Open Agenda

Planning Committee (Smaller Applications)

Wednesday 2 September 2026
7.00 pm
Ground floor meeting rooms - G01A, B, & C 160 Tooley Street,
London SE1 2QH

Membership	Reserves
Councillor Richard Taylor (Chair)	Councillor Ryan Cox
Councillor Jane Salmon (Vice-Chair)	Councillor Catherine Dawkins
Councillor Andy Higson	Councillor Sam Dalton
Councillor Sean Hannigan	Councillor Victoria Mills
Councillor James Moyse	Councillor Pascale Mitchell
Councillor Margy Newens	Councillor David Noakes
Councillor Kath Whittam	Councillor Leigh Richman

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. For details on building access, translation, provision of signers or any other requirements for this meeting, please contact the person below.

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

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Members of the committee are summoned to attend this meeting
Althea Loderick
Chief Executive
Date: 20 August 2026

PRINTED ON RECYCLED PAPER

Planning Committee (Smaller Applications)

Wednesday 2 September 2026
7.00 pm
Ground floor meeting rooms - G01A, B, & C 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 - TO FOLLOW

To approve as a correct record the amended minutes of the meeting held on 22 July 2026 and minutes of the meeting on 10 August 2026. *To follow on a Supplemental Agenda.*

6. DEVELOPMENT MANAGEMENT 1 - 5

6.1. COFFEE KIOSK, LAND ADJACENT TO TATE MODERN BANKSIDE, SE1 6 - 38

Item No.	Title	Page No.
6.2.	**MYATTS FIELD COURT 18 MCDOWALL ROAD, LONDON SE5 9JS**	39 - 64

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 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."

Date: 20 August 2026

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. **As meetings are usually livestreamed, speakers should not disclose any information they do not wish to be in the public domain.**

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 Constitutional.Team@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
Planning and Growth Directorate,
Tel: 020 7525 5403

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

Agenda Item 6.

Meeting Name:	Planning Committee (Smaller Applications)
Date:	2 September 2026
Report title:	Development Management
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
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.

Community impact statement

10. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Governance

11. 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.

12. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning and growth is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a

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

13. 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.

14. 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.

15. The National Planning Policy Framework (NPPF), as amended in December 2024, is a relevant material consideration and should be taken into account in any decision-making.

16. 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.

17. "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."

18. 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

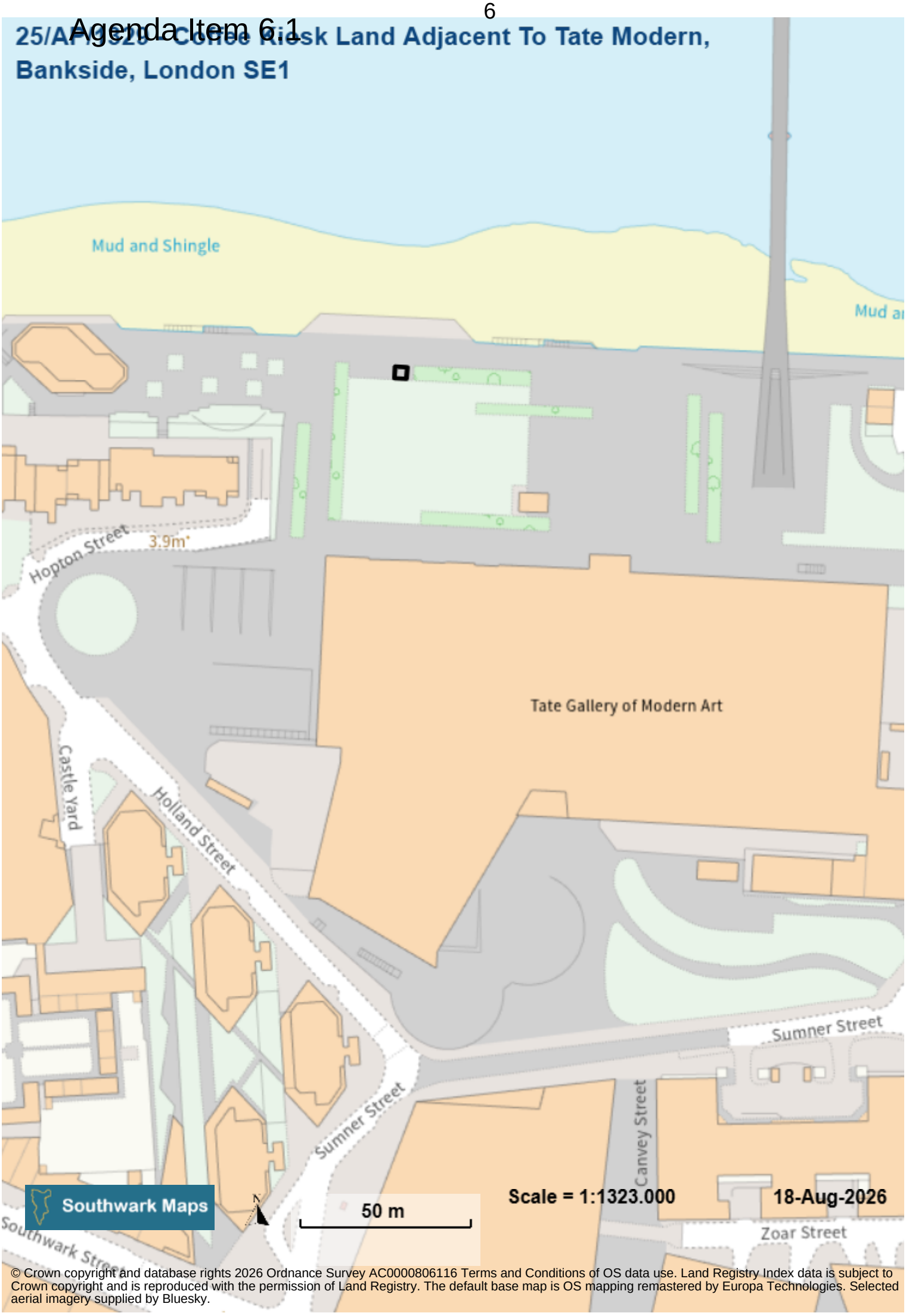
APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Kamil Dolebski, Head of Planning and Property Beverley Olamijulo, Constitutional Officer	
Version	Final	
Dated	18 August 2026	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	**Comments sought**	**Comments included**
Director of Law and Governance	Yes	Yes
Director of Planning and Growth	No	No
Executive Member	No	No
Date final report sent to Constitutional Team		18 August 2026

Agenda Item 6.1



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Meeting Name:	Planning Committee (Smaller Applications)
Date:	2 September 2026
Report title:	**Development Management planning application:** Application 25/AP/1329 for: Full Planning Application **Address:** Coffee Kiosk Land Adjacent To Tate Modern Bankside, London SE1 **Proposal:** Erection of a single-storey kiosk to be used for the display and retail sale of hot drinks and cold snacks [Use Class E(a) other than hot food].
Ward(s) or groups affected:	Borough and Bankside
Classification:	Open
Reason for lateness (if applicable):	Non applicable
From:	Director of Planning and Growth
Application Start Date: 12 May 2025	**Application Expiry Date**: 06 June 2026
Earliest Decision Date:	

RECOMMENDATION

1. That planning permission be granted subject to conditions.

EXECUTIVE SUMMARY

2. This application seeks permission for a small, removable single-storey metal-clad coffee kiosk on the riverwalk adjacent to Tate Modern. The site forms part of designated Borough Open Land. The proposal replaces the existing operation of a converted taxi cab with associated trestle tables and marquees currently located on the main thoroughfare of the Thames Path

3. The amended scheme relocates the structure to a set-back position with a reduced footprint and chamfered corners. This rationalises the existing arrangement, removes clutter from the primary pedestrian route, reduces vehicular movements associated with the current temporary set-up, and improves the openness and functionality of this section of Borough Open Land.

4. In total, 22 representations in support and 8 representations objecting have been received, together with 1 neutral/conditional response from Southwark

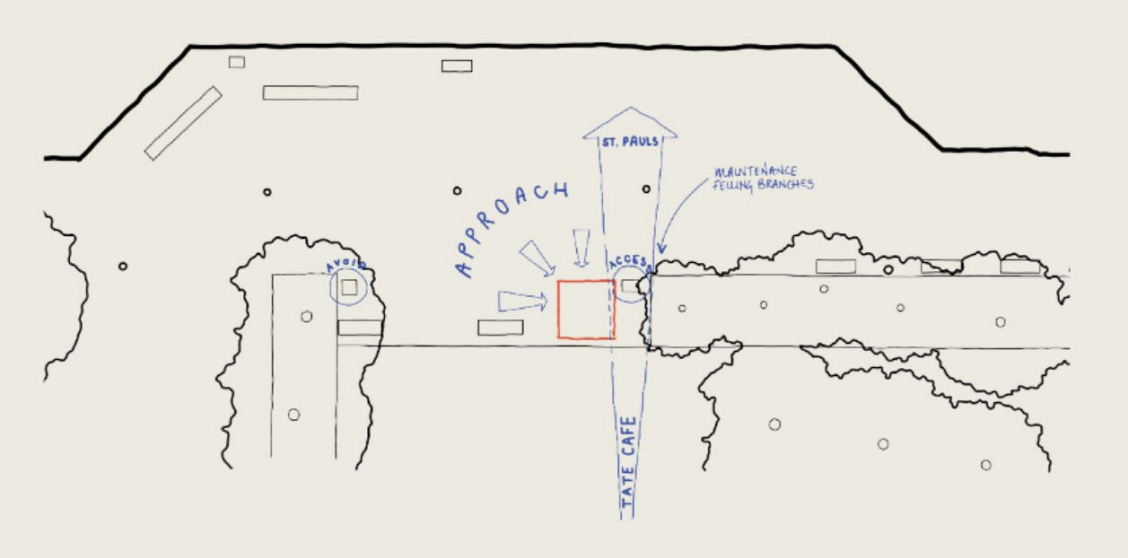
Cathedral and formal responses from the Highway Authority and the Council's Design and Conservation Team.

5. The proposal is considered to comply with the development plan. It is recommended that planning permission be granted subject to conditions.

