

Contents

RECOMMENDATIONS 3

EXECUTIVE SUMMARY 3

BACKGROUND INFORMATION 4

 Site location and description 4

 Details of proposal 7

 Planning history 11

KEY ISSUES FOR CONSIDERATION 11

 Summary of main issues 11

 Legal context 12

 Planning policy 12

ASSESSMENT 12

 Principle of development in terms of land use 12

 Affordable housing and viability 13

 Quality of residential accommodation 13

 Fire safety regulations 15

 Design quality 16

 Landscaping and trees 19

 Impact of the proposed development on amenity of adjoining occupiers and surrounding area 19

 Transport and highways 22

 Refuse storage 23

 Energy and sustainability 24

 Ecology and biodiversity 24

 Air quality 24

 Water resources and flood risk 25

 Planning obligations (S.106) 25

 CIL 25

 Community impact statement / Equalities Assessment 25

 Human rights implications 26

 Carbon concurrent 26

 Positive and proactive statement 28

 Positive and proactive engagement: summary table 28

CONCLUSION 29

BACKGROUND DOCUMENTS..... 29
APPENDICES 30
AUDIT TRAIL 30

Item No. 6.1	Classification: Open	Date: 14 November 2023	Meeting Name: Planning Committee (Smaller Applications)
Report title:	Development Management planning application: Application 22/AP/2447 for: Full Planning Application Address: 2 Belvoir Road, London, SE22 0QY Proposal: Erection of two storey three bedroom dwelling at rear with raised terrace, landscaping and parking, single storey extension to existing dwelling and associated alterations		
Ward(s) or groups affected:	Dulwich Hill		
From:	Director of Planning and Growth		
Application Start Date	28.07.2022	Application Expiry Date	31.11.2023
Earliest Decision Date	21.09.2022		

RECOMMENDATIONS

1. That planning permission is granted, subject to:
 - a) The conditions as set out in the report; and,
 - b) The completion of a Section 106 Legal Agreement.
2. That in the event that a legal agreement is not signed by 14 April 2024 the Director of Planning and Growth be authorised to refuse planning permission if appropriate.

EXECUTIVE SUMMARY

3. The application is being reported to the Planning Committee (Smaller Applications) as it has received two call-in requests from ward councillors which have been agreed by the chair.
4. The application relates to a single storey rear extension to the existing dwelling

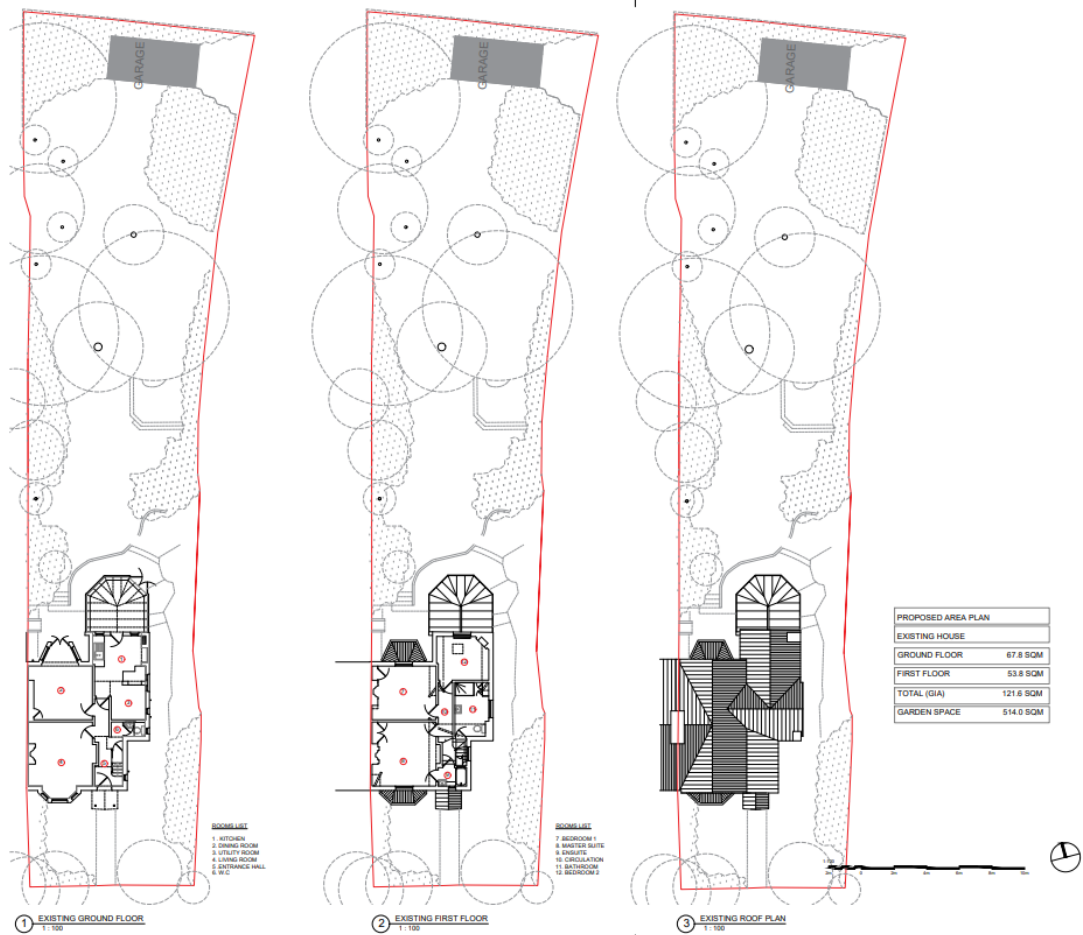
No. 2 Belvoir Road and the erection of a new 3 bedroom detached property in the rear garden with associated landscaping, refuse and cycle storage.

