy, with particular reference to the Southwark Nature Action Plan (SNAP) (2020); sets out the vision and strategy for the continued protection, conservation and enhancement of nature in the borough. "Southwark will continue to ensure protection of trees and woodlands subject to Tree Preservation Orders, in Conservation Areas and Sites of Importance for Nature Conservation, with trees to be retained on development sites and to require high standards of replacement tree planting. (1.18 Biodiversity and Trees (SNAP) (2020))"
16. London Plan Policy G7 Trees and woodlands states that trees and

woodlands should be protected, maintained, and enhanced, following the guidance of the London Tree and Woodland Framework.

17. Policy P61 of the Southwark Plan 2022 states that 3. Development must retain and enhance the borough's trees and canopy cover; and 4. 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; either 1. Within the development whereby valuation may be calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology or other assessment; or 2. If this is not possible, outside the development. In this case a financial contribution must be provided to improve borough tree planting located according to 'right tree right place' principles. The financial contribution will include ongoing maintenance costs where trees are planted in the public realm.
18. The current recommendation supports the relevant national legislation, London and Southwark policies to retain trees with proven amenity value.

Objection to the order

19. One objection has been received from the owner of 100 Glengall Road.
20. The basis of the objection is that the tree is sited too close to the foundations and will cause subsidence. Leaves from said tree are blocking the guttering of the property. Part of a fence has collapsed as a result of the roots. Debris from the tree is causing roof damage.
21. The objector also questions serving the TPO on the tree some 23 years after the property was purchased under the Right to Buy scheme (Year 2000) and states that this should have been disclosed prior to him purchasing the property.
22. With respect to annoyance matters, the council clearly identifies on its webpages those works it will undertake in regard to its tree stock.
23. This includes: Trees placed on a schedule for pruning will not be pruned earlier than stated unless they are dead, dying, dangerous or causing immediate hazard.
 - We will not usually prune a tree for:
 - blocking light to a property
 - harbouring wildlife
 - interfering with TV signals
 - seasonal leaf fall
 - bird, fruit or sap mess
 - blocked gutters
24. Matters of nuisance and damage are covered, again on the council's web

pages under tree insurance claims.

25. It should be noted that an informative on the web page states: It's the policy of Southwark council to preserve the green amenity afforded by street trees and we seek to retain them wherever practicable.
26. The serving of a TPO can be undertaken, at any time, in respect of fulfilling the local planning authority's statutory duty, in the interests of amenity, to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order. (s.198 of the Town and Country Planning Act, 1990 (as amended)).
27. Further that under s.197 of the same act: It shall be the duty of the local planning authority to:
 - (a) Ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees; and
 - (b) Make such orders under section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.
28. It affords trees the highest level of protection available and places a greater duty on the tree owner, or any affected party, to provide overwhelming evidence in support of any removal. Where removals are granted, these are subject to conditional replanting in order to preserve amenity.
29. However, where removals are conducted unlawfully, the provisions of S.210 of the Town and Country Planning Act allow for the council to enforce, and where appropriate, prosecute suspected breaches, seeking reasonable compensation for the loss in amenity afforded by the unlawful removal of any tree.
30. The law requires that in order for a TPO to be served the amenity must be assessed. Officers conclude that, for the reasons set out above, the TEMPO methodology has in this instance been applied correctly taking into account any evidence of trees being a nuisance based on the available evidence, that the tree is generally free of defects, showing good health and has reached normal longevity and size for the species.
31. Currently, there is a live application for the construction of two new houses within the private garden area. The application proposes the removal of the street tree to facilitate two car parking spaces and the building line of the proposed dwellings.
32. The current application is being considered with due regard to the Development Plan (the Southwark Plan 2022), London Plan Policies and

the National Planning Policy Framework.

33. The council notes that two applications to develop the land were met with approval in 2001 and 2007 but were never constructed. Two other applications had also been refused, primarily in terms of design. These applications provided for replacement planting or transplanting of a then semi-mature tree.
34. Upon review, the tree is of such size that transplanting or simple replacement of the tree, as considered acceptable under the previous applications, would now not be possible.
35. Further, our transport policy team object to the removal of the tree to facilitate parking as this would be a contradiction of Southwark Air Quality Action Plan Action 7.5 and Southwark Movement Plan Actions 7 and 9, which help Southwark to grow sustainably without adverse environmental impacts and emissions through car-free development.
36. In assessing development proposals at all stages of the planning process, from Pre-Application through to Full Planning and Prior to Occupation, officers weigh the impacts on trees within and without the red line boundary and will consider the issuing of a provisional tree preservation order.
37. Should the recommendation be accepted and the order confirmed then an application to carry out works can be submitted in the usual way with consent or refusal considered on the basis of any further evidence provided. Further that, in the event that a scheme is deemed acceptable at full planning, then on the granting of a planning permission, a TPO could be annulled if it is required to facilitate development.

