

Item No: 7.1 and 7.2	Classification: Open	Date: 21 September 2022	Meeting Name: Planning Sub-Committee A
Report title:		Addendum report Late observations and further information	
Wards or groups affected:		Champion Hill and Borough and Bankside	
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 items on the main agenda. These were received after the preparation of the report(s) 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/or revisions have been received in respect of the following items on the main agenda:

ITEM 7.1: APPLICATION 22/AP/0174 – SEAVINGOTN HOUSE, CHAMPION HILL, SOUTHWARK, LONDON

Additional information

Updated internal daylight and sunlight assessment

4. An updated internal daylight and sunlight assessment in line with 2022 BRE Guidelines has been provided for the homes within the proposed development. The new BRE Guidelines replace the Average Daylight Factor (ADF) methodology with Climate Based Daylight Modelling (CBDM), which takes into consideration how the amount of daylight received varies depending on the time of day, the time of year and weather conditions. BRE Guidelines provides minimum illuminance recommendations of:
 - 100 Lux in bedrooms;
 - 150 Lux in living rooms; and,
 - 200 Lux in kitchens.

5. Within the proposed development, 93 habitable rooms have been assessed including 53 bedrooms, 1 study, 9 kitchen / dining rooms, 9 living rooms, 9 living / kitchen / dining rooms, 6 kitchens and 6 living / dining rooms. The assessment finds that 86 out of the 93 rooms would comply with BRE Guidelines, achieving the respective target illuminance value appropriate for the rooms' usage over at least 50% of the area. 92% of the proposed development would comply with BRE Guidelines in terms of internal daylight levels received. The shortfall is predominantly due to the rooms being deep rather than wide. The homes are all at least dual aspect in orientation. Overall, the internal quality of accommodation for future occupiers would be acceptable in terms of daylight.

Additional representation received

Comments on behalf of Land Edition (the applicant for 10/AP/1891 and 20/AP/0359 – 1A Dog Kennel Hill)

6. The representation raises the following points:
- Concern at the lack of overlook mitigation on the upper rear windows of Seavington House
 - Separation distances do not meet those set out within the 2015 Technical Update to the Residential Design Standards SPD 2011
 - Concern around the boundary wall affecting daylight to habitable rooms close to the boundary – request that Condition 9 is amended to require any boundary treatment to not exceed 1.8m
7. These material planning considerations have been addressed in the main committee report. The proposed development has been appropriately set back from the site boundary with 1A Dog Kennel Hill to mitigate overlooking and ensure a reasonable separation distance, whilst the schemes at 1A Dog Kennel Hill are designed less than one metre from the boundary. It is acknowledged that the boundary treatment may have some impacts on daylight and sunlight levels received by the schemes at 1A Dog Kennel Hill, however the final boundary treatment would be subject to condition and the height and finish of the treatment would be carefully considered. An informative has been recommended for the applicant to work collaboratively with the applicant of the application at 1A Dog Kennel Hill with regard to the boundary treatment.

Corrections and clarifications on main report

Update to Paragraph 50 (Design and Heritage Assets)

8. The application site is close to the boundary of Camberwell Grove Conservation Area and 47 Champion Hill, a Grade II listed building. The proposed development would impact the significance of these heritage assets by affecting their setting. Setting is defined by the National Planning Policy Framework (NPPF) glossary as "The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the

asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”

9. Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be given in considering to grant planning permission to the desirability of preserving the listed building, or its setting or any special features of architectural or historic interest. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires special regard to be given in considering to grant planning permission to the desirability of preserving and enhancing the conservation area.
10. Paragraph 199 of the NPPF states:
“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”
11. Policies P19 (Listed Buildings) and P20 (Conservation Areas) of the Southwark Plan 2022 are also of consideration.
12. To assist decision makers in matters of setting, Historic England has produced best practice guidance on setting titled “The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)” This guidance advocates a stepped approach to assessment and officers have followed this guidance in assessing the impact on the heritage assets:

Camberwell Grove Conservation Area

- Step 1: Identify which heritage assets and their settings are affected

The heritage asset affected is Camberwell Grove Conservation Area. The site is approximately 15m from the conservation area boundary which is located at the junction of Grove Lane, Dog Kennel Hill and Champion Hill.

- Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated.

Camberwell Grove Conservation Area is a planned area of 19th century suburban expansion characterised by large terrace and villa houses set back from the street with mature gardens and the Maudsely Hospital Campus. Grove Lane forms an historic thoroughfare within the conservation area, and is partially lined with Georgian and Victorian terraces which form an integral part of the significance of the conservation area. The properties closest to the site (which are within the conservation area) however are 20th century block of flats - Karen Court and Springfield Lodge. These are set

back from the street and partially shielded from the development by planting and separated physically from the site by the junction with Dog Kennel Hill. The age, architectural style and general detail of these closest blocks, plus their experience over a busy junction, contributes in a neutral manner to the significance of the conservation area.

The wider setting of the conservation area is mixed; the primary school and apartment block developments in Dog Kennel Hill, including Mary Seacole House, Langford Green, Walcot House and Seavington House include 20th century medium to large apartment blocks or buildings in landscaped gardens. This latter development pattern is change from the close knit character of the terraces and villas in the Camberwell Grove Conservation Area. The conservation area is experienced in a limited manner from the site and on the approach from Dog Kennel Hill. This wider area has a neutral impact on the significance of the conservation area.

The dwellings of 122 to 172 Grove Lane are mostly Victorian and Edwardian semi-detached villas, set back from the street behind mature gardens. This suburban development pattern and scale contributes positively to the significance of the conservation area.

- Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

The proposed development would be in keeping with the prevailing wider neighbourhood character and would not harm the significance of the conservation area. While the proposed development would be experienced within the setting of the conservation area, by virtue of being of a similar development pattern and scale, it would not cause harm to the significance of the conservation area as a 19th century suburban development pattern.

- Step 4: Explore ways to maximise enhancement and avoid or minimise harm

A larger previous application was withdrawn and the pre-application process and public consultation exercise explored the scale, bulk and architectural design of the proposals. The corner of the development facing the junction has been chamfered to have a lesser impact on the street, and thus improve the wider experience of the conservation area, and the overall scale and height has been reduced. The facing material of brick is found widely in the conservation area and details of materials are recommended to be secured via condition.

- Step 5: Make and document the decision and monitor outcomes

Conditions for landscaping and materials are proposed to help monitor the quality of the development.

In conclusion, the proposed development meets the requirements to preserve or enhance the significance of the conservation area and would comply with Chapter 16; Conservation of the Historic Environment

(Paragraphs 197 and 199) of the NPPF and Policy P20 (Conservation Areas) of the Southwark Plan 2022.

47 Champion Hill

- Step 1: Identify which heritage assets and their settings are affected

47 Champion Hill is a Grade II listed early Victorian villa with classical detailing set in a mature garden with listed boundary wall of a similar period. It sits back from Champion Hill in a mature garden and is a good example of classical architectural from this period.

- Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset or allow significance to be appreciated.

This buildings' setting has been substantially altered by the 20th century development of Langford Green around it, and to the south the 5 storey block of flats (Appleshaw House) set in a mature landscape. The architectural style of Langford Green buildings is loosely classical, however as the area immediately surrounding this Grade II listed building has been substantially altered, and now includes large 20th century development, the wider setting, including the development site, contributes little to the significance of the grade II listed building.

- Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

The proposed development of up to 5 storeys in a terrace and apartment block would relate to the wider urban setting of Appleshaw House and Langford Green. The ability to appreciate the significance of 47 Champion Hill would remain and therefore the impact would be neutral.

- Step 4: Explore ways to maximise enhancement and avoid or minimise harm

A larger previous application was withdrawn and the pre-application process and public consultation exercise explored the scale, bulk and architectural design of the proposals.

- Step 5: Make and document the decision and monitor outcomes

Conditions for landscaping and materials are proposed to help monitor the quality of the development.