5. The principle of development is supported as the proposed residential land use has already been established on the site and the erection of a new dwelling would accord with the aims of the Southwark Plan (2022). The proposal would also provide a good quality of accommodation within the new dwelling and the existing extended dwelling. Adequate amenity space would also be provided for both the existing and proposed new dwelling.
6. Officers recognise that the proposed new dwelling would have an impact on the amenity of the nearby neighbour properties No 4 Belvoir Road and flats at Belvoir Lodge, however, from visiting the site and reviewing the submitted drawings the impact is not considered to be detrimental and is not considered to warrant a reason for refusal.
7. The development would provide 1 no. car parking space, dedicated cycle storage and refuse storage. The replacement tree planting and hard and soft landscaping within the site is considered to be acceptable.
8. It is recommended that planning permission is granted subject to conditions and completion of a Section 106 Legal Agreement to secure a financial contribution of £70,872 towards social and intermediate housing in the borough, a late stage review mechanism and s278 highways works.

BACKGROUND INFORMATION

Site location and description

9. The application site is located on the northern side of Belvoir Road and comprises a two-storey end of terrace dwelling. There is a small front garden and a large rear garden which slopes upwards towards Belvoir Lodge to the rear (north). At the far end of the rear garden, which is largely overgrown, is a single storey garage. There are also mature trees covered by TPOs within the rear garden.
10. A private access route runs along the southern side of the site providing pedestrian access to Belvoir Lodge to the east and vehicular access to the garage at 2 Belvoir Road. The access route is currently overgrown and has been subject to fly-tipping. It is not owned by the applicant, but they do have right of access and have served certificate B notice on the freeholder. It is also of note that the applicant does not own the main house site, however they have served the correct certificate B notice on the freeholder.