Consultation

38. The TPO was lawfully served to the council's tree services team and near neighbours of the tree and included in the TPO register which is publically available online. Once confirmed the planning and land charges registers are updated.

Conclusion

39. It is recommended for the reasons set out above that the tree merits the protection of a TPO.
40. Whilst there is no right of appeal against confirmation, the affected parties can apply with further evidence to carry out works to the tree should that be considered necessary. This is considered to be sufficient protection of the rights of all parties concerned and their ability to enjoy and protect their property.

41. Should the provisional TPO not be confirmed, the tree would not be afforded any statutory protection. However, any works to the tree undertaken by any party other than the council, could be construed as criminal damage.
42. In order to afford greater legislative protection to the tree, and to ensure that sufficient evidence is provided, along with suitable consideration in respect of planning policy, in the event that removal is requested, it is therefore recommended that that the Provisional Tree Preservation Order be confirmed, unamended.

Legislative requirement

43. The TPO lapses on 22 March 2024 if not confirmed.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
TPO guidance https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#confirming-tree-preservation-orders	Online	Email trees.envl@southwark.gov.uk Telephone 020 7525 0511
TEMPO guidance http://www.flac.uk.com/wp-content/uploads/2014/12/TEMPO-GN.pdf	Online	
Southwark Council TPO information http://www.southwark.gov.uk/environment/trees/tree-preservation-orders-and-conservation-areas	Online	
Southwark TPO register https://geo.southwark.gov.uk/connect/analyst/mobile/#/main?mapcfg=Southwark%20Design%20and%20Conservation&overlays=TPO%20zones	Online	

APPENDICES

No.	Title
Appendix 1	TPO (Tree Preservation Order)
Appendix 2	Slides
Appendix 3	Maps
Appendix 4	TEMPO (Tree Evaluation Method for Tree Preservation Order)

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth	
Report Author	Liam Bullen, Senior Planner - Urban Forester	
Version	Final	
Dated	21 November 2023	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments Included
Assistant Chief Executive – Governance and Assurance	No	No
Strategic Director of Finance	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team		10 January 2024

APPENDIX 1**IMPORTANT - THIS COMMUNICATION MAY AFFECT YOUR PROPERTY**

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND)
REGULATIONS 2012

**London Borough of Southwark
Tree Preservation Order (No. 704) 2023**

Southwark Freehold Land to front 100 Glengall Road, SE15 6RR
LAND TITLE: TGL297316

site_name : Unwin Estate
site_code : H00014
tree_number : 42.00
easting : 533999.11
northing : 177589.34
species : Quercus rubra

THIS IS A FORMAL NOTICE to let you know that on the 22nd September 2023 the Council made the above tree preservation order.

A copy of the order is enclosed. In simple terms, it prohibits anyone from cutting down, topping or lopping any of the trees described in the Schedule and shown on the map, without the local planning authority's consent.

Some explanatory guidance on tree preservation orders is available via <https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas#tree-preservation-orders--general>.

The Council has made the order because the tree makes a positive contribution to the local environment as assessed by a TEMPO evaluation.

The order took effect on a provisional basis on 22nd September 2023. It will continue in force on this basis for a further 6 months or until the order is confirmed by the Council, whichever first occurs.

The Council will consider whether the order should be confirmed, that is to say, whether it should take effect permanently. Before this decision is made, the people affected by the order have a right to make objections or other representations about any of the trees, groups of trees or woodlands covered by the order.

If you would like to make any representations, please make sure we receive them in writing within 28 days of this date of this notice (17:00 20/10/2023). Your comments must comply with regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012, a copy of which is provided. Send your comments to London Borough of Southwark, (Ref TPO/704), 160 Tooley Street, PO Box 64529, London SE1P 5LX. All valid objections or representations are carefully considered before a decision on whether to confirm the order is made. Additional information regarding tree preservation orders can be found at <https://www.southwark.gov.uk/environment/trees/tree-preservation-orders-and-conservation-areas>

The Council will write to you again when that decision has been made. In the meantime, if you would like any further information or have any questions about this notification, please contact the Urban Forestry team on 0207 525 5338.

