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| Item No: 6.1 & 6.2 | Classification: Open | Date: 16 November 2021 | Meeting Name: Planning Sub Committee A |
| Report title: | | Addendum report Late observations and further information | |
| Ward(s) or groups affected: | | Goose Green & North Walworth | |
| From: | | Director of Planning and Growth | |

PURPOSE

1. To advise members of clarifications, corrections, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the stated recommendation.

RECOMMENDATION

2. That members note and consider the additional information and consultation responses in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

Item 6.1: 20/AP/3460 & 20/AP/3461 - 33 East Dulwich Grove, London, Southwark, SE22 8PW

Revised site map

4. The map attached to the Officers' Report identifying the site does not include the rear open space. The full extent of the site was shown in the applications' site plans, is illustrated within the body of the Officers' report (see paragraph 6) and is as below:



Text corrections

- (a) The London Plan is incorrectly identified as dated 2016 in paragraphs 23 and 26 of the Officers' Report, and should be referred to as the London Plan (2021).
- (b) The NPPF is incorrectly identified as dated 2019 in paragraph 25 of the Officers' Report, and should be referred to as the NPPF (2021).
- (c) Paragraph 78 on the impact of the proposed development of amenity should read as follows:

"The proposal does not include any external extensions and therefore there will be **no** loss of daylight, sunlight or a sense of enclosure to adjoining properties."

- (d) Paragraph 117 is incorrect. A response was received from Historic England, dated 18 January 2021, informing the council that it did not wish to comment and that the application should be determined in accordance with national and local policy. The reference in paragraph 69 is therefore correct.

- (e) Paragraph 127 concludes with the recommendation and reference to the permission being granted subject to – ‘*the timely completion of a unilateral agreement for highway works*’. This is deleted as the S278 is included as Condition 10 of the draft planning consent.

Clarification on transportation matters specifically the low traffic neighbourhood

Dulwich Low Traffic Neighbourhood (LTN)

5. The proposed nursery building has no on site car parking and none is proposed as a part of the change of use proposals.
6. Members raised concerns about the displacement of traffic as part the LTN proposals.
7. The data and feedback collected and analysed as part of the Dulwich Streetspace review allows us to draw some indicative conclusions about where the scheme has achieved its set objectives and monitoring criteria and also where further work and amendments are required to ensure the scheme works for the community. Traffic data must be considered in the context of Covid-19 pandemic and that the results are indicative. Southwark Council Highway officers are currently reviewing the traffic data undertaken for October 2021 and will make and this data and feedback will be made available on Southwark’s Council’s website.

Existing Parking Demand

8. The site is located within the East Dulwich CPZ which was implemented in September 2020. The CPZ operates Monday through Friday between 8.30am and 6.30pm with most parking bays restricted to permit holders only and some bays available for paid parking or blue badge holders.
9. Southwark Council requested that surveys be undertaken to ascertain the availability of on street parking within a 200 metre walk distance of the site.
10. The surveys were undertaken on Thursday 11 February 2021 with a count of vehicles parked on street starting at 8:00am and a second from 5:00pm. The survey was undertaken whilst lockdown restrictions were in place, prior to schools opening, which should mean that results are robust as most residents would be home. The scope of this survey was agreed with officers.
11. The surveys show that demand for on street parking is higher during the morning peak hour. Within 200 metres walk of the site, the survey shows that there were 6 spaces available in shared resident/pay by phone

parking bays, 44 spaces in resident permit bays, and a further 21 spaces available in loading bays, disabled parking bays and other marked bays that are not generally free for anyone to use for parking.

Revised Condition

12. Condition 7 of the draft Planning Permission has been revised to state: Notwithstanding the provisions in the Town and Country Planning (Use Classes) Order 1987 and any associated provisions in the Town and Country Planning (General Permitted Development) (England) Order 2015 (including any amendment or re-enactment of those Orders), the use shall be limited to Class **E(f)** Creche, day nursery or day centre (not including a residential use) only.