Existing floorplans



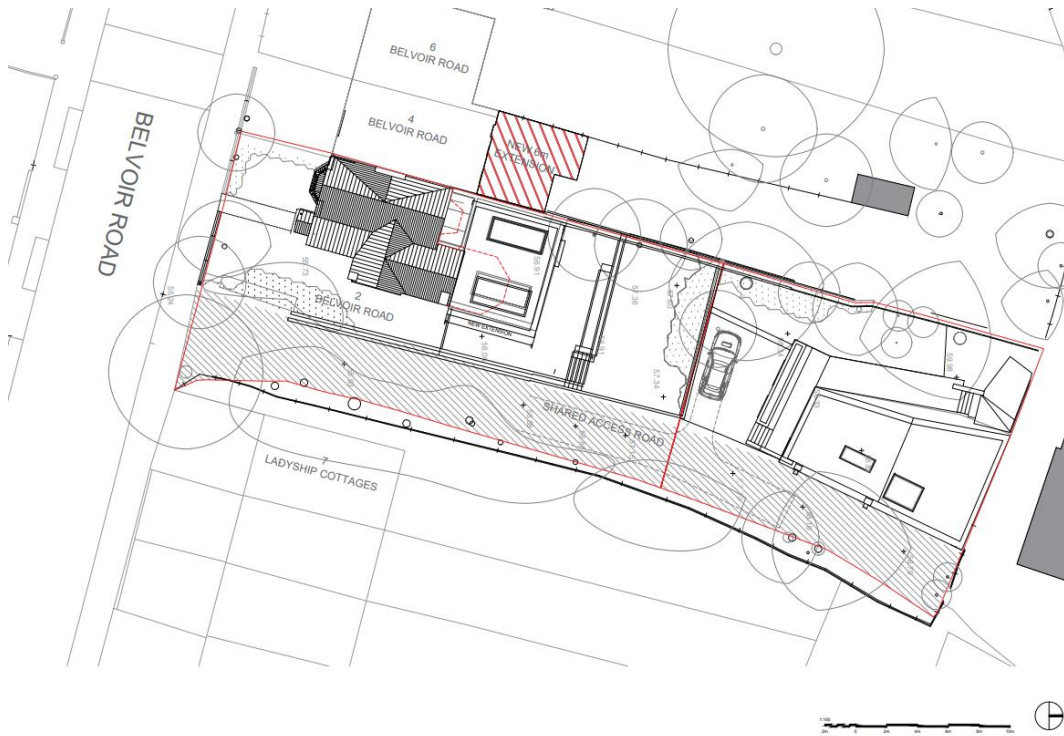
Existing elevations and site section

11. The site is located within a Public Transport Accessibility Level (PTAL) rating of 2. Whilst this is low, the site still has public transport connections with Forest Hill Overground Station and local buses routes in the locality.

12. The surrounding area is predominately residential. The properties along Belvoir Road are a mixture terraced, semi-detached and detached dwellings. Belvoir Lodge to the east is a flatted development located on an elevated position. The flats are arranged in two blocks and the primary access is from Underhill Road.
13. The building is not listed and the site is not located within a conservation area. The application site is subject to the following designations:
 - TPO No 645 covering the 1x pear, 2 x lime and 1 x cypress trees
 - Dulwich Area Vision
 - Air Quality Management Area
 - Critical Drainage Area
 - Suburban Zone South
 - PTAL 2

Details of proposal

14. Planning permission is sought for the erection of a single storey rear extension to the existing dwelling and the erection of a two storey three bedroom dwelling in the rear garden area, with car parking, cycle parking, refuse storage and amenity space.
15. Amended plans have been received during the course of the application whereby the parking area for the new dwelling has been reduced so that only one space is provided. Additional information has also been received in relation to the materials and detailing of the proposed new dwelling.



Proposed site plan



Proposed floorplans



Proposed elevations and section

16. Consultation responses from members of the public and local groups

17. 22 contributions were received. Summarised below are the material planning considerations raised by members of the public:

18. Initial consultation 10 – 31 August 2022. Objections (16)

Trees and ecology:

- Results in the loss of trees and there does not appear to be a proposal to replace this tree. The proposal should include more mature trees to be planted
- Ecology – there are bats within the trees
- The loss of tree could affect the stability of the boundary
- Used by a range of bird species including the rare Firecrest

Overlooking and loss of light:

- Due to the topography of the site and its elevated nature, the proposal would allow direct and wide views into the first floor bedroom windows. The proposal does not consider the windows directly overlooking neighbouring properties and the impact of the height and massing, particularly the close proximity of the ground floor and first floor windows in the new dwelling.
- Overlooking and privacy issues
- Kitchen window on the first floor southern elevation would both overlook the proposed building and be affected by its presence

- No daylight/sunlight assessment has been undertaken to assess the impact on 1-12 Belvoir Lodge
- Only 4m away from the first floor windows (serving kitchens) of flats 1 and 2 which are on the ground floor of 1-12 Belvoir Lodge
- Measurements should have been provided to understand the relationship with the windows at Belvoir Lodge
- Lack of Right of Light survey

Design:

- Butterfly roof presents an unnaturally high edge on its back slope
- There is an opportunity to sink the development into the surrounding ground rather than site on top
- A single storey building would be more appropriate
- Will appear incongruous and is out of character with the prevailing pattern of development
- No landscaping plan has been submitted and insufficient details of the boundary treatments

Access road:

- The shared access road does not form part of the development site, the developer has no legal right to maintain, improve or repair this road. The outlined area of the road implies that it does
- 2 Belvoir Road only has rights to use the path to access their existing garage. The leaseholders of Belvoir Lodge are responsible for the upkeep of the path
- The proposed drawings show two cars – the second car would obstruct the path
- Will generate significant additional use and related maintenance costs, it is unreasonable for these costs to fall on the owners of Belvoir Lodge when the additional maintenance is created by 2 Belvoir Lodge
- No tracking plans have been provided

Noise and disturbance:

- More activity on the site
- During the construction phase

Other matters:

- Notification of the proposed development was not long enough and no site notices were displayed
- Flood risk and effect of surface water and foul drainage have not been sufficiently addresses as part of the application.

19. Re-consultation 3 – 31 January 2023 Objections (6):

- The revised plans are not materially different from the previous plans and

have not taken into consideration any of the comments and concerns raised by neighbours

- The new building will obscure view and impede the light amenity of flats 1 and 2. The rear elevation of the roof is unnaturally high and unnecessarily raised
- Would like to reiterate the legal land ownership problem, the applicant does not own the access path, our Freeholder does, but lessees have an obligation to maintain the path. The applicant has not engaged with this issue and we would not allow the applicant to reconstruct this path as is shown on the plans or run conduit within it
- The building is too close to an existing building (Belvoir Lodge)
- Parking at this address would inhibit legal right of access from Belvoir Lodge
- Mature trees will be removed according to proposal, which will affect the view and wildlife (bats and rare birds)
- Permission has not been sought for construction vehicles to use the access path. This will make access for Belvoir Lodge residents unsafe and impossible.

Planning history

20. Pre-application advice was sought in March 2022 for the extension of the existing property and the erection of two properties to the rear. It was considered that there was not enough space to the rear to accommodate the additional properties and that the development should be restricted to one additional dwellinghouse.
21. See Appendix 1 for any other relevant planning history of the application site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

22. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use
 - Affordable housing and viability
 - Quality of residential accommodation
 - Fire safety regulations
 - Design quality

- Landscaping and trees
- Impact of proposed development on amenity of adjoining occupiers and surrounding area
- Transport and highways
- Refuse storage
- Energy and sustainability
- Ecology and biodiversity
- Air quality
- Flood risk
- Mayoral and borough community infrastructure levy (CIL)
- Community impact and equalities assessment
- Human rights
- Carbon concurrent; and
- Positive and proactive statement.

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

Legal context

23. 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 Southwark Plan 2022 and the London Plan (2021).
24. 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

25. The statutory development plans for the borough comprise the London Plan 2021 and the Southwark Plan 2022. The National Planning Policy Framework 2023 and emerging policies constitute material considerations but are not part of the statutory development plan. A list of policies which are relevant to this application is provided at Appendix 4. Any policies which are particularly relevant to the consideration of this application are highlighted in the report.

ASSESSMENT

Principle of development in terms of land use

26. The proposal seeks to extend an existing dwelling and construct a new two storey detached dwelling within the rear garden. The principle of the extension to the existing dwelling raises no land use issues, although the development should demonstrate good quality design and should not adversely impact the amenity of neighbours.
27. In relation to the construction of a new dwelling within the rear garden, the proposed residential land use has already been established on the site therefore the principle of the proposed development is considered acceptable and accords with the aims of the Southwark Plan (2022).

Affordable housing and viability

28. Policy P1 'Social rented and immediate housing' of the Southwark Local Plan (2022) requires all development that creates 9 homes or fewer to provide the maximum amount of social rented and immediate homes. Should this not be provided, a financial contribution towards the delivery of new council social rented and intermediate homes would be accepted as an in-lieu payment. This would be based upon 35% of the habitable rooms within the development.
29. The applicant has provided a viability assessment for the site which concludes that it is not viable for it to deliver affordable housing. The applicant has engaged with the planning authority in paying for a financial viability review which has been conducted by a third part assessor. Strettons have concluded in their report dated September 2023 that the scheme can support a financial contribution of £70,872 towards social and intermediate housing in the borough and secured in the Section 106 Legal Agreement.
30. In cases where a contribution of less than £100,000 per habitable room can be made towards social and intermediate housing it is necessary to include a late stage review obligation in the s.106 legal agreement. The late stage viability review would be of the build costs and sales value before completion to ensure that the maximum affordable housing contribution is secured in accordance with the requirements of Policy P1. The late stage viability review clause for small sites has been drafted by our legal team and is standardised for all Section 106 legal agreements. If at this stage the council's viability review demonstrates that a higher contribution than the initial viability assessment is viable, the difference must be paid on or before occupation.