Dated 22nd September 2023

Signed on behalf of the London Borough of Southwark



Michael Tsoukaris MSc(Arch) MSc(CVS) RIBA
Group Manager, Design, Conservation and Transport Policy
Authorised by the Council to sign in that behalf

London Borough of Southwark
160 Tooley Street
PO Box 64529
London SE1P 5LX

Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012

Objections and representations

6(1) Subject to paragraph (2), objections and representations—

(a) shall be made in writing and—

- (i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or*
- (ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;*

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

(c) in the case of an objection, shall state the reasons for the objection.

6(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.

Tree Preservation Order

Town and Country Planning Act 1990

The Tree Preservation Order (TPO Number 704) 2023

The London Borough of Southwark in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

Citation

1. This Order may be cited as Tree Preservation Order (TPO Number 704) 2023

Interpretation

- 2.— (1) In this Order “the authority” means the London Borough of Southwark
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 22nd September 2023

Signed on behalf of the London Borough of Southwark



Michael Tsoukaris MSc(Arch) MSc(CVS) RIBA
Group Manager, Design, Conservation and Transport Policy
Authorised by the Council to sign in that behalf

CONFIRMATION OF ORDER

This Order was confirmed by London Borough of Southwark without modification on the day of

OR

This Order was confirmed by the London Borough of Southwark, subject to the modifications indicated by , on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf]

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by London Borough of Southwark on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the London Borough of Southwark on the day of by a variation order under reference number a copy of which is attached

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

This Order was revoked by the London Borough of Southwark on the day of

Signed on behalf of the London Borough of Southwark

.....

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

**Tree specified as an Individual
(within a black circle on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	RED OAK	Southwark Freehold Land to front 100 Glengall Road, SE15 6RR LAND TITLE: TGL297316

site_name : Unwin Estate
site_code : H00014
tree_number : 42.00
easting : 533999.11
northing : 177589.34
species : Quercus rubra