The change of use shall not include the following:

- **E(a)** Display or retail sale of goods, other than hot food
- **E(b)** Sale of food and drink for consumption (mostly) on the premises
- **E(c)** Provision of:
 - **E(c)(i)** Financial services,
 - **E(c)(ii)** Professional services (other than health or medical services), or
 - **E(c)(iii)** Other appropriate services in a commercial, business or service locality
- **E(d)** Indoor sport, recreation or fitness (not involving motorised vehicles or firearms or use as a swimming pool or skating rink,)
- **E(e)** Provision of medical or health services (except the use of premises attached to the residence of the consultant or practitioner)
- **E(g)** Uses which can be carried out in a residential area without detriment to its amenity:
 - **E(g)(i)** Offices to carry out any operational or administrative functions,
 - **E(g)(ii)** Research and development of products or processes
 - **E(g)(iii)** Industrial processes

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity and for the proper planning of the area in accordance with the National Planning Policy Framework 2021, Saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011)

Further letter of objection

13. A letter of objection was received on 14 November 2021, reiterating an earlier letter of objection made by the same neighbouring premises and agents working on their behalf. No new reasons for objection are

therefore raised and the matters are addressed within the Officers' Report.

Item 6.2: 21/AP/3140 - Richmond House Kingston Estate, East Street, London, Southwark, SE17 2DU

Additional consultation responses received

14. Since the committee report was published 3 additional consultation responses have been received. The objections raise the following material planning considerations:
 - Density
 - Loss of open space
 - Character / design
 - Ecology
 - Anti-social behaviour
 - Construction impacts
 - Separation distances
 - Daylight and sunlight

These matters have been addressed in the main committee report.

15. A petition has been received signed by 87 residents objecting to building on the Kingston Estate.
16. A letter from Sian Berry Green Party Member of the London Assembly was received on 11 November 2021 highlighting residents' concerns relating to daylight and sunlight, loss of green space and trees and privacy and separation distances. These matters have been addressed in the main committee report.

Corrections and clarifications on the main report

17. The table in Paragraph 61 of the main report sets out the results of the daylight and sunlight assessment on Everett House. The total number of windows and rooms identified within the table includes all room types. Bathrooms were not assessed in terms of Vertical Sky Component (VSC) or No Sky Line (NSL) as they are non-habitable rooms that are not required to be assessed under BRE guidance. This does not change the number of windows and rooms that fail to meet BRE guidance. For clarity, the table is presented again below with the total number of windows and rooms only including habitable rooms:

| | | | | | |
|------------------------|------|-------------------|-------------|-------------|-----------|
| Vertical Sky Component | | | | | |
| Window | | | | | |
| Total | Pass | BRE compliant (%) | 20-30% loss | 31-40% loss | 40%+ loss |
| 62 | 41 | 66% | 10 | 6 | 5 |
| No Sky Line (NSL) | | | | | |
| Total | Pass | BRE compliant (%) | 20-30% loss | 31-40% loss | 40%+ loss |
| 53 | 49 | 92% | 2 | 0 | 2 |
| Room | | | | | |
| 53 | 49 | 92% | 2 | 0 | 2 |

18. Paragraph 62 is corrected to conclude that overall 92% of rooms would comply with BRE guidance in terms of daylight distribution (NSL).

Additional information

19. It is unlikely that it would be possible for the allotments to the east of Everett House to be retained in their current state during the construction phase. A decision has not yet been made Housing as to whether the allotments would be removed or relocated during the construction phase. The allotments would be reinstated in the same location after construction.
20. Although it is not a material planning consideration, it is noted that Housing are starting consultations with residents on door entry systems to respond to anti-social behaviour.
21. A site visit was undertaken by committee members and planning officers in preparation for the committee meeting.

Conclusion of the Director of Planning and Growth

22. Having taken into account the additional consultation responses, and other additional information, following consideration of the issues raised, the recommendation remains that planning permission should be granted, subject to conditions and completion of a unilateral undertaking.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|-------------------|--|--|
| Individual files | Chief Executive's Department 160 Tooley Street London SE1 2QH | Planning enquiries Telephone: 020 7525 5403 |