Quality of residential accommodation

31. Space standards

Schedule of accommodation for new dwelling (3 bed 6 person)			
Room	Floor area (sq. m)	Minimum floor area requirement (sqm)	Complies (YES/NO)?
Kitchen/Living/Dining	61.43	27	Yes
Bedroom 1 (shown as double)	15.92	12	Yes
Bedroom 2 (shown as double)	11.93	12	Yes
Bedroom 3 (shown as double)	18.95	12	Yes
Bathroom	6.47	3.5	Yes
Built-in storage		2	Yes
Dwelling	Area (sq. m)	Minimum area requirement (sqm)	Complies (YES/NO)?
Gross Internal Floor Area	142.4	102	Yes
Private outdoor space	77	50	Yes and amenity space retained for existing dwelling c. 122sqm.

32. The plans submitted indicated that the proposed new dwelling would meet the Nationally Described Space Standards in accordance with Policy P15 (Residential Design) of the Southwark Plan (2022). In addition, all individual room sizes meet the recommended minimum standards as set out in the Residential Design Standards SPD (2015).

Outlook and daylight/sunlight

33. The proposed rear extension to the existing dwelling is not considered to affect the daylight or sunlight within the property.
34. The proposed new dwelling would be dual aspect with outlook perspectives to the east and south. There would also be adequate cross ventilation which would allow for suitable thermal comfort.

Amenity

35. The proposal would result in the subdivision of the garden of the existing dwelling. The technical update to the Residential Design Standards (2015) states that a minimum of 50m private garden space should be provided for dwellings, the garden should be at least 10m in length, and should also extend across the width of the dwelling.
36. The existing dwelling would retain a garden of c.122 sqm with a depth of at least 10m in accordance with the Residential Design Standards SPD (2015) guidance.
37. The new dwelling would have a private garden area of at least 77sqm (excluding the parking area and raised platform around the edge of the dwelling). Whilst the depth would be less than 10m when measured from the western elevation of the dwelling to the western boundary of the site, it would measure at least 10m in length north-south which is considered adequate to ensure a good quality of amenity for future residents.
38. Overall a good quality of amenity space would be provided for both the existing and proposed new dwelling.

Fire safety regulations

Policy D12 (A) of the London Plan (2021)

39. 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).

Summary of information contained in the Planning Fire Safety Strategy:

The submitted fire statement has been completed by Anthony Jones of Fire Risk Assessment Limited. The existing house is not over 11m in height therefore there is no requirement for a residential sprinkler system to be installed. In relation to the new dwelling due to the open plan layout of the ground floor and limited access for fire service vehicle to the property there is a requirement for a suppression system to be fitted in accordance with BS 9251:2014 or BS 8458:2015.

The stairway within the existing dwelling is open therefore all habitable rooms are required to be fitted with FD30 fire doors. The stair way within the garden house is also open therefore FD30 fire doors will also be required for all habitable rooms. Smoke detection is required to be installed and heat detection within the kitchen.

The dwellings are both required to be compartmented to 60 minutes to give fire protection to neighbouring dwellings.

There are two means of escape from the ground floor for the existing and new dwelling. There is only one means of escape at first floor level.

Access for the fire services will be from Belvoir Road.

40. 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.
41. A Fire Statement 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.

Design quality

42. The application site is not located in a conservation area and there are no listed buildings within the vicinity of the application site. The two elements of the proposal are discussed below:

Single storey rear extension to 2 Belvoir Road

43. The proposed single storey rear extension at No 2 Belvoir Road would project 5.8m from the rear elevation of the dwelling and would extend across the full width of the rear elevation. It would have a maximum height of approximately 3.1m. Although the extension would be a substantial addition to the existing dwelling as it would be positioned on the rear elevation it is not considered to have a detrimental impact on the appearance of the dwelling from the streetscene of Belvoir Road.
44. The extension would be visible from the access route which runs along the eastern boundary of the site, however given the range of extensions and styles of properties within the vicinity it is not considered to detrimentally impact the character or appearance of the area. Likewise, there would be a sufficient separation distance between the extension and the access route to allow for planting and screening.
45. The council’s design officer has commented that the overall design of the extension would be acceptable and that a condition should be attached to any

consent requiring details of materials to be submitted prior to commencement of this element of the proposed development.