**Trees specified as a Group
(within a broken black line on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

**Trees specified as an Area
(within a dotted black line on the map)**

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

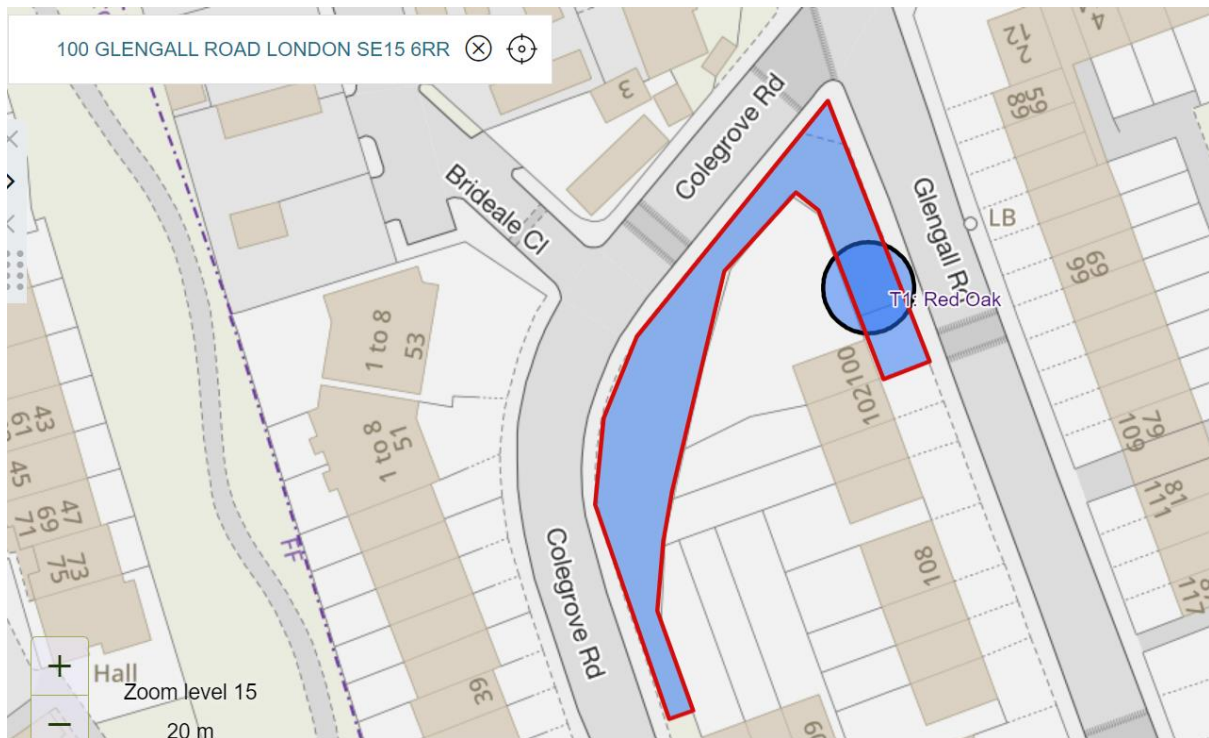
None

**Tree specified as a Woodland
(within a continuous black line on the map)**

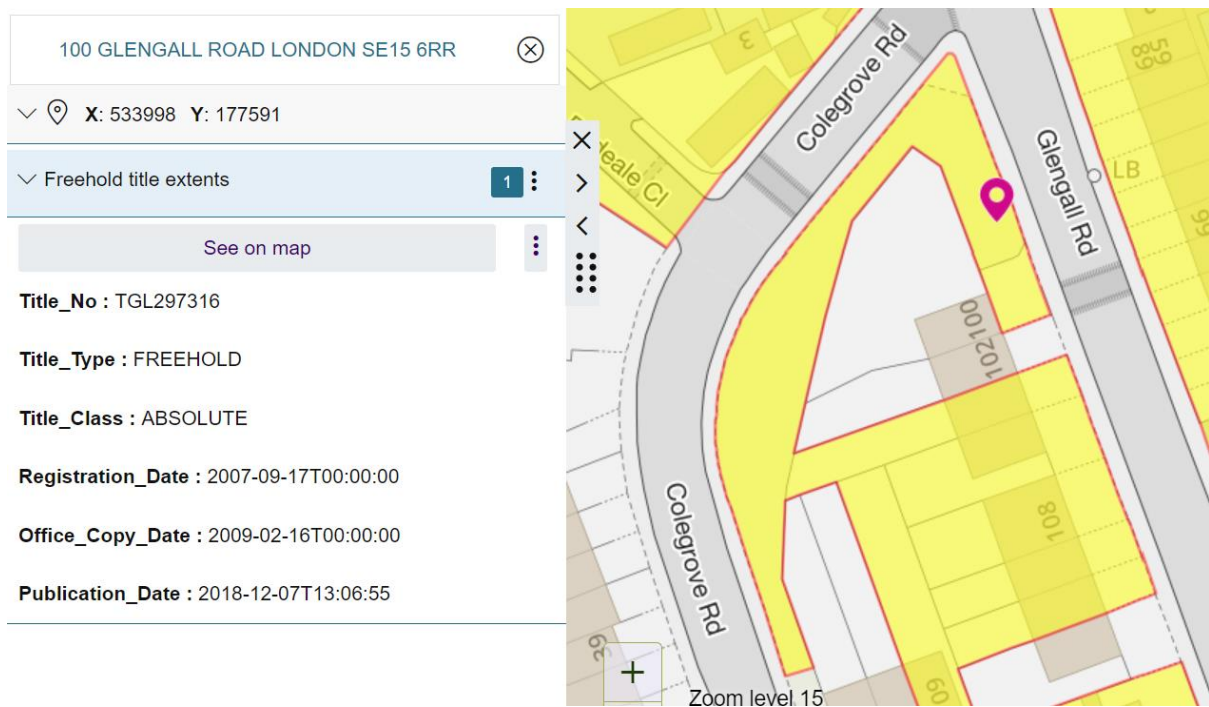
<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
-------------------------	--------------------	------------------