In conclusion, the proposed development meets the requirements to preserve or enhance the significance of the listed building and would comply with Chapter 16; Conservation of the Historic Environment (Paragraphs 197 and 199) of the NPPF and Policy P19 (Listed Buildings) of the Southwark Plan 2022.

Update to Appendix 1 (Recommendation)

13. Condition 13 requires compliance with 'Air Quality Assessment T3700.2 V1.1 prepared by Temple Group Ltd dated 08/12/2022'. The date of the report should be corrected to 08/12/2021.
14. Removal of Condition 15 which restricts developers, owners and occupiers from obtaining a parking permit as this is to be secured through a planning obligation.

Clarification of representations

15. Appendix 5 of the committee report sets out the consultation responses received in response to the application. The responses are split into objections, support comments and neutral comments below:

SUPPORT

31 Abbotswood Road London London SE22 8DJ
2 Beaulieu Close London SE5 8BA
7 Beaulieu Close London SE5 8BA
11 Beaulieu Close London SE5 8BA
12 Beaulieu Close London SE5 8BA
17 Beaulieu Close London SE5 8BA
17 Beaulieu Close London SE5 8BA
18 Beaulieu Close London SE5 8BA
18 Beaulieu Close London SE5 8BA
16 Bramham House East Dulwich Estate London SE22 8BJ
8 Buxted Road London SE22 8DQ
1 Champion Grove Camberwell SE5 8BW
Apartment 4 8 Dog Kennel Hill London SE22 8AA
13 Evesham Walk Camberwell SE5 8SJ
5 Grove Hill Road London SE5 8DF
28 Grove Lane London SE5 8ST
45 Grove Lane London SE5 8SP
56 Grove Lane London SE5 8ST
56 Grove Lane London SE5 8ST
153 Grove Lane London SE5 8BG
153 Grove Lane London SE5 8BG
158 Grove Lane London SE5 8BP
158 Grove Lane London SE5 8BP
158 Grove Lane London SE5 8BP
158 Grove Lane London SE5 8BP
197-199 Grove Lane London SE5 8BP
65 Ivanhoe Rd Camberwell SE5 8DH
Flat 2 Karen Court 203 Grove Lane London SE5 8DA
23 Langford Green London SE5 8BX
45 McNeil Road London SE5 8PL
Flat 32 Melbreak House East Dulwich Estate London SE22 8AL
Flat 6 Morris Court Denmark Hill Estate London SE5 8HS

34 Northway Road London SE5 9AN
25 Richmond Road London N11 2QR
95 Ruskin Park House Champion Hill London SE5 8TH
124 Ruskin Park House London SE5 8TL
152 Ruskin Park House London SE5 8TL
Flat 97 Ruskin Park House Champion Hill London SE5 8TH
97 Ruskin Park House Champion Hill London SE5
165 Ruskin Park House London SE5 8TL
1245 Ruskin Park House London SE5 8TL
165 Shardeloes Road London SE14 6RT
1 Springhill London SE5 8AJ
21 Sunnymead Road London SW15 5HY
7 The Hamlet London SE5 8AW
7 The Hamlet London SE5 8AW
25 The Hamlet London SE5 8AW
Flat 14 Wilton House East Dulwich Estate London SE22 8AE
No address