New dwelling within the rear garden

46. The proposed dwelling is considered to be of a scale that would be acceptable and has addressed the comments raised during pre-application discussions in regards to massing.
47. The design officer raised some initial concerns regarding the materiality of the proposed dwelling, whereby it was considered to read as a “concrete development” which was at contrast to the surrounding area which comprises of brick with decorative stucco. Following receipt of these comments, Officers requested amendments to the finish of the proposed materials and detailing.

48. The design was amended and five options were submitted for the materiality of the new dwelling. These have been reviewed by the design officer. The most appropriate option is considered to be No. 4 which includes two textures of brick and would be more appropriate in the site context.



Option 4

49. Following receipt of this additional information it is recommended that a condition is attached to ensure samples of materials to be submitted.

Landscaping and trees

50. The application site contains a number of mature trees and hedges, some of which are covered by TPOs. The proposed development results in the loss of 5no. trees (T21, T22, T23, T27 and T28). There would also be some impact on the TPO trees during the construction. All of the TPO trees would be retained, however, crown lift up to 3.5m is required to T01, T02, T03, T04, T05 and T31. Cut back of 2m to T05 is required to create clearance for the proposed development.
51. The submitted Arboricultural Impact Assessment explains that pile and beam foundations will be used to avoid impact of the proposed foundations on T04, T05, T16 and T20 and all retained trees will require tree protection barriers around the Root Protection Areas.
52. The proposal is considered acceptable in principle subject to pre-commencement conditions requiring the tree protection measures to be installed prior to the commencement of development and requiring the planting of 2no. new trees (T21 and T22) within the site to mitigate for the loss of the TPO Category C trees on a 1 in 1 out basis, in keeping with current guidance. The other trees noted for removal, 2 overgrown hedgerow groups (T23 and T28) and a small Cabbage Palm (T27) are negligible in terms of amenity.

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

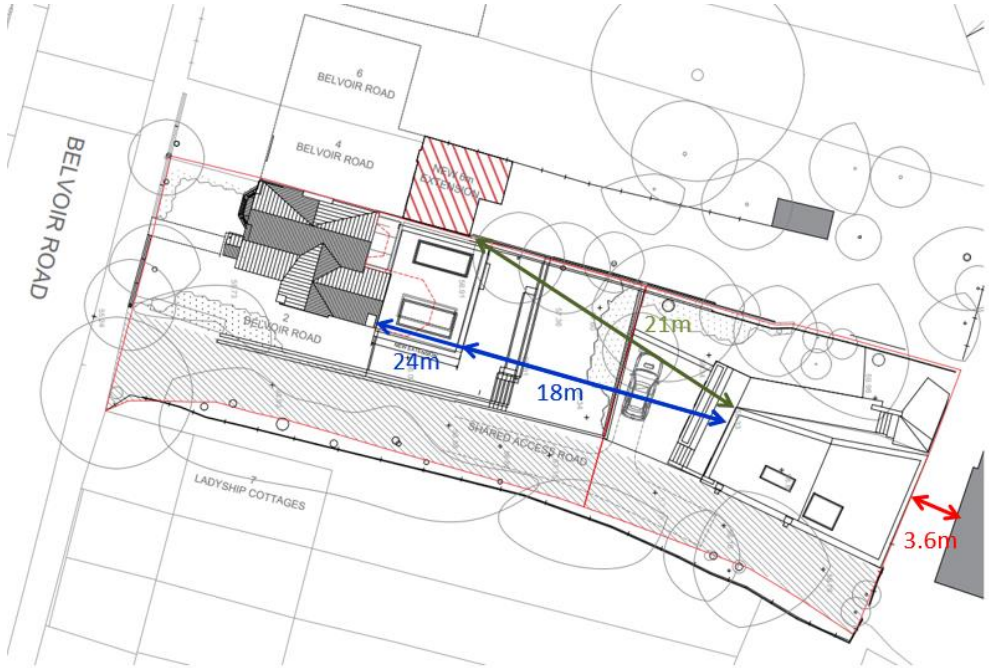
53. A number of concerns have been raised by residents regarding the impact of the proposed development on amenity. The two elements of the proposal are discussed below.