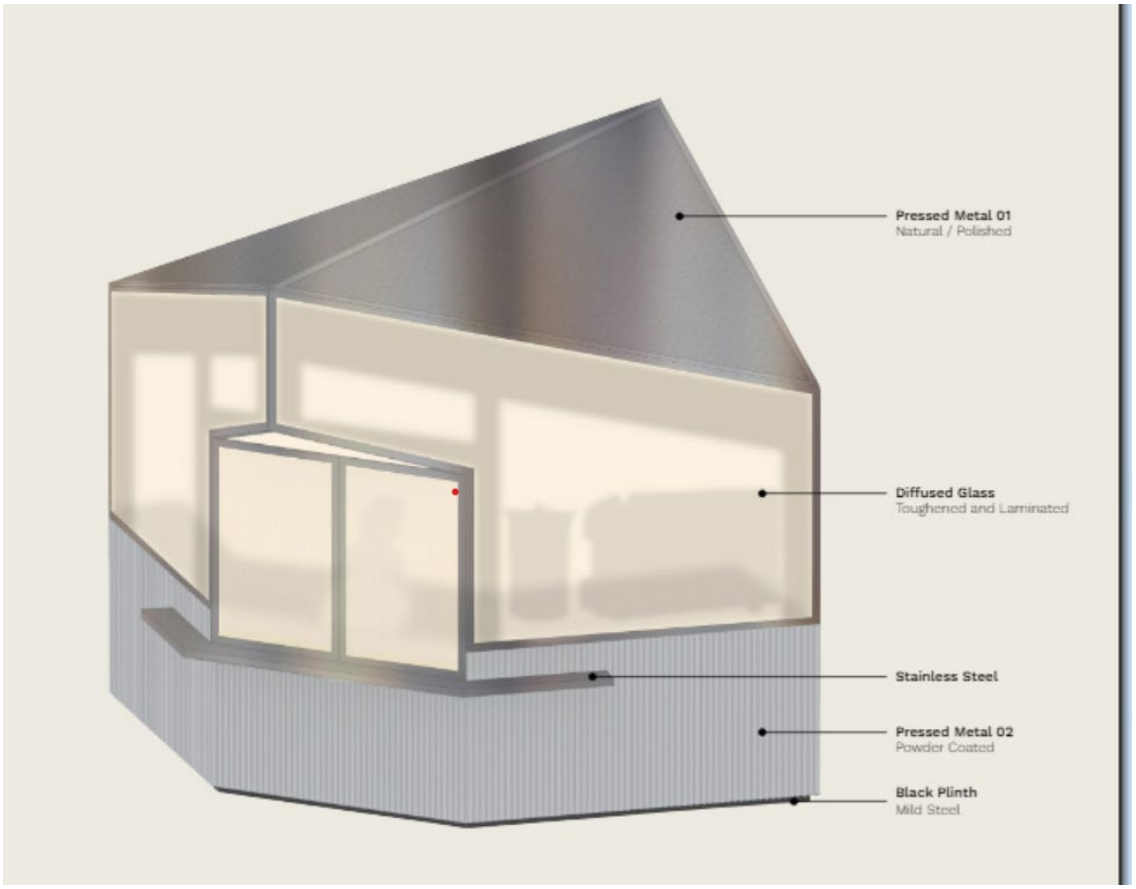
BACKGROUND INFORMATION

6. Site location and description

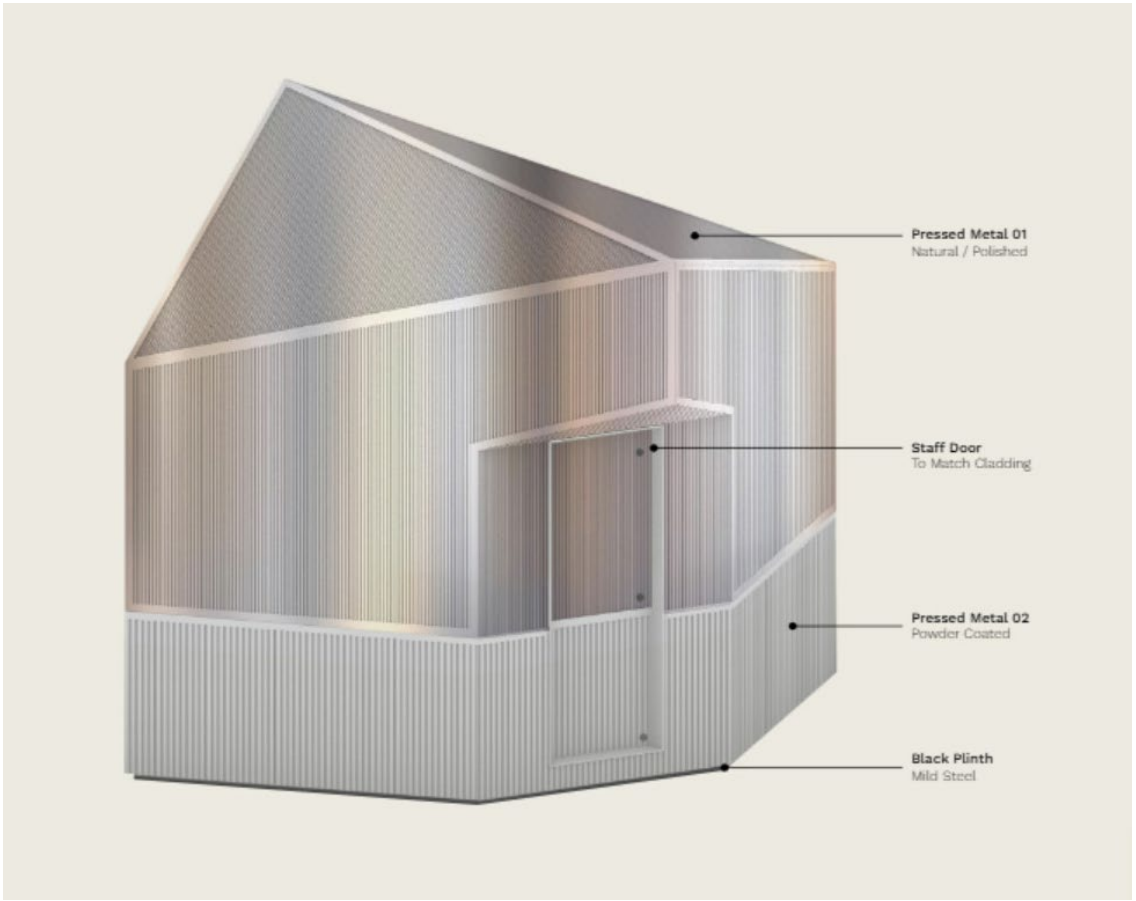
7. The application site comprises an area of public footway on the Thames Path / Jubilee Walkway immediately adjacent to the northern boundary of Tate Modern. The site forms part of designated Borough Open Land and lies within the setting of several locally listed assets, including Tate Modern (former Bankside Power Station), the landscaped area to the north of the gallery, the Millennium Footbridge and Falcon Point.



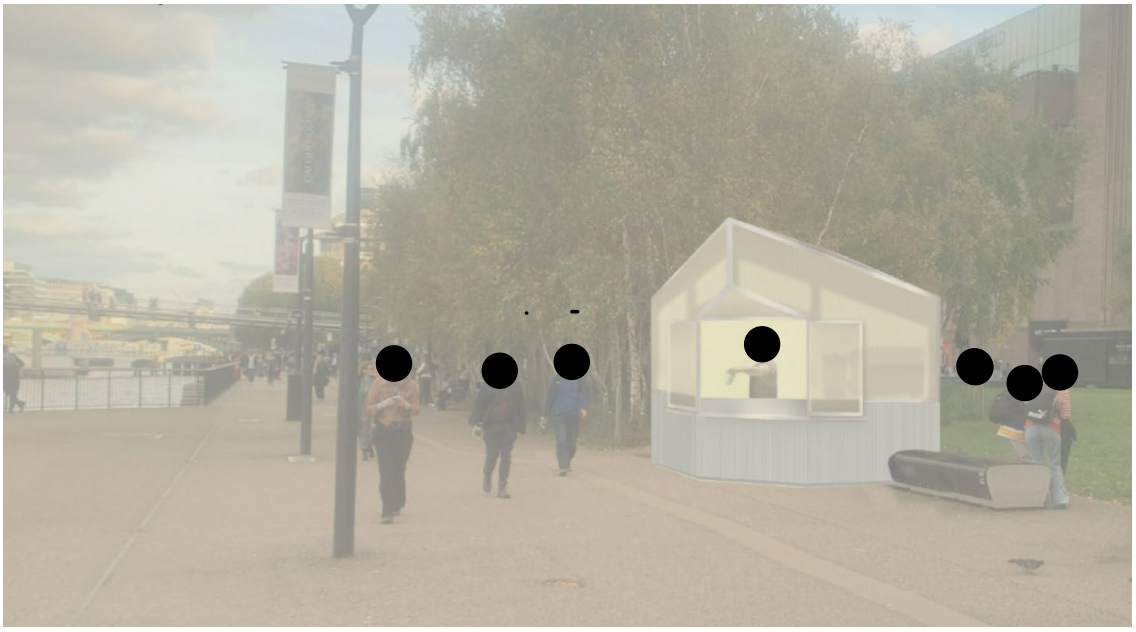
Details of proposal



Proposed front elevation



Proposed rear elevation.



Proposed kiosk in context.

8. Permission is sought for the erection of a removable metal-clad container with mono-pitch roof measuring approximately 3.0 m (width) × 3.0 m (depth) × 2.8 m (height), with chamfered corners, for use as a coffee kiosk selling hot drinks and cold snacks. The amended scheme relocates the structure away from the main pedestrian desire line into a more set-back position.

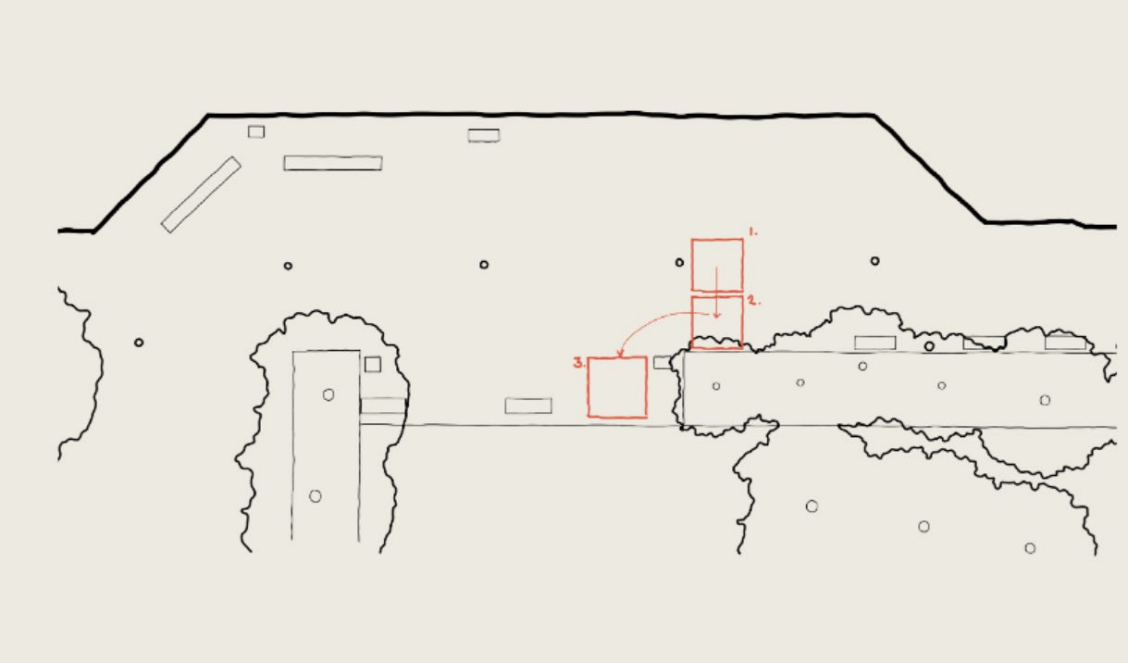


Existing converted taxi cab coffee stall

9. The proposal replaces the existing long-standing operation of a converted taxi cab with associated trestle tables and marquees that currently occupy space on the main thoroughfare. The amended scheme relocates the structure away from the primary pedestrian desire line into a more set-back position, reducing the operational footprint and removing the need for the daily vehicular access

and temporary structures associated with the current arrangement.