OBJECTIONS

29 Ashbourne Grove East Dulwich London SE22 8RN
Anderton Close London SE5 8BU
3 Beaulieu Close London SE5 8BA
39 Burrow Rd London SE22 8DU
20 The Hamlet Champion Hill London SE5 8AW
31B Champion Hill London SE5 8BS
33 Champion Hill London Southwark SE5 8BS
34 Champion Hill SE5 8AP
47 Champion Hill London SE5 8BS
47 Champion Hill London SE5 8BS
25 Birdsall House Champion Hill London SE5 8DP
164 Camberwell Grove London SE5 8RH
164 Camberwell Grove London SE5 8RH
165 Camberwell Grove London SE5 8JS
Flat 9 184 Camberwell Grove London SE5 8RJ
193 Camberwell Grove London SE5 8JU
214 Camberwell Grove London SE5 8RJ
51 Champion Grove London SE5 8BN
3 Close Lea Rastrick Brighouse HD6 3AR
3 Close Lea Brighouse West Yorkshire HD6 3AR
60 Grove Lane London SE5 8ST
61 Grove Lane London SE5 8BG
166 Grove Lane London SE5 8BP
201 Grove Lane Camberwell SE5 8BP
168 Grove Lane Camberwell London SE5 8BP
1A Grove Park London SE5 8LT
81A Grove Park London SE5 8LE
124B Grove Park London SE5 8LD
9 Ivanhoe Road London SE5 8DH
47 Ivanhoe Road Ivanhoe Road London SE5 8DH
26 Langford Green Champion Hill SE5 8BX

28 Langford Green London SE5 8BX
34 Langford Green Camberwell SE5 8BX
35 Langford Green London SE5 8BX
35 Langford Green London SE5 8BX
38 Langford Green London SE5 8BX
5 Love Walk SE5 8AD
18 Malfort Road Camberwell London SE5 8DQ
Flat 33 Walcot House East Dulwich Estate London SE22 8AD
on behalf of SE5 Forum and Camberwell Identity Group 18 Grove Lane
London SE5 8ST
No address
No address
No address
No address
No address
No address
No address

NEUTRAL

9 Appleshaw House London SE5 8DW
on behalf of 1A Dog Kennel Hill

Additional informative

16. The applicant is advised to work collaboratively with the applicant of the planning application at 1A Dog Kennel Hill with regard to the boundary treatment, which is subject to condition.

**ITEM 7.2: APPLICATION 22/AP/2071 – MARLBOROUGH
PLAYGROUND, 11-25 UNION STREET, SOUTHWARK,
LONDON, SE1 1SD**

Additional and updated information received

17. (Update) to paragraphs 15, 16, 17 reflecting tally of contributions.

50 contributions were received, 17 objections and 32 in support of the development. Summarised below are the material planning considerations raised by members of the public.

Objections (17)

- *Negative impact upon conservation area, increased noise disturbance would cause pollution for residents, principle of development is inappropriate as departure from plan, poor quality design, significant reduction in open space harms openness, development would reduce accessibility for public not increase it*

Supportive (32)

- *Enhanced facilities for community to use, would increase accessibility for children and vulnerable adults wishing to use open space, facilities would be upgrade to shipping containers/portaloos cabins, good quality design provides inclusivity, functioning would increase community engagement with BOST.*

18. (Update) to paragraph 22 – reference to Development Plans.

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.

19. (Addition) to paragraphs 32, 35 and 39 – reference to tests within NPPF (2021) at end of each section.

The proposed development would satisfy tests set out in paragraph 197 (proposals affecting heritage assets) and paragraph 199 (considering potential impacts) of the NPPF (2021).

20. (Addition) to paragraph 70 – listed Highway Works required

- *Repave the footway including new kerbing fronting the development using materials in accordance with Southwark's Streetscape Design Manual - SSDM.*
- *Upgrade existing vehicle crossover to the current LBS standards in accordance with the SSDM.*
- *Upgrade street lighting to current LBS standards Please contact George Livingstone at George.Livingstone@southwark.gov.uk for further details. Investigate the possibility of providing lamp columns mounted to the building in order to improve effective footway widths.*
- *Investigate the possibility of relocating existing street signs to the walls of the building in order to improve effective footway widths.*
- *Since the application site falls within 'Town Centre' designation the footways should be paved with granite natural stone paving slabs and 300mm wide granite kerbs.*
- *The Highway Authority requires works to all existing and any proposed new streets and spaces (given for adoption or not) to be designed and constructed to adoptable standards.*
- *Southwark Council's published adoptable standards as Highway Authority are contained in the Southwark Streetscape Design Manual (SSDM),*

21. (Addition) to paragraph 71 – reference to only Construction Environmental Management Plan Condition.