None

MAP



LAND TITLE: TGL297316



TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)							
Survey Data Sheet & Decision Guide							
Date:	20.09.2023		Surveyor:	LB			
Tree details							
TPO Ref (if applicable):	704	Tree/Group No:	T1	Species:	Red Oak		
Location:	Public Land, Fronting 100 Glengall Road						
REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS							
Part 1: Amenity assessment				Score: Highlight as Applicable			
a) Condition & suitability for TPO				b) Retention span (in years) & suitability for TPO			
Good Highly suitable	5			100+ Highly suitable	5		
Fair Suitable	3			40-100 Very suitable	4		
Poor Unlikely to be suitable	1			20-40 Suitable	2		
Dead Unsuitable	0			10-20 Just suitable	1		
Dying/dangerous* Unsuitable	0			<10* Unsuitable	0		
* Relates to existing context and is intended to apply to severe irremediable defects only				*Includes trees which are an existing or near future nuisance			
c) Relative public visibility & suitability for TPO							
Very large trees with some visibility / prominent large trees				5	Highly suitable		
Large trees, or medium trees clearly visible to the public				4	Suitable		
Medium trees, or large trees with limited view only				3	Suitable		
Young, small, or medium/large trees visible only with difficulty				2	Barely Suitable		
Trees not visible to the public, regardless of size				1	Probably Unsuitable		
d) Other factors (Trees must have accrued 7 or more points (with no zero score) to qualify)							
Principal components of arboricultural features, or veteran trees				5			
Tree groups, or members of groups important for their cohesion				4			
Trees with identifiable historic, commemorative or habitat importance				3			
Trees of particularly good form, especially if rare or unusual				2			
Trees with none of the above additional redeeming features				1			
Part 2: Expediency assessment (Trees must have accrued 9 or more points to qualify)							
							Notes:
5) Immediate threat to tree			5				
3) Foreseeable threat to tree			3				
2) Perceived threat to tree			2				
1) Precautionary only			1				
Part 3: Decision guide							
Any 0 Do not apply TPO		Overall Score:	21			Date:	
1-6 TPO indefensible					TPO Served:		
7-10 Does not merit TPO		Recommend:	TPO				
11-14 TPO defensible			Do Not TPO		Confirmed:		
15+ Definitely merits TPO		Date:	20.09.2023				

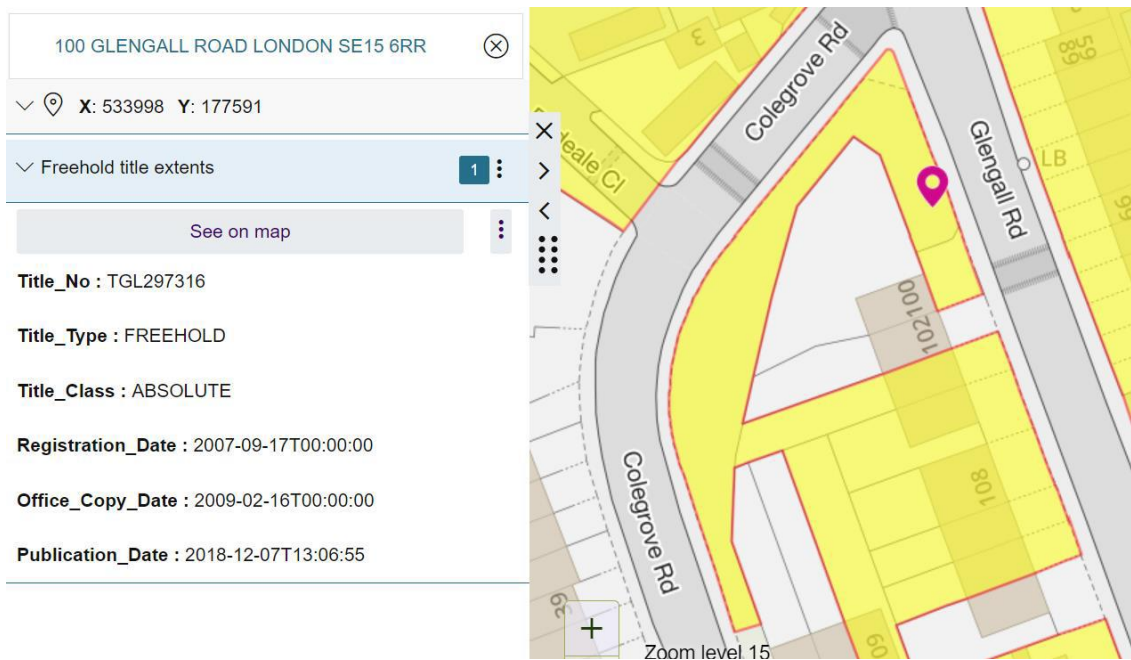
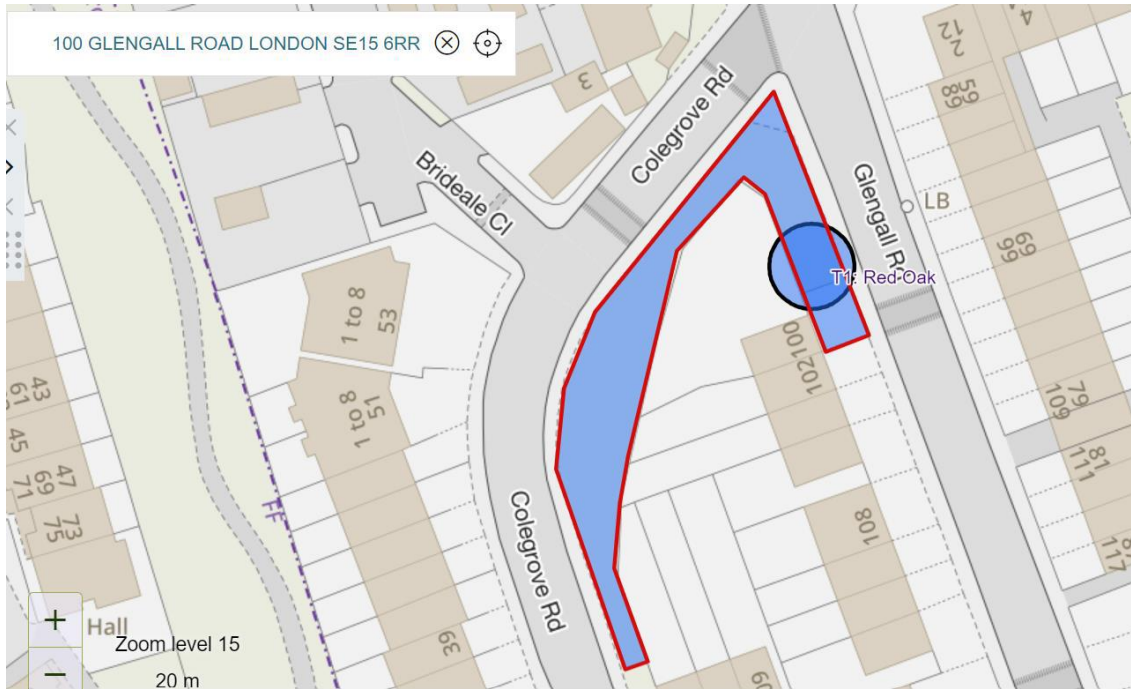
APPENDIX 2