Amendments to the application



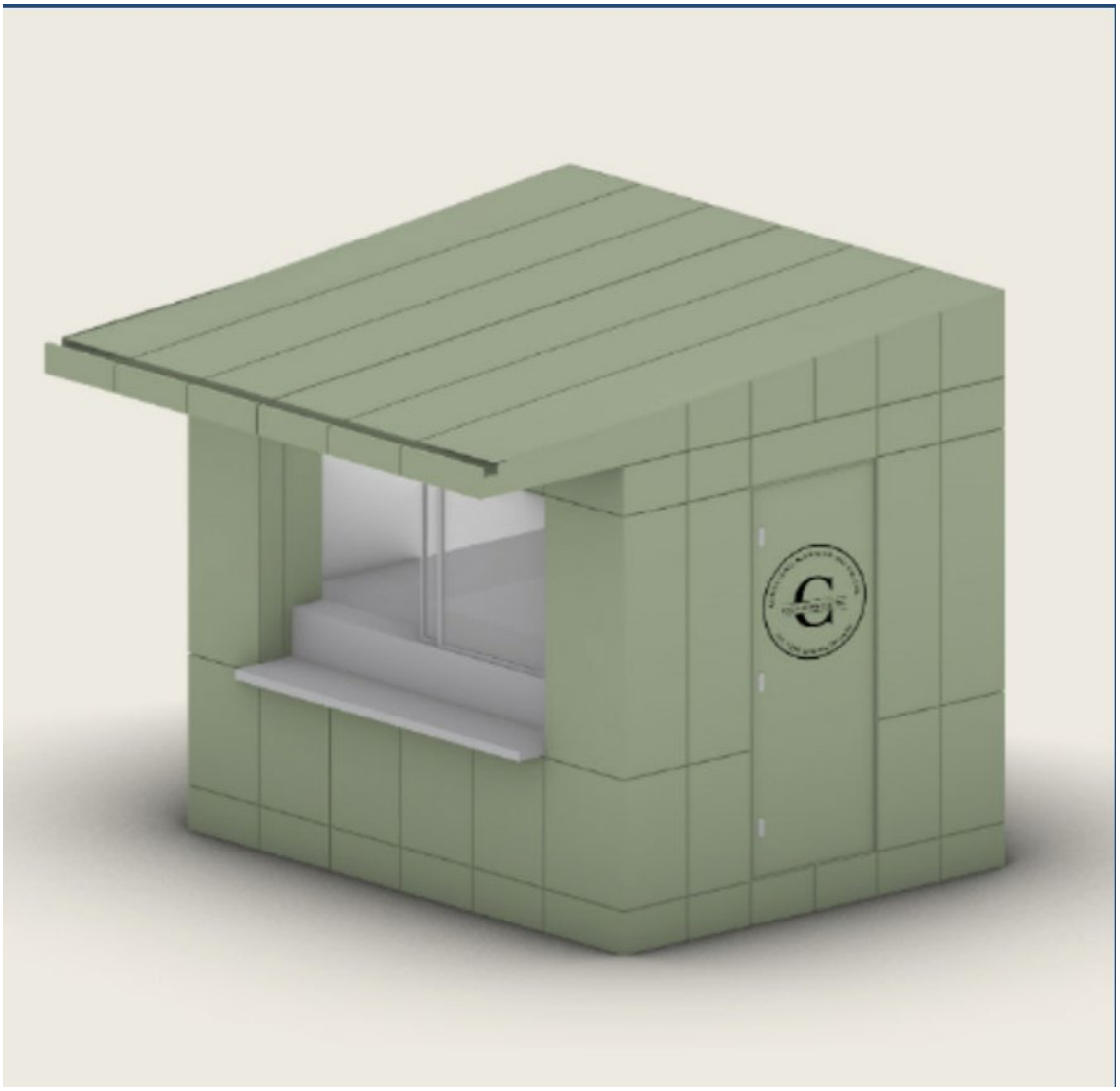
10. The reduction in footprint that comes from moving on a converted taxicab that relies on a trestle table and marquee for rain protection has facilitated the move from the present central location to the more discrete recessed area that continues to sit within an area of the Southbank that is zoned by Southwark Licencing for traders. The plan above shows:

    1. The existing taxicab location.
    2. An originally applied for location.
    3. The existing negotiated proposal.

11. The application was amended to move the siting from location 2 to 3 to ensure that the kiosk does not impact pedestrian flow and line of sight.

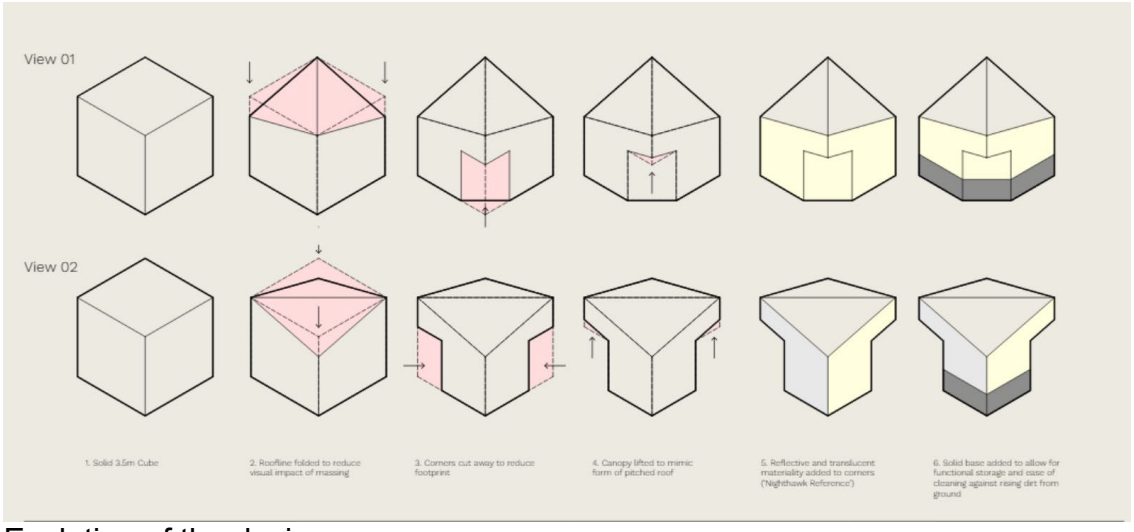
12. The supporting comments are consistent in emphasising the existing long-term operation of the trader, the modest and improved design of the proposed kiosk, the set-back location, employment benefits, and the absence of observed harm.

13. The objections raise more detailed points on design and character, pedestrian congestion, lack of toilets, for which amendments have been obtained. They also discuss lease/legal issues that do not relate to planning, and (from Tate Modern) heritage setting, pedestrian flow and operational impacts.



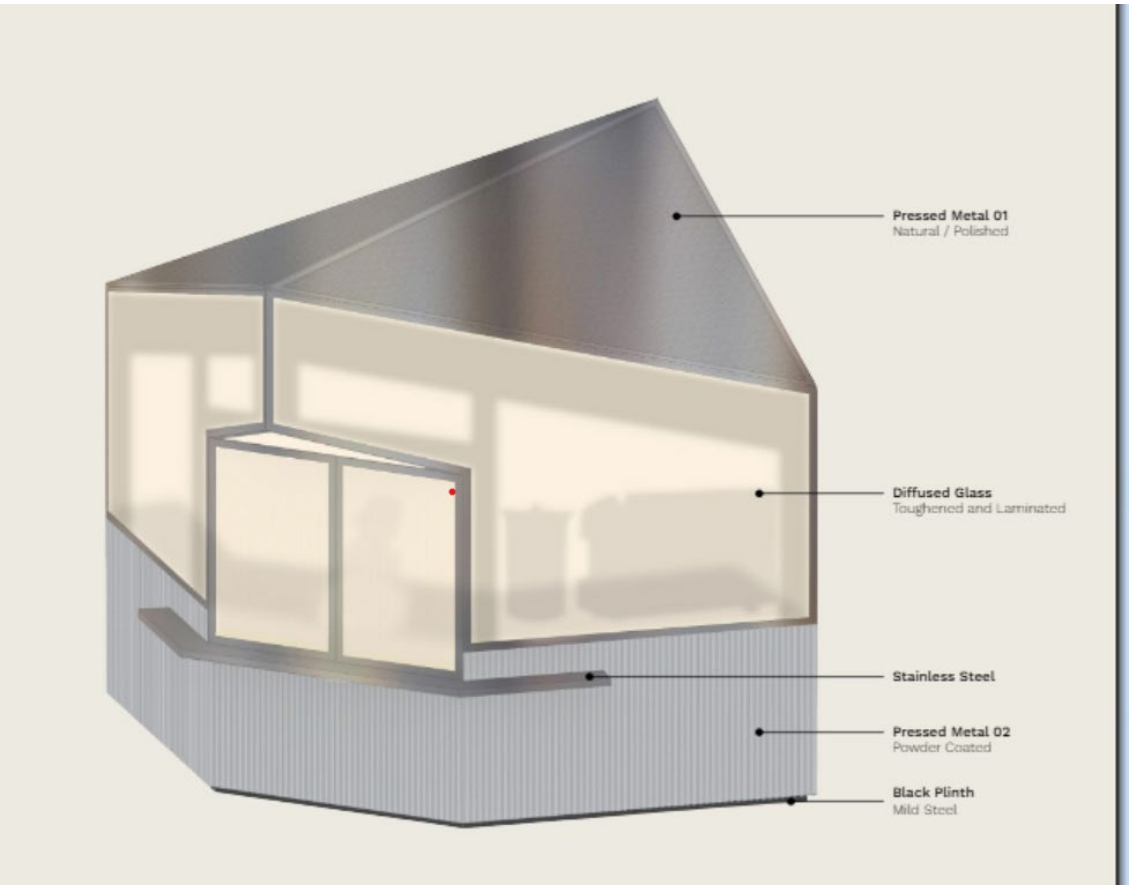
Original superseded design

14. The originally submitted scheme was rejected. Our Design Officers felt that a clad shipping container was of poor design and not appropriate for the setting of the Tate Modern.



Evolution of the design

15. This rejection led to a comprehensive design review that re-imagined the kiosk both in three dimensions and in materiality. The design with a functional cube. The roofline has been folderd to reduce visual impact and massing, corners cut away to reduce footprint, the canopy lifted, reflective and translucent matriality was added and a solid base provided.



Amended design

16. A final amendment involved replacing polycarbonate with toughened and laminated diffused glass.The end result is a design that will sit confortably in this location and complement the Tate Modern and Southbank area.

Consultation responses from members of the public and local groups

Overall balance of responses

17. In total, 22 representations in support and 8 representations objecting have been received, together with 1 neutral/conditional response from Southwark Cathedral. Supporting commenters substantially outnumber objectors.

18. Support has come primarily from local residents and regular customers of the existing trader, together with formal letters of support from Living Bankside and the CEO of Shakespeare's Globe.

19. Objections have been submitted by a smaller number of local residents (particularly from Falcon Point and Bankside addresses), the freehold interest at 49 Bankside, and multiple formal representations from Tate Modern

(including via its agent).

20. Southwark Cathedral submitted a neutral/conditional response. Several parties submitted more than one representation.

Key themes of support

21. The principal themes raised by supporters are:

Existing long-term operation without harm

22. Many supporters note that the trader (trading as Chealsons) has operated in the immediate vicinity for several years (presently from a van/cab) without causing disruption, noise, anti-social behaviour or pedestrian safety problems. The proposal is viewed as a modest formalisation and improvement of an already established activity rather than the introduction of a new use.

Design, appearance and location

23. The proposed removable metal-clad container is repeatedly described as modest in scale, lightweight, temporary/reversible, tidy and an improvement on the current open stall arrangement. The set-back position and reduced footprint are welcomed as freeing up space on the main walkway and improving pedestrian flow. Materials and the finish is metallic with frosted glazing are considered appropriate and in keeping with the Bankside character. Supporters argue that refusal on design grounds would be disproportionate given the small scale and reversible nature of the structure.

Positive contribution to the area and local economy

24. Supporters highlight convenient, reasonably priced and high-quality service, the addition of character and vibrancy, natural surveillance/passive security benefits, and support for an independent local business.

Employment opportunities, particularly for young people

25. Multiple comments (including from Living Bankside and individual residents) emphasise the trader’s provision of job opportunities for young local people, including young people. The more permanent kiosk is seen as enabling expansion of the team and supporting those without driving licences.