Given the sensitive context of the site, a Construction Environmental Management Plan shall be required to ensure health, safety and impacts from deliveries and servicing does not cause pollution or unreasonable disturbance during the construction phase. This is to be secured through a pre-commencement condition.

22. (Addition) to paragraph 76 – detail of Planning Obligations:

Planning Obligation	Applicant Position																																																								
Employment opportunities from community café	<p>FTE employment capacity = 4</p> <p>20% of 4 = 0.8</p> <p>So = 1 employment opportunity should be created targeting people who live in Southwark.</p> <p>Including;</p> <p>£4300 for employment and training contribution (the average cost of supporting an unemployed Southwark resident into sustained employment)</p>																																																								
Free and heavily subsidized use of facilities for schools and community groups	<p>As within Operational Management Plan</p> <p>Sports Facility Hire:</p> <table><tr><th></th><th>Commercial Hire (Tender)</th><th>Weekend Hire</th><th>Schools / Community Groups</th></tr><tr><td>Beach Volleyball</td><td>£50</td><td>£25</td><td>£15 or FREE</td></tr><tr><td>All Weather 3G</td><td>£99</td><td>£60</td><td>£40 or FREE</td></tr><tr><td>Netball (proposed)</td><td>£59</td><td>£50</td><td>£30 or FREE</td></tr></table> <p>Whole site exclusive hire charges for events etc:</p> <table><tr><th></th><th>Commercial Hire</th><th>Weekend</th><th>Schools / Community Groups</th></tr><tr><td>All Day (9am – 9pm)</td><td>£3000</td><td>£ 2,000</td><td>FREE</td></tr><tr><td>By hours non-exclusive (in 3 hours)</td><td></td><td></td><td></td></tr><tr><td>Monday – Friday</td><td>£250</td><td>N/A</td><td>FREE</td></tr><tr><td>Monday to Friday (all day)</td><td>£750</td><td>N/A</td><td>FREE</td></tr><tr><td>Weekend (all day)</td><td></td><td>£180</td><td>FREE</td></tr><tr><td>Hourly rate</td><td>£250p/hr (minimum 3 hours)</td><td>N/A</td><td>FREE</td></tr><tr><td>Damages Fee</td><td>£250</td><td>£250</td><td>FREE</td></tr><tr><td>Cancellation Fee</td><td>(50% of fee)</td><td>(50% of fee)</td><td>FREE</td></tr><tr><td>Filming rights (while park is open to public)</td><td>£250/day</td><td>N/A</td><td>FREE</td></tr></table>		Commercial Hire (Tender)	Weekend Hire	Schools / Community Groups	Beach Volleyball	£50	£25	£15 or FREE	All Weather 3G	£99	£60	£40 or FREE	Netball (proposed)	£59	£50	£30 or FREE		Commercial Hire	Weekend	Schools / Community Groups	All Day (9am – 9pm)	£3000	£ 2,000	FREE	By hours non-exclusive (in 3 hours)				Monday – Friday	£250	N/A	FREE	Monday to Friday (all day)	£750	N/A	FREE	Weekend (all day)		£180	FREE	Hourly rate	£250p/hr (minimum 3 hours)	N/A	FREE	Damages Fee	£250	£250	FREE	Cancellation Fee	(50% of fee)	(50% of fee)	FREE	Filming rights (while park is open to public)	£250/day	N/A	FREE
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Conclusion of the Director of Planning and Growth

23. Having taken into account the information set out above, including alterations and additions to draft conditions and additional representations, the recommendation remains that planning permission should be granted subject to completion of a satisfactory legal agreement, referral to the Mayor of London, and informing the Secretary of State of the decision.

REASON FOR URGENCY

24. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the Planning Committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

REASON FOR LATENESS

25. The new information and corrections to the main reports and recommendations have been noted and/or received since the committee agenda was printed. They all relate to items on the agenda and members should be aware of the comments made.

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