Single storey rear extension to 2 Belvoir Road

54. The property most likely to be affected by the proposed single storey rear extension would be No. 4 Belvoir Road, located to the west of the application site. It is of note that Prior Approval Notification Application for a larger home extension has been granted for a single storey rear extension which projects 6m from the rear of the property 5.4m in width, with a height of 3m to the eaves and a maximum height of 4m. The permitted extension was under construction when the planning officer undertook their site visit.
55. The proposed single storey rear extension to the existing property would project

5.8m from the rear elevation of the dwelling and would extend across the full width of the rear elevation. Although the extension would be a substantial addition to the rear of the property, given the consent for the extension at No. 4 Belvoir Road the proposed development is not considered to result in detrimental harm to the resident's amenity in terms of overshadowing or loss of light. The 45 degree test would also be met as it would only project a further 0.4m beyond the extension at No. 4 Belvoir Road. As a result the proposed extension at No 2 Belvoir Road is not considered to detrimentally impact the amenity of the adjoining property.

New dwelling within the rear garden



Marked up site plan showing separation distances

No. 2 Belvoir Road (existing dwelling)

- 56. The proposed new dwelling would be located within the rear garden of No. 2 Belvoir Road. A separation distance of 18m would be maintained between the proposed rear extension at No. 2 Belvoir Road and the new dwelling, at first floor level the separation distance would be 24m. Whilst there would be windows on the southern elevation of the new dwelling, these would be secondary windows to the kitchen/living room and first floor bedroom. It is recommended that these windows are obscure glazed to prevent any direct overlooking on the retained amenity area of No. 2 Belvoir Road.
- 57. In relation to overbearing impact, due to the change in levels whereby the site slopes up to the north the proposed new dwelling would sit above the existing dwelling. Whilst this could cause some overbearing impact it is proposed that

the existing trees and landscaping will be maintained to provide a buffer between the new dwelling and retained garden area for No 2 Belvoir Road.

58. Overall it is considered that the proposal would not detrimentally impact the amenity of No. 2 Belvoir Road.

No. 4 Belvoir Road

59. No. 4 Belvoir Road is located to the west of the application site and has recently undergone renovation and extension including a single storey rear extension.
60. Concerns have been raised in relation to the impact of the proposed new dwelling on the rear elevation of No. 4 Belvoir Road in regards to overlooking, loss of privacy and loss of light. There would be a separation distance of 21m from the corner of the new dwelling to the nearest corner of the extension at No 4, which accords with the guidance in the Residential Design Standards SPD (2015). Whilst the proposed new dwelling would be on an elevated position due to the topography of the site, it is considered on balance that the additional screening and planting that is proposed along the shared boundary would assist in mitigating harm to the amenity of the neighbouring property.
61. There would also be a separation distance of 6m from the nearest edge of the new dwelling and the shared boundary with No. 4 Belvoir Road, which is considered sufficient to reduce any significant overbearing impact on the garden area. Although there could be some overshadowing in the morning, the orientation of the dwelling would still allow adequate daylight to reach the end of the garden in the afternoon.

Belvoir Lodge - Flatted Development

62. Concerns have been raised by residents in relation to the impact of the proposed new dwelling on the flatted development, particularly the ground floor windows serving Flats 1 and 2 as only a gap of c. 3.6m would be retained between the new dwelling and side elevation of Belvoir Lodge. Officers undertook a site visit with neighbours to understand the concerns and assess the relationship between the new dwelling and the existing flatted development.
63. Given the scale of development being proposed it is not a validation requirement to submit a daylight and sunlight assessment with the application. Officers requested further information from agent to understand how daylight and sunlight impact has been considered. The agent provided the following comments on 16 February 2023 in regards to the impact on Belvoir Lodge:

The nearest building is Belvoir Lodge to the rear of the site. This is a three-storey building which is in an elevated position in relation to the application site

and proposed new dwelling. The building has some small side facing windows. These serve small kitchens of the flats. The kitchens are too small to be considered habitable rooms themselves and these windows are secondary. The primary windows on the principal elevation are completely unaffected by the development.

The land levels also mitigate any impact. As shown on proposed west elevation (B-B) on drawing 0164-KAA-XX-XX-DR-A-S1-P2-0103 P3, the first and second floor windows are completely unaffected by