Response to objections

26. Several supporters directly address points raised by objectors, stating that noise and anti-social behaviour claims are unsubstantiated or speculative; that the urination problem around Falcon Point pre-dates the kiosk and is primarily linked to the adjacent pubs, coffee drinkers are not known for this sort of behaviour; and that some objections conflate wider riverwalk management issues (busking, litter, etc.) with this specific proposal.

Notable organisational support

27.

- Living Bankside (Joseph Bonner, Chairman, 7 July 2025): Existing trader, job opportunities for young people, attractive addition with reduced footprint and set-back position, design fitting to the area, contributes to vibrancy and diversity.

- Stella Kanu, CEO, Shakespeare's Globe (16 June 2025): Full support. Friendly service to passers-by and cultural/leisure workers (including Globe staff, freelancers and volunteers). Fit-for-purpose container in a better position accounting for footfall and weather; excellent complement to the energy and flow of this section of Bankside.

- Dr Mark Oakley, Dean of Southwark Cathedral: One kiosk is reasonable (does not support proliferation). Buskers and street performers create greater obstruction and noise; a sympathetically designed kiosk that manages waste is positive.

Key themes of objection

28. The principal concerns raised by objectors are:

Design, appearance and character of the area

29. The previously proposed metal-clad container was considered out of keeping with adjacent brick-built structures and the character of the riverwalk. Concerns were raised about a "street market" or temporary commercial appearance harming the setting of Tate Modern and the wider Bankside environment.

Pedestrian congestion and obstruction

30. Objectors (including Tate Modern and local residents) argued that the riverwalk is already extremely busy and that original siting of the kiosk would attract people to stop, queue and congregate, worsening congestion for pedestrians, cyclists, pushchairs, wheelchairs and those with mobility difficulties. Tate Modern specifically noted the location near lampposts that already split the path and the potential creation of a pinch-point. Reference is made to the high visitor numbers to Tate Modern (4.6 million in 2024) and the role of the thoroughfare as a key link between cultural destinations. For this reason the siting was moved away from the general thoroughfare.

Lack of toilets and related amenity issues

31. Several objectors highlight the absence of customer toilets. They claim that existing public urination problems around Falcon Point and on private forecourts will be exacerbated, placing strain on community facilities and creating pollution. Objectors note the lack of public toilets between Waterloo and Tower Bridge.

Over-provision of food and drink facilities

Objectors point to existing offers nearby (Tate Modern, Blackfriars station, Founder's Arms, Globe, former Starbucks in Falcon Point) and argue that an additional outlet constitutes overdevelopment.

Lease, ownership and legal issues

32. Detailed submissions have been made raising concerns that Southwark holds only a head lease over the riverwalk; that freeholder consent and consultation with Falcon Point sub-leaseholders (whose leases derive from Southwark's interest) and the freeholder of 49 Bankside have not been adequately addressed; and that the erection of a permanent structure may contravene the terms of the head lease. None of these comments relate to material planning issues and planning permission does not over-ride any other legal requirements.

33. Criticism has also been made of the 2010 Cabinet designation of trading pitches in this location, which led to the original licensing of the trading spot (consultation process, response rates, exclusion of local parties with legal interests) and proposes re-designation of the riverwalk as a "quiet zone" to encourage artists. These are matters for the Licensing Committee that do not present material issues. However, it is a material consideration that the Council did designate this location for street trading.

Operational and servicing issues

34. Concerns are raised about waste generation and collection, water supply and disposal, electricity (or generator noise), restocking/servicing access (including use of the ramp on Tate land), and management of queues. Tate Modern notes limited information in the application on delivery, servicing, waste and customer management. A servicing plan was as a result requested.

Heritage setting and visual impact (Tate Modern)

35. Tate Modern's formal objections (June, September and December 2025, including via The Planning Lab) emphasise the locally listed status of Tate Modern and the landscaped area to the north, the importance of uncluttered public views and key sightlines, and the civic presence of the gallery. They argue that a permanent commercial kiosk would erode these qualities and set a dangerous precedent for the South Bank. They also raise process concerns (lack of engagement with Tate despite reliance on its facilities for toilets and security) and the absence of pedestrian flow analysis or a full management plan.

Southwark Cathedral

36. Does not object to this single coffee kiosk as a replacement for the existing coffee cab (which has presented as responsible and friendly). However, the Cathedral is concerned that permission could set a precedent for multiple similar structures, which would raise different issues. It seeks explicit

reassurance that this is neither the case nor the intention, and that adequate resources will be in place to manage the public space (noting current problems with amplified busking, litter and anti-social behaviour).

Procedure

37. Procedural concerns have been raised regarding statutory consultation, site notices, site address/description, head-lessee and freeholder positions.

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

38. 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 the Appendix.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Principle of the proposed development in terms of land use, including the designation of the site as Borough Open Land, and the rationalisation of the existing operation.
- Design quality and impact on the character of the area and the setting of locally listed assets.
- Impact on the amenity of adjoining occupiers and the surrounding area.
- Transport and pedestrian movement (including reduction in vehicular movements).
- Servicing, waste management and other operational matters.

40. These matters are discussed in detail in the ‘Assessment’ section of this report.

Legal context

41. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Act also requires the Authority to pay special regard to the desirability of preserving listed buildings and their setting or any features of special architectural or historic interest which they possess.

42. 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.

43. Some legal concerns have been raised by residents that are not material planning considerations. It has been claimed that a grant could result in the trader developing rights over the land but this cannot occur, an occupier would only gain rights by the passing of time if they occupied the land without consent. Residents also questioned the Council's right to license structures on this land, which happens to be adopted Highway that the Council owns on a long lease. Nonetheless, should any such point be arguable then granting planning consent would not extinguish any parallel leasehold / freehold controls.

Planning policy

44. 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 in the Appendix. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

45. The site is located within the:

46. Central Activities Zone, EA Flood Zones 2 and 3 benefiting from flood protection, Better Bankside BID, Borough open land and Borough and Bankside District Town Centre and Bankside, Borough and London Bridge Opportunity Area.

ASSESSMENT

Principle of the proposed development in terms of land use

47. The proposal is for a small, removable food and drink kiosk (Use Class E(a)) on public footway that forms part of designated Borough Open Land. Southwark Plan Policy P57 states that development will not be permitted on Borough Open Land except in exceptional circumstances where it consists of ancillary facilities that positively contribute to the setting, accessibility and quality of the open space. The policy seeks to protect the open character and function of these spaces.

48. The application must be assessed in the context of what currently exists on the site. The trader has operated for approximately five years from a converted taxi cab with associated trestle tables and marquees located on the main thoroughfare of the Thames Path. This arrangement involves regular vehicular access to position and remove the vehicle and temporary structures, occupies more space on the primary pedestrian route, and presents a more temporary and cluttered appearance.

49. The proposed metal-clad container is small (approximately 9 m² footprint), temporary and fully removable. The amended scheme places it in a set-back

position off the main thoroughfare. This rationalises the existing operation by:

- removing the converted taxi cab, trestle tables and marquees from the primary pedestrian route;
- reducing the overall operational footprint and visual clutter;
- significantly reducing vehicular movements associated with the daily positioning of the current temporary set-up; and
- improving the openness and functionality of this section of Borough Open Land.

50. The kiosk would continue to provide a service used by pedestrians, visitors and cultural workers. In this respect it can be regarded as an ancillary facility that contributes to the accessibility and quality of the open space for its users, while representing a clear improvement on the existing arrangement.

51. The numerical weight of representations (22 in support), including formal support from Living Bankside and the CEO of Shakespeare's Globe, indicates that the continued presence of a single modest kiosk is regarded by many as a positive contribution to the vitality and usability of this section of Borough Open Land. Against this, Tate Modern and a number of local residents argue that commercial structures are inappropriate on this open space.

52. The principle of the proposed kiosk is considered acceptable. The proposal constitutes a minor ancillary facility that does not harm the open character or function of the Borough Open Land, is temporary and reversible, and represents a rationalisation and improvement of an existing long-standing operation. The exceptional circumstances test in Policy P57 is considered to be met. While concerns are noted and carry weight, amendments were made to resolve the most significant concerns of siting, pedestrian flows and design with any residual issues not considered sufficient to warrant refusal on land-use or open space grounds, particularly given the set-back position and the clear benefits of replacing the current arrangement on the main thoroughfare.

Relevant policy designations

53. Southwark Plan 2022: P13 (Design of places), P14 (Design quality), P16 (Designing out crime), P57 (Open space), P50 (Highways impacts), P51 (Walking), P56 (Protection of amenity).

54. London Plan 2021: D3 (Optimising site capacity), D4 (Delivering good design), D8 (Public realm), E9 (Retail, markets and hot food takeaways), T2 (Healthy streets), T4 (Assessing and mitigating transport impacts), G4 (Open space). NPPF 2024: Chapters 7, 8, 12 and 16.

55. NPPF 2024: Chapters 7, 8, 12 and 16.

Design

56. The amended scheme is an architect designed chamfered metal-clad container with mono-pitch roof, finished in metallic with frosted glazing measuring approximately 3.0 m × 3.0 m × 2.8 m. It has been relocated further from the

main pedestrian desire line.

57. The site lies in the setting of several locally listed assets and forms part of designated Borough Open Land. The Design and Conservation Team originally sought amendments and later acknowledged the revised dimensions and chamfered form.

58. The proposed kiosk is small in scale, temporary and reversible. The amended location, reduced footprint and chamfered form respond to earlier concerns about obstruction and visual bulk. While the metal cladding is contemporary rather than traditional, the muted colour and simple form are considered acceptable in this location.

59. The structure would not dominate or significantly harm the setting of the locally listed assets or the open character of the Borough Open Land. Critically, it replaces a more intrusive and cluttered temporary arrangement currently located on the main thoroughfare.

60. Objectors have raised legitimate concerns about the potential for a proliferation of similar structures along the riverwalk. The Council applies high and consistently rigorous design standards to all proposals of this nature. Every application is assessed strictly on its own individual merits against the development plan, with particular regard to scale, siting, materials, impact on openness (including Borough Open Land), pedestrian movement and the setting of heritage assets.

61. This approach provides strong protection against proliferation. The grant of permission for this modest, carefully designed and set-back kiosk does not create a precedent for further structures. Any future proposals for additional kiosks or similar commercial structures on the riverwalk would be subject to the same rigorous scrutiny and could be refused if they failed to meet the high design and policy standards applied by the Council.

62. Furthermore, the Council retains full control over any further development through the combination of:

- the planning process (including design quality, open space and heritage policies);
- highway and public realm considerations; and
- the separate street trading / markets licensing regime.

63. Taken together, these powers enable the Council to maintain effective control over the number, location, design and operation of any commercial structures on the Bankside riverwalk and to prevent the uncontrolled proliferation of structures that has occurred in some neighbouring boroughs.

64. The design is considered to comply with Southwark Plan Policies P13, P14 and P57 and London Plan Policies D3, D4 and G4, subject to a condition requiring samples/details of external materials and finish to be approved.

Highways

65. The Highway Authority has commented that the amended (set-back) location is an improvement and moves the structure away from the main pedestrian desire line.

66. Tate Modern and several residents remain concerned about residual congestion, particularly given the high visitor numbers to the gallery. The amended location addresses the most significant highway objection by removing the structure from the primary pedestrian route.

67. Importantly, the proposal will also result in fewer vehicular movements. The current operation requires regular vehicle access to position and remove the converted taxi cab and associated temporary structures. The proposed fixed (but removable) container will eliminate the need for these daily vehicle movements, with servicing reduced to infrequent deliveries (typically 1–3 times per week) using a hand trolley where possible

Amenity

68. The principal amenity concerns raised by objectors are the lack of customer toilets (and the potential to exacerbate existing public urination around Falcon Point), increased litter, and the congregation of customers.