Slides



APPENDIX 3

MAPS



APPENDIX 4

TEMPO

TREE EVALUATION METHOD FOR PRESERVATION ORDERS (TEMPO)						
Survey Data Sheet & Decision Guide						
Date:	20.09.2023	Surveyor:	LB			
Tree details						
TPO Ref (if applicable):	704	Tree/Group No:	T1	Species:	Red Oak	
Location:	Public Land, Fronting 100 Glengall Road					
REFER TO GUIDANCE NOTE FOR ALL DEFINITIONS						
Part 1: Amenity assessment			Score: Highlight as Applicable			
a) Condition & suitability for TPO			b) Retention span (in years) & suitability for TPO			
Good Highly suitable	5		100+ Highly suitable	5		
Fair Suitable	3		40-100 Very suitable	4		
Poor Unlikely to be suitable	1		20-40 Suitable	2		
Dead Unsuitable	0		10-20 Just suitable	1		
Dying/dangerous* Unsuitable	0		<10* Unsuitable	0		
* Relates to existing context and is intended to apply to severe irremediable defects only			*Includes trees which are an existing or near future nuisance			
c) Relative public visibility & suitability for TPO						
Very large trees with some visibility / prominent large trees			5	Highly suitable		
Large trees, or medium trees clearly visible to the public			4	Suitable		
Medium trees, or large trees with limited view only			3	Suitable		
Young, small, or medium/large trees visible only with difficulty			2	Barely Suitable		
Trees not visible to the public, regardless of size			1	Probably Unsuitable		
d) Other factors (Trees must have accrued 7 or more points (with no zero score) to qualify)						
Principal components of arboricultural features, or veteran trees			5			
Tree groups, or members of groups important for their cohesion			4			
Trees with identifiable historic, commemorative or habitat importance			3			
Trees of particularly good form, especially if rare or unusual			2			
Trees with none of the above additional redeeming features			1			
Part 2: Expediency assessment (Trees must have accrued 9 or more points to qualify)						
				Notes:		
5) Immediate threat to tree			5			
3) Foreseeable threat to tree			3			
2) Perceived threat to tree			2			
1) Precautionary only			1			
Part 3: Decision guide						
Any 0 Do not apply TPO		Overall Score:	21		Date:	
1-6 TPO indefensible				TPO Served:	22.09.2023	
7-10 Does not merit TPO		Recommend:	TPO	Confirmed:		
11-14 TPO defensible			Do Not TPO			
15+ Definitely merits TPO		Date:	20.09.2023			

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

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