69. Supporters state that they have not observed noise or anti-social behaviour associated with the existing operation and that the urination problem pre-dates the kiosk and is linked more to nearby public houses.

70. The absence of dedicated customer toilets is a legitimate concern in an area that already experiences public urination. However, this is a pre-existing wider public realm management issue rather than one that has in any way been created by the kiosk.

71. The proposed compact container is likely to result in a tidier and more contained operation than the current arrangement of vehicle, trestle tables and marquees

Servicing and waste management

72. The applicant has submitted a Servicing and Waste Management Plan. This confirms that the operator has traded from the site for five years under a street trading licence and will continue to operate in accordance with the relevant conditions of the Southwark Market Trading Licence (Appendix B, Part III, Food Act 1984). These conditions cover:

73.
- daily clearing of litter from the stall and adjoining passages;
- storage of refuse in suitable containers and regular removal;
- collection and proper disposal of wastewater;
- compliance with food hygiene regulations;
- provision of a first aid box; and
- general responsibilities under the Environmental Protection Act 1990.

74. The submitted plan is considered acceptable. It builds on an established operational regime that has been in place for five years. The compact nature of the proposed container is likely to make waste storage and management more straightforward than the current arrangement involving a vehicle, trestle tables and marquees. A condition requiring the development to be carried out in accordance with the submitted Servicing and Waste Management Plan (or any updated version approved by the Local Planning Authority) is recommended.

Fire safety

75. Policy D12 (A) of the London Plan (2021) requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A). The Fire Safety London Plan Guidance (2022) states that for householder applications, a Reasonable Exception Statement will usually be appropriate in place of a planning fire safety strategy. A Planning Fire Safety Strategy has been provided for this proposal. The statement covers matters required by planning policy. This is in no way a professional technical assessment of the fire risks presented by the development.

Other issues

76. Several objectors have raised detailed points about the head lease, freeholder consent and Falcon Point sub-leases. Ownership and lease restrictions are not normally material planning considerations. The planning system is concerned with the use and development of land, not the identity of the landowner or the terms of private leases. These matters may affect deliverability and the separate street trading licensing process, but they do not provide a ground for refusal of planning permission. The applicant will need to satisfy any necessary landowner consents and licensing requirements separately.

Flood risk

77. 1. The NPPF 2023 states that planning decisions must take into account the current and long-term implications for flood risk in order to minimise the vulnerability of communities and improve resilience. Where development is necessary in higher risk areas, development should be made safe for its lifetime without increasing flood risk elsewhere. Certain steps need to be followed when reaching a planning decision on development in higher risk areas, with risks managed through suitable adaptation measures. The advice of flood risk management authorities also needs to be taken into account (NPPF, 166).

78. The Southwark flood risk team have not been consulted because this moveable structure contains a low risk use and the structure will not impede flood water.

Community impact and equalities assessment

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

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

81. 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.

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

Human rights implications

83. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

84. This application has the legitimate aim of providing planning permission. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Positive and proactive statement

85. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an

application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

86. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

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

CONCLUSION

87. It is therefore recommended that planning permission be granted, subject to conditions, the timely completion of a S106 Agreement and referral to the Mayor of London.

BACKGROUND DOCUMENTS

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

APPENDICES

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

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth		
Report Author	Philip Ridley, Team Leader		
Version	Final		
Dated	18 August 2026		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER			
Officer Title		**Comments Sought**	**Comments included**
Strategic Director, Resources		No	No
Strategic Director, Environment, Sustainability and Leisure		No	No
Strategic Director, Housing		No	No
Date final report sent to Constitutional Team			18 August 2026

APPENDIX 1

Recommendation

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

This document is not a decision notice for this application.

Applicant	Mr Cai Cheal Chealsons Coffee	**Reg. Number**	25/AP/1329
Application Type	Minor application		
Recommendation	GRANT permission	**Case Number**	PP-13990136

Draft of Decision Notice

Planning permission is GRANTED for the following development:

Erection of a single-storey kiosk to be used for the display and retail sale of hot drinks and cold snacks [Use Class E(a) other than hot food].

Coffee Kiosk Land Adjacent To Tate Modern Bankside London Southwark

In accordance with application received on 6 May 2025 **and Applicant's Drawing Nos.**:

Existing Plans

Proposed Plans

PROPOSED PUBLIC REALM ELEVATIONS 014-0200 REV C received 06/01/2026

FLOOR PLAN 014-1000 REV C received 06/01/2026

PROPOSED REAR ELEVATIONS 014-1002 REV B received 06/01/2026

PROPOSED FRONT ELEVATIONS 014-1001 REV C received 06/01/2026

Other Documents

LOCATION PLAN 014-0001 REV B received 06/01/2026

BLOCK PLAN 014-0002 received 06/01/2026

FIRE STATEMENT REV B received 06/01/2026

PROPOSED SECTION 014-1003 REV B received 06/01/2026

PROPOSED BLOCK PLAN 014-0100 REV B received 06/01/2026

DESIGN AND ACCESS STATEMENT REV C received 06/01/2026

Service Management Report received 11/06/2026

Time limit for implementing this permission and the approved plans

1. 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)

2. Prior to the first commencement of the development hereby granted, samples/sample panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall remain on site for inspection for the duration of the building's construction 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 the National Planning Policy Framework (2024), Policy D4 (Delivering good design) of the London Plan (2021) and Policy P13 (Design of places) and Policy P14 (Design quality) of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

3. The servicing of the development shall be carried out in accordance with the approval given and the Service Management Plan that was recieved 11 June 2026 that shall remain extant for as long as the development is occupied.

   Reason: To ensure compliance with the National Planning Policy Framework (2024); Policy P49 (Public transport); Policy P50 (Highways impacts); Policy P51 (Walking) of the Southwark Plan (2022).

4. No refuse shall be stored at any time outside of the kiosk including no refuse to be stored outside of the kiosk on the public highway or any other public open spaces in the viscinity either for storage or collection purposes.

   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 the National Planning Policy Framework (2024) and Policy P56 (Protection of amenity) and P62 (Reducing waste) of the Southwark Plan (2022) and to accord with Southwark's requirements for Waste Management and refuse collection arrangements (Waste Management Strategy Extension 2022 - 2025).

5. All areas of the public realm/footway onto which the development fronts shall remain free of any outdoor seating or other furniture in association with or ancillary to the retail premises hereby approved, unless otherwise approved by the Local Planning Authority.

   Reason: In order that the footway is kept clear of clutter to facilitate the unobstructed movement of pedestrians, including wheelchair users and the mobility impaired, having regard to the high levels of pedestrian footfall in this location, in accordance with the National Planning Policy Framework (2024); Policy P13 (Design of places) and Policy P51 (Walking) of the Southwark Plan (2022).

6. The Council has published its development plan 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. 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 submissions that are in accordance with the application requirements. The Council commits to

negotiating with applicants wherever possible to secure changes and/or additional information to a scheme to make it acceptable. The case officer adopted this approach when bringing this application to a conclusion.The application was validated promptly and decided within the statutory determination period.

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.

APPENDIX 2

Relevant planning policies

Southwark Plan 2022

P13 (Design of places)
P14 (Design quality)
P16 (Designing out crime)
P57 (Open space)
P50 (Highways impacts)
P51 (Walking)
P56 (Protection of amenity)

London Plan 2021

D3 (Optimising site capacity)
D4 (Delivering good design)
D8 (Public realm)
E9 (Retail, markets and hot food takeaways)
T2 (Healthy streets)
T4 (Assessing and mitigating transport impacts)
G4 (Open space).

NPPF 2024

Chapters 7, 8, 12 and 16

APPENDIX 3

Planning history of the site and nearby sites

No relevant planning history

APPENDIX 4

Consultation undertaken

Site notice date: 15/05/2025

Press notice date: 07/08/2025

Case officer site visit date: n/a

Neighbour consultation letters sent: 24/11/2025

Internal services consulted

LBS Highways Development & Management

LBS Highways Licensing

LBS Property Division

LBS Design And Conservation Team [Formal Consultation]

LBS Design And Conservation Team [Formal Consultation]

LBS Highways Development & Management

LBS Highways Licensing

LBS Property Division

Statutory and non-statutory organisations

Better Bankside

Living Bankside

Southbank And Waterloo Neighbours

Better Bankside

Living Bankside

Southbank And Waterloo Neighbours

Neighbour and local groups consulted:

58 Hopton Street London Southwark

Boiler House 25 Sumner Street London

49 Bankside London Southwark

89 Falcon Point Hopton Street London

74 Falcon Point Hopton Street London

6 Falcon Point Hopton Street London

60 - 62 Hopton Street London Southwark

Founders Arms 52 Hopton Street London

4 Falcon Point Hopton Street London

96 Falcon Point Hopton Street London

73 Falcon Point Hopton Street London

68 Falcon Point Hopton Street London

47 Bankside London Southwark

5 Falcon Point Hopton Street London

1 Falcon Point Hopton Street London

63 Falcon Point Hopton Street London

49 Falcon Point Hopton Street London

50 Hopton Street London Southwark

3 Falcon Point Hopton Street London

21 Falcon Point Hopton Street London

76 Falcon Point Hopton Street London

72 Falcon Point Hopton Street London

58 Falcon Point Hopton Street London

Level 10 Tate Modern Sumner Street

Level 7 Tate Modern Sumner Street

54 Hopton Street London Southwark

9 Falcon Point Hopton Street London

20 Falcon Point Hopton Street London

92 Falcon Point Hopton Street London

71 Falcon Point Hopton Street London

102 Falcon Point Hopton Street London

46 Falcon Point Hopton Street London

51 Bankside London Southwark

31 Falcon Point Hopton Street London

16 Falcon Point Hopton Street London

94 Falcon Point Hopton Street London

78 Falcon Point Hopton Street London

110 Falcon Point Hopton Street London

32 56 Hopton Street London

23 Falcon Point Hopton Street London

28 Falcon Point Hopton Street London

97 Falcon Point Hopton Street London

Level 5 Tate Modern Sumner Street

66 Falcon Point Hopton Street London

108 Falcon Point Hopton Street London

44 Falcon Point Hopton Street London

45 Falcon Point Hopton Street London

38 Falcon Point Hopton Street London

34 Falcon Point Hopton Street London

22 Falcon Point Hopton Street London

2 Falcon Point Hopton Street London

19 Falcon Point Hopton Street London

11 Falcon Point Hopton Street London

91 Falcon Point Hopton Street London

90 Falcon Point Hopton Street London

65 Falcon Point Hopton Street London

56 Hopton Street London Southwark

Level 2 Tate Modern Sumner Street

Tate Modern Sumner Street London

32 Falcon Point Hopton Street London

14 Falcon Point Hopton Street London

104 Falcon Point Hopton Street London

53 Falcon Point Hopton Street London

105 Falcon Point Hopton Street London

60 Falcon Point Hopton Street London

Level 3 Tate Modern Sumner Street

41 Falcon Point Hopton Street London

39 Falcon Point Hopton Street London

36 Falcon Point Hopton Street London
33 Falcon Point Hopton Street London
106 Falcon Point Hopton Street London
103 Falcon Point Hopton Street London
8 Falcon Point Hopton Street London
7 Falcon Point Hopton Street London
48 Falcon Point Hopton Street London
43 Falcon Point Hopton Street London
42 Falcon Point Hopton Street London
27 Falcon Point Hopton Street London
17 Falcon Point Hopton Street London
13 Falcon Point Hopton Street London
99 Falcon Point Hopton Street London
82 Falcon Point Hopton Street London
59 Falcon Point Hopton Street London
109 Falcon Point Hopton Street London
107 Falcon Point Hopton Street London
Level 4 Tate Modern Sumner Street
External North Landscape Tate Modern Sumner Street
Level 9 Tate Modern Sumner Street
24 Falcon Point Hopton Street London
18 Falcon Point Hopton Street London
Level 1 Tate Modern Sumner Street
30 Falcon Point Hopton Street London
26 Falcon Point Hopton Street London
51 Falcon Point Hopton Street London
50 Falcon Point Hopton Street London
40 Falcon Point Hopton Street London
35 Falcon Point Hopton Street London
29 Falcon Point Hopton Street London
25 Falcon Point Hopton Street London
62 Falcon Point Hopton Street London
Level 6 Tate Modern Sumner Street
48 Hopton Street London Southwark
64 Falcon Point Hopton Street London
37 Falcon Point Hopton Street London
85 Falcon Point Hopton Street London
81 Falcon Point Hopton Street London
80 Falcon Point Hopton Street London
12 Falcon Point Hopton Street London
95 Falcon Point Hopton Street London
77 Falcon Point Hopton Street London
69 Falcon Point Hopton Street London
57 Falcon Point Hopton Street London
Managers Flat Founders Arms 52 Hopton Street
100 Falcon Point Hopton Street London
56 Falcon Point Hopton Street London
55 Falcon Point Hopton Street London
10 Falcon Point Hopton Street London
93 Falcon Point Hopton Street London
88 Falcon Point Hopton Street London
84 Falcon Point Hopton Street London
75 Falcon Point Hopton Street London
70 Falcon Point Hopton Street London
61 Falcon Point Hopton Street London
Level 8 Tate Modern Sumner Street
98 Falcon Point Hopton Street London
67 Falcon Point Hopton Street London
54 Falcon Point Hopton Street London
15 Falcon Point Hopton Street London
86 Falcon Point Hopton Street London
83 Falcon Point Hopton Street London

52 Bankside London Southwark

101 Falcon Point Hopton Street London

52 Falcon Point Hopton Street London

47 Falcon Point Hopton Street London

87 Falcon Point Hopton Street London

79 Falcon Point Hopton Street London

Tate Modern Bankside London

Tate Galleries Millbank London

Re-consultation:

20/05/2025

30/07/2025

24/11/2025

APPENDIX 5

Consultation responses received

Internal services

LBS Highways Development & Management

LBS Design & Conservation Team [Formal]

Statutory and non-statutory organisations

Neighbour and local groups consulted:

51 Park Street London Southwark

86 Falcon Point London E13 8DU

95 Heathwood Gardens Charlton London

London Bridge London SE1 9DA

49 Bankside London Southwark

21 Falcon Point Hopton Street London

Tate Modern Sumner Street London

86 Falcon Point Hopton Street London

Tate Modern Bankside London

85 Park Street London Southwark

73 Park Street London Southwark

79 Park Street London Southwark

Park Street London SE1 9EA

Hoadly House Southwark/London SE1 0FA

25C Trinity Street London Southwark

51 Park Street London Southwark

19 River Street Islington / London EC1R 1XN

92 Tewson Road London SE18 1AY

Perkins Sq London SE1 9HU

Park Street London SE1 9EA

18 Great Guildford Street London Southwark

Maiden Lane London SE1 9HG

C/o Agent South Wing Somerset House

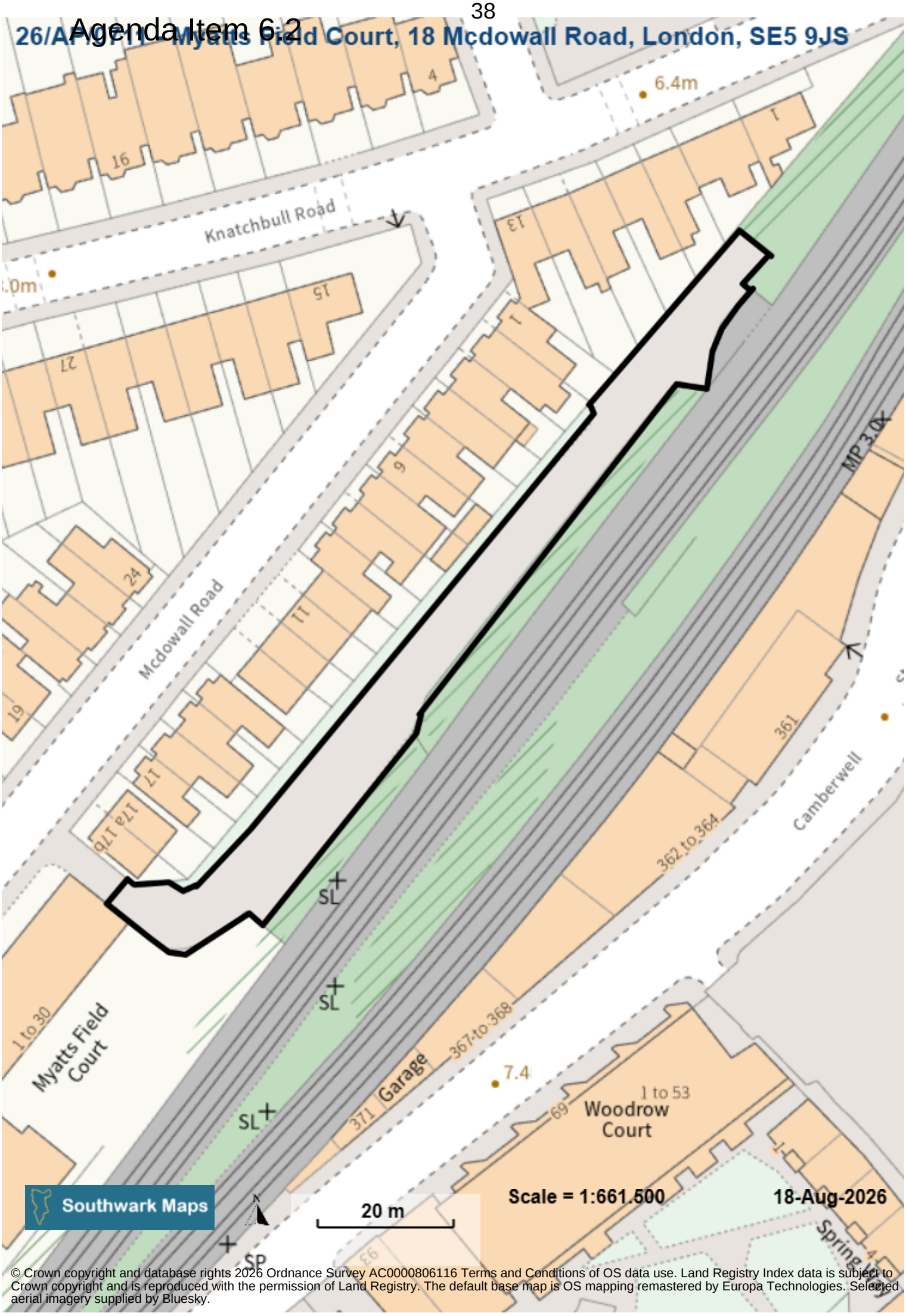
Flat 22 Tidworth House East Dulwich Estate Albrighton Road London

1 Porter Street London Southwark

Flat 16 Old Theatre Court 123 Park Street London

Agenda Item 6.2

26/AP/1711 Myatts Field Court, 18 Mcdowall Road, London, SE5 9JS



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AUDIT TRAIL 14

Meeting Name:	Planning Committee (Smaller Applications)
Date:	2 September 2026
Report title:	**Development Management planning application:** Application 26/AP/0711 for: Full Planning Application **Address:** Myatts Field Court 18 Mcdowall Road London **Proposal:** Retrospective change of use of part of the site (20 parking spaces) from car parking ancillary to residential use (C3) to car parking for vehicles for private hire (sui generis).
Ward(s) or groups affected:	Camberwell Green
Classification:	Open
Reason for lateness (if applicable):	Not Applicable
From:	Director of Planning and Growth
Application Start Date:	15 June 2026
Earliest Decision Date:	10 July 2026

RECOMMENDATION

1. That planning permission be granted subject to a compliance condition.

EXECUTIVE SUMMARY

2. Planning permission is sought to allow 20 spaces within the residential car park at Myatts Field Court to be used for the parking of private hire vehicles.

3. The application is retrospective and no objections from Myatts Field Court residents (who were all notified) have been received, indicating that there are still sufficient car parking spaces for Myatts Field Court residents. In any case, the remaining provision of residential car parking spaces still far exceeds the levels that would be required under current planning policy.

4. The change of use represents a more efficient use of land that provides space for a local business. Impacts on the road network and impacts on efforts to discourage private car use are considered to be negligible.

BACKGROUND INFORMATION

Site location and description

5. The site is a privately-owned strip of land 6-12m wide and 135m long to the rear of residential properties on Mcdowall Road and Knatchbull Road. The land is bounded by properties on Mcdowall Road and Knatchbull Road to the northwest and railway sidings to the southeast. It has a gated access point onto Mcdowall Road, between Myatts Field Court and 17b Mcdowall Road.

6. The site is partially within the Camberwell New Road Conservation Area, and is located 40m from the boundary with LB Lambeth.

Details of proposal

7. Planning permission is sought retrospectively for the following change of use of the land:

"Change of use of part of the site (20 parking spaces) from car parking ancillary to residential use (C3) to car parking for vehicles for private hire (sui generis)."

8. It is understood that the landowner has entered into a contract with the applicant to allow part of the land to be used for the parking of private hire vehicles in order to raise funds for the repair of the roof of Myatts Field Court.

9. The applicant has explained that the site is used primarily as an overflow car park for the storage of static vehicles (pre-fleet vehicles, ex-fleet vehicles, and vehicles waiting for repair). An estimated figure of five vehicle movements a day has been provided for the site.

Planning history of the site

10. Any decisions which are significant to the consideration of the current application are referred to within the relevant sections of the report. A fuller history of decisions relating to this site, and other nearby sites, is provided in Appendix 3.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

- Principle of the proposed development in terms of land use;
- Design and conservation;
- Biodiversity net gain;
- Fire safety;
- Impact of proposed development on amenity of adjoining occupiers and surrounding area;
- Transport and highways;
- Land stability;
- Consultation responses and community engagement
- Community impact, equalities assessment and human rights

12. These matters are discussed in detail in the ‘Assessment’ section of this report.

Legal context

13. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2021 and the Southwark Plan 2022. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers determining planning applications for development within Conservation Areas to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

14. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

15. The statutory development plans for the Borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework (2026) 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

16. The application proposes to regularise the change of use of part of the site from ancillary residential car park (i.e. car parking for residents of Myatts Field Court) to car parking for private hire vehicles (sui generis). The change from car parking ancillary to Myatts Field Court to a commercial use for storing rental cars is considered to represent a material change of use. No operational development

is proposed.

17. It is understood that the land was previously under-utilised, as it exceeded the parking requirements of Myatts Field Court residents. A site notice was put up at the entrance to the site and neighbour notification letters were sent to all thirty properties within Myatts Field Court (as well as other neighbouring properties). The change of use has already occurred, and no representations have been received from residents objecting to the loss of residents' car parking capacity. In addition, on two separate site visits, spare parking capacity at the site was observed. It can therefore be concluded that adequate car parking remains in place for Myatts Field Court residents, and there will be no displacement of parking as a result of this proposal. As such, the proposal represents a more efficient use of under-utilised land in accordance with Southwark Plan policy P18 (Efficient use of land). The proposal also provides additional land for a local business and thereby supports local economic development in line with Policy E2 (Meeting the need for business land and premises) of the NPPF (2026).

18. It should also be noted that as Myatts Field Court has a PTAL of 4, current planning policy (Southwark Plan policy P54) would require the development to be car-free. Therefore, even with twenty residential parking spaces lost, the development still far exceeds current policy guidelines for residential car parking.

19. Given the narrow and constrained layout of the site, it is unlikely that it would be suitable for operational development. In any case, since no operational development is proposed, grant of permission would avoid prejudicing the future development potential of the site, in accordance with policy P18.

20. The proposed land use supports the use of private vehicles, which does not promote strategic policies aiming to reduce the use of private vehicles (e.g. London Plan policy T1). However, these policies alone do not justify refusing all applications that provide business space for private hire vehicles, and must be balanced against the need to promote economic development and provide suitable business space. Moreover, the increase in private hire vehicle car parking capacity would be offset by the reduction in residential car parking capacity (while recognising that this was not previously fully utilised).

21. Whilst the proposed use does not support strategic objectives to reduce reliance on private motor vehicles, the site would generate only very limited vehicle movements, no material highway impacts have been identified, no operational development is proposed and the scheme would make productive use of under-utilised land. Taken together these considerations outweigh the limited conflict with transport policy.

Design and conservation

22. The application site is within the Camberwell New Road Conservation Area, however the affected area is hidden from view from the street, meaning there is no impact on the street scene or the conservation area. No operational development is proposed meaning no design issues are raised.

Biodiversity Net Gain

23. In England, Biodiversity Net Gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

24. There are statutory exemptions which mean that the mandatory Biodiversity Gain condition does not always apply.

    This application has been assessed as being exempt for the following reasons:

    1. This application is retrospective and therefore is exempt from the mandatory Biodiversity Gain condition.
    2. Development below the de minimis threshold, meaning development which:

        i. does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
        ii. impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).

    3. Development where the site area within the red line boundary is 0.2 hectares or below.

Fire safety

25. Policy D12 (A) of the London Plan (2021) requires that all development must submit a planning fire safety strategy. The fire safety strategy should address criteria outlined in Policy D12 (A).

26. 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.

27. A Reasonable Exemption Statement has been provided for this proposal. The statement covers matters required by planning policy. It confirms that the means of emergency access and evacuation are unchanged. This is in no way a professional technical assessment of the fire risks presented by the development.

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

28. It has been reported that since the change of use occurred, there has been an intensification in the use of the site for parking, especially at the northeast end of the site, in close proximity to rear-facing windows of residential properties. The hardstanding where vehicles park is generally located 5-7m from the windows of residential properties, but is as close as 3.5m in one location.
While the proximity of the vehicles to residents' windows is recognised, they are shielded from view by a brick wall or fence at all points. A site visit to an objector found that parked vehicles were visible from upper floor windows, but did not impair views of the sky, so had no impact on quality of outlook. While some residents may prefer not to see vehicles at such proximity from their windows, this represents a private interest and is therefore not a material planning consideration.

29. Neighbouring residents may potentially be overlooked by drivers due to the close proximity of the site to residential windows. However, this overlooking would be very brief as it may only occur while drivers are parking and exiting vehicles, and would be comparable to drivers looking into front-facing windows on properties while parking on the street. As such, this impact is not considered to be material.

30. The applicant has explained that the site is used primarily as an overflow car park for the storage of static vehicles (pre-fleet vehicles, ex-fleet vehicles, and vehicles waiting for repair). An estimated figure of five vehicle movements a day has been provided for the site. This would not result in a material loss of amenity to neighbouring occupiers from noise disturbance. In addition, the application is retrospective and only one objection has been received, indicating that the land use has likely not resulted in a significant loss of amenity to neighbours. A condition prohibiting vehicle movements at nighttime (in accordance with the applicant's lease agreement) will further protect residents from nighttime noise disturbance.

31. Amenity impacts from light glare (from headlights) would be minimal and can similarly be adequately controlled by the compliance condition prohibiting nighttime vehicle movements.

Transport and highways

32. As discussed above, the applicant has stated that the estimated daily number of vehicle movements is only five; this is because the site is largely used as an overflow site for static vehicles. As such, the proposal would have a negligible impact on the highway network and road safety.

33. As discussed in the 'principle of development' section above, the proposed land use does not support strategic objectives to reduce private vehicle use. However, given the scale of the proposed site, the development would not have a material impact on efforts to achieve these objectives.

Land stability

34. The application site is at a higher elevation than the residential back gardens that it borders to the northwest. One member of the public has expressed concern that since the change of use began, more vehicles have been parked on the land, which has worsened the structural stability of the retaining wall between their property and the application site. A crack has appeared in the wall.

35. Policy P2 (Ground conditions) of the NPPF (2026) states that 'sites proposed for development should be suitable for their proposed use taking into account ground conditions, including any risks arising from land instability or contamination'. The Planning Practice Guidance on land stability clarifies that this relates to risks of 'landslides, mining hazards or subsidence'. No evidence has been received demonstrating any of these risks are present on this site.

36. The application is for change of use from one type of car parking to another type of car parking. No operational development is proposed. Any impacts on land stability would therefore be negligible. It would not be reasonable, proportionate or necessary to require a land stability risk assessment or other form of technical report in this case. Building Control would remain the relevant authority for issues relating to unsafe structures.

Consultation responses from members of the public and local groups

37. One objection, one representation in support, and one neutral representation have been received from members of the public. Summarised below are the material planning considerations raised in objection:

- Land stability
- Principle of development / land use
- Loss of amenity in terms of privacy and light intrusion
- Transport issues – promotion of vehicular transport
- Highways safety

38. Summarised below are the material planning considerations raised in support:

- Reduction in anti-social behaviour
- Improvement in security

39. The matters raised in objection are addressed comprehensively in the relevant parts of this report.

Consultation responses from external and statutory consultees

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

41. Network Rail

a. Network Rail is the statutory undertaker for maintaining and operating railway infrastructure of England, Scotland and Wales. As statutory undertaker, NR is under license from the Department for Transport (DfT) and Transport Scotland (TS) and regulated by the Office of Rail and Road (ORR) to maintain and enhance the operational railway and its assets, ensuring the provision of a safe operational railway.

b. Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

c. The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/). This website also provides more information about our Asset Protection team and the services they offer.

d. Where applicable, the applicant must also follow the attached Asset Protection informatives. The informatives are issued to all development within close proximity to the railway (compliance with the informatives does not remove the need to engage with our ASPRO team).

e. Network Rail requires at least a 3m buffer between our land and any proposed development in areas where electrification is present. This is to maintain the safety of the applicants, groundworkers during development, future site users and Network Rail staff in the case of an operational incident.

42. Officer Comment: Noted and informatives are included as requested. Network Rail have confirmed through further correspondence that although the application site is within 3m of the railway, as no operational development is proposed, they have no objection from a planning perspective.

43. LB Lambeth: No response received.

44. Officer comment: LB Lambeth were consulted due to the site's proximity to the borough border. However, the proposed development is not expected to have a material impact on LB Lambeth.

Consultation responses from internal consultees

45. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.

46. LB Southwark Transport Policy Team (re-consultation):

    a. The applicant has clarified that the area subject to the retrospective planning application has capacity for 20-25 vehicles, and that the spaces are used as an overflow area. Transport Policy therefore have no further comment on the estimation of ~5 trips per day, which is unlikely to have a negative impact on the highway network.

    b. While Transport Policy do not object to this proposal on the grounds of road safety or highways impacts, this type of land use (private car hire) is generally not supported, especially in areas with high public transport accessibility levels (such as Camberwell). Southwark's adopted policies, which include the Southwark Plan (Policies P50 and P54), the Streets for People strategy (Objectives 1, 2, 3 and 4), and the Council Delivery Plan (Goals 5, 6 and 7), seek to reduce reliance on private motor vehicles and encourage walking, cycling and the use of public transport wherever possible.

    c. For the avoidance of doubt, private car hire businesses should not be viewed as an alternative to Car Clubs. Unlike Car Clubs, private hire businesses are not primarily intended to reduce private vehicle ownership or support mode shift towards active or sustainable modes. The private hire operator on this site advertises a wide range of services, including chauffeured airport services, limousine hire, 'action vehicles' for photoshoots, 'VIP services' for celebrities / High Net Worth individuals, and long-term car hire.

    d. Car Club vehicles offer a genuine alternative to private vehicle ownership for residents who only require occasional access to cars or vans. The vehicles and bays are located strategically to ensure supply meets demand, which provides maximum benefit to residents while minimising the amount of public highway and private land used. Examples of scenarios where residents may use Car Club vehicles include large shopping trips, transporting furniture, or day trips out of London. This supports the council's goal of reducing private vehicle ownership and parking demand by providing convenient access to a vehicle without the need for ownership.

    e. To conclude, Transport Policy have concerns that this land use is contrary to the council's sustainable transport objectives and the strategic direction of adopted transport policies. However, based on the submitted information, the proposal is not expected to result in material highway safety or transport network impacts. Transport Policy therefore does not recommend refusal on transport/highways grounds alone.

47. Officer Comment: Noted

48. LB Southwark Planning Enforcement Team:

a. Enforcement officers investigated complaints regarding the use of the site and concluded that a material change of use had occurred which would require planning permission. As a result, the applicant was invited to submit the current planning application to regularise the use.

b. It is understood that the site is used for the storage of vehicles associated with the applicant's business and that vehicle movements are limited. During the course of the investigation, officers were advised that the use generated approximately three vehicle movements per day. The application proposes a maximum of five vehicle movements per day, which is considered to be a modest level of activity that would not give rise to unacceptable planning harm. Enforcement officers understand that restrictions on vehicle movements are reflected within the lease agreement and recommend that any planning permission granted be subject to a condition limiting vehicle movements to those proposed.

c. It is also understood that the slip road provides access to Network Rail infrastructure and that the site has historically accommodated an element of vehicle parking and storage. The current use therefore does not represent a wholly new activity on the land. Officers further note that the occupation of the site has resulted in the land being maintained, reducing issues associated with overgrowth, fly-tipping and other anti-social behaviour that had previously affected the area.

d. The concerns raised by the complainant primarily relate to the ownership of the boundary wall and responsibility for its repair. These are civil matters and are not material planning considerations. The complainant has been directed to Building Control where appropriate.

e. Having regard to the above, Enforcement officers support the grant of planning permission, subject to conditions controlling the operation of the site, including restrictions on the number of daily vehicle movements.

49. Officer comment: The suggested condition is not included on the draft decision notice as it is not considered to be necessary given that the existing lawful use of the land is as a car park. It is also not considered to be sufficiently enforceable.

Community impact and equalities assessment

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

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

52. 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.

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

Human rights implications

54. This planning application engages certain human rights under the Human Rights Act 1998 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

55. This application has the legitimate aim of permitting the change of use of land. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Positive and proactive statement

56. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

57. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

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

CONCLUSION

58. The proposal demonstrates conformity with the principles of sustainable development. It represents a more efficient use of previously under-utilised land, which would support local economic development without resulting in a material impact on the highways network or the amenity of nearby occupiers. As such, it is recommended that planning permission is GRANTED.

BACKGROUND DOCUMENTS

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

APPENDICES

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

AUDIT TRAIL

Lead Officer	Stephen Platts, Director of Planning and Growth
Report Author	James Holmes, Planning Officer
Version	Final
Dated	18 August 2026
Key Decision	No

CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	**Comments Sought**	**Comments included**
Strategic Director, Resources	No	No
Strategic Director, Environment, Sustainability & Leisure	No	No
Strategic Director, Housing	No	No
Date final report sent to Constitutional Team		18 August 2026

APPENDIX 1

Recommendation

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

This document is not a decision notice for this application.

Applicant	Mr Tobias Hobson Director Civilised Car Hire	**Reg. Number**	26/AP/0711
Application Type	Change of Use		
Recommendation	Grant	**Case Number**	PP-14761408

Draft of Decision Notice for the following development:

Retrospective change of use of part of the site (20 parking spaces) from car parking ancillary to residential use (C3) to car parking for vehicles for private hire (sui generis).

Myatts Field Court 18 Mcdowall Road London Southwark

In accordance with application received on 11 March 2026 and Applicant's Drawing Nos.:

LOCATION PLAN received 28/04/2026

SITE PLAN 5 REV P02 received 15/06/2026

Permission is subject to the following Compliance Condition(s)

1. No vehicles associated with the approved land use shall enter or exit the site outside of the hours of 08:00 - 22:00 except in the event of an emergency.

Reason: To protect the amenity of neighbouring residential occupiers from noise disturbance at nighttime in accordance with policy P3 (Living conditions and pollution) of the NPPF (2026) and policies P56 (Protection of amenity) and P66 (Reducing noise pollution and enhancing soundscapes) of the Southwark Plan (2022).

Informatives

1 Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.

The applicant / developer may be required to enter into an Asset Protection Agreement to get the required resource and expertise on-board to enable approval of detailed works. To start the process with our Asset Protection team, the applicant / developer should use the Asset Protection Customer Experience (ACE) system found on Network Rail's Asset Protection website (https://www.networkrail.co.uk/running-the-railway/looking-after-the-railway/asset-protection-and-optimisation/). This website also provides more information about our Asset Protection team and the services they offer.

2 See the Network Rail Asset Protection informative uploaded to the planning register.

APPENDIX 2

Relevant planning policies

(Relevant policies and guidance)

National Planning Policy Framework (the Framework) 2026

The revised National Planning Policy Framework ('NPPF') was published in August 2026 and 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. The relevant policies are:

- Policy DM4: Emerging development plan proposals
- Policy DM6: Use of planning conditions and obligations
- Policy DM7: Relationship with other regulatory regimes
- Policy DM8: Unauthorised development and enforcement
- Policy S3: Presumption in favour of sustainable development
- Policy S4: Principle of development within settlements
- Policy CC2: Mitigation of climate change
- Policy E2: Meeting the need for business land and premises
- Policy L2: Making effective use of land
- Policy TR3: Locating development in sustainable locations
- Policy TR6: Assessing transport impacts
- Policy P2: Ground conditions
- Policy HE5: Assessing effects on heritage assets
- Policy HE9: Conservation areas

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 T1 Strategic approach to transport
- Policy T4 Assessing and mitigating transport impacts
- Policy T6 Car parking
- Policy T6.1 Residential parking

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:

- P15 Design of places
- P18 Efficient use of land
- P20 Conservation areas
- P50 Highways impacts
- P54 Car Parking
- P56 Protection of amenity
- P66 Reducing noise pollution and enhancing soundscapes

Planning Guidance

In addition to the statutory Development Plan, the following documents are considered potentially relevant and material in determining the planning application:

Local Guidance (LBS)

- Climate and Environment SPD (2025)

Emerging planning policy - Draft London Plan 2026

On 16 July 2026 the Mayor of London published the Draft London Plan 2026. The spatial development strategy sets a strategic framework for planning in Greater London and forms part of the statutory Development Plan for Greater London. As the document is in draft form, policies can only be accorded limited weight in the determination process. The relevant policies are:

- Policy MBUL5 Sustainable Transport to enable London’s Growth

APPENDIX 3

Planning history of the site and nearby sites

Reference and Proposal	Status
85/AP/2640 Residential development of 30 flats with access road and parking on land corner of McDowall Road and Denmark Road Camberwell London SE5 (LBS Reg no 2640-85 refers)	GRANTED – Minor Application 10.02.1986

APPENDIX 4

Consultation undertaken

Site notice date: 16 June 2026
Press notice date: 16 June 2026
Case officer site visit date: 16 June 2026 and 7 July 2026
Neighbour consultation letters sent: 15 June 2026 and 2 July 2026

Internal services consulted

LBS Transport Policy Team
LBS Planning Enforcement Team

Statutory and non-statutory organisations

Network Rail
London Borough of Lambeth

Neighbour and local groups consulted:

1 Mcdowall Road London Southwark SE5 9LD
10 Mcdowall Road London Southwark SE5 9LD
11 Mcdowall Road London Southwark SE5 9LD
12 Mcdowall Road London Southwark SE5 9LD
13 Mcdowall Road London Southwark SE5 9LD
14 Mcdowall Road London Southwark SE5 9LD
15 Mcdowall Road London Southwark SE5 9LD
17 Mcdowall Road London Southwark SE5 9LD
2 Mcdowall Road London Southwark SE5 9LD
21 Mcdowall Road London Southwark SE5 9LD
22 Mcdowall Road London Southwark SE5 9LD
23 Mcdowall Road London Southwark SE5 9LD
24 Mcdowall Road London Southwark SE5 9LD
3 Mcdowall Road London Southwark SE5 9LD
4 Mcdowall Road London Southwark SE5 9LD
Flat B 6 Mcdowall Road London Southwark SE5 9LD
7 Mcdowall Road London Southwark SE5 9LD
8 Mcdowall Road London Southwark SE5 9LD
Flat 1 Myatts Field Court 18 Mcdowall Road London
Flat 10 Myatts Field Court 18 Mcdowall Road London
Flat 11 Myatts Field Court 18 Mcdowall Road London
Flat 12 Myatts Field Court 18 Mcdowall Road London
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Flat 2 Myatts Field Court 18 Mcdowall Road London
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Flat 3 Myatts Field Court 18 Mcdowall Road London
Flat 30 Myatts Field Court 18 Mcdowall Road London
Flat 4 Myatts Field Court 18 Mcdowall Road London
Flat 5 Myatts Field Court 18 Mcdowall Road London
Flat 6 Myatts Field Court 18 Mcdowall Road London
Flat 7 Myatts Field Court 18 Mcdowall Road London
Flat 8 Myatts Field Court 18 Mcdowall Road London
Flat 9 Myatts Field Court 18 Mcdowall Road London
Flat A 5 Mcdowall Road London Southwark SE5 9LD
Flat A 6 Mcdowall Road London Southwark SE5 9LD
Flat A 9 Mcdowall Road London Southwark SE5 9LD
Flat B 5 Mcdowall Road London Southwark SE5 9LD
100 Denmark Road London Southwark SE5 9LB
98 Denmark Road London Southwark SE5 9LB
19 Mcdowall Road London Southwark SE5 9LD
20 Mcdowall Road London Southwark SE5 9LD
17A Mcdowall Road London Southwark SE5 9LD
17B Mcdowall Road London Southwark SE5 9LD
21A Mcdowall Road London Southwark SE5 9LD
First Floor And Second Floor Flat 9 Mcdowall Road
16B Mcdowall Road London Southwark SE5 9LD
16A Mcdowall Road London Southwark SE5 9LD
3A Knatchbull Road London Southwark SE5 9QR
3B Knatchbull Road London Southwark SE5 9QR
3C Knatchbull Road London Southwark SE5 9QR
3D Knatchbull Road London Southwark SE5 9QR
3E Knatchbull Road London Southwark SE5 9QR
3F Knatchbull Road London Southwark SE5 9QR
3G Knatchbull Road London Southwark SE5 9QR
11A Knatchbull Road London Southwark SE5 9QR
11B Knatchbull Road London Southwark SE5 9QR
11C Knatchbull Road London Southwark SE5 9QR
Flat A 7 Knatchbull Road London Southwark SE5 9QR
3H Knatchbull Road London Southwark SE5 9QR
3 Knatchbull Road London Southwark SE5 9QR

Flat A 1 Knatchbull Road London Southwark SE5 9QR
Flat A 13 Knatchbull Road London Southwark SE5 9QR
Flat A 9 Knatchbull Road London Southwark SE5 9QR
Flat B 1 Knatchbull Road London Southwark SE5 9QR
Flat B 13 Knatchbull Road London Southwark SE5 9QR
Flat B 7 Knatchbull Road London Southwark SE5 9QR
Flat C 13 Knatchbull Road London Southwark SE5 9QR
Ground Floor Flat 9 Knatchbull Road London Southwark

APPENDIX 5

Consultation responses received

Date Received: 01/07/2026
Stance: Objects

I am a local resident, residing at Knatchbull Road, and I am writing to formally object to the above planning application for a [retrospective] change of use to establish a private hire vehicle lot. My property is immediately adjacent to the site, meaning the proposed commercial transport facility will cause severe and direct impacts to my safety and living conditions.

I urge the Planning Department to refuse this application based on the following material planning considerations and policy breaches:

- Land Instability and Structural Safety (NPPF Paragraph 187): Ongoing heavy vehicle movement on the site is actively impacting the stability of the 6-metre retaining boundary wall between my property and the land. This poses a life-critical structural risk to myself, in direct conflict with NPPF guidelines regarding land instability.

- Incompatible Commercial Intrusion: Introducing a Sui Generis commercial vehicle depot into a dense residential zone is entirely out of character with the neighborhood. Southwark's planning policies state that commercial businesses should be located in designated industrial estates, not on private land or back gardens adjacent to homes.

- Loss of Privacy and Breach of the 21-Metre Rule: The parking is positioned 0 metres from my back garden, and the distance from my bedroom window to the commercial parking is less than 4 metres. This severe breach of local design standards causes an unacceptable loss of privacy to habitable rooms and amenity spaces.

- Impact on Residential Amenity (Southwark Plan Policy P56): Vehicle headlights, torch use, and unmentioned commercial security lighting will sweep directly into my bedroom window when dark, destroying residential amenity. Double-parking and boxing-in of vehicles directly opposite the Railway access point further exacerbates this issue.

- Conflict with Climate & Parking Policies (Policy P54 & SP6): Southwark is a designated "car-free" borough. This application directly violates Policy P54 by inducing vehicle demand and prioritizing vehicular traffic over active, sustainable transit.

- Pedestrian and Highway Safety (Policy P50): The high frequency of vehicle turnarounds at this tightly constrained site creates a dangerous hazard for local pedestrians, cyclists, and children, particularly given the close proximity to Myatts Field Park.

- Inaccuracies and Omissions in the Application: The application incorrectly states the

use has not commenced, whereas it is retrospective from August 2025. Unmanaged vegetation (Buddleia) is already growing through and damaging the boundary wall. Furthermore, no pre-consultation or formal notice was served to me despite my property being the most severely impacted.

Because of the severe risks to life safety, loss of privacy, road hazards, and conflict with core Southwark Plan policies, I respectfully request that this application be refused by officers, or otherwise referred to the Planning Committee for full public scrutiny.

Thank you for considering my views. Please keep me informed of the progress of this application and the final decision date.

Date Received: 15/07/2026
Stance: Support

Our gardens back onto the road, and from past experience it's been used for:

1. Fly-tipping
2. Parties
3. Drug dealing and other unsavoury activities

We were a little surprised when it became a car park but actually the effects have been beneficial for us:

1. None of the above issues has happened since
2. The road has been cleared of debris by the new tenants
3. There are people on site regularly who clearly care about the security of the cars and by extension are providing our rear entrances with far greater protection than before

For these reasons I am strongly supporting this application.

Another comment mentions land instability and heavy machinery. I think they are conflating the use of the road by Network Rail (who always have moved heavy machinery through this access point) and the car park operator, which is just cars and vans.

There is no loss of privacy as although the road is "private" anyone can access it on foot, which they have done in the past.

I don't think a few extra cars entering and leaving the area will cause any significant danger to children in Myatt's Field Park, which is over 100m away.

Date Received: 09/07/2026
Stance: Neutral

I am a flat owner at Myatts Field Court. The only Annual General Meetings (AGMs) related to Myatts Field Court of which I am aware are those of the Company owning the Freehold, of which I am a shareholder. I am not aware of any such AGMs having

been held or convened since 2024.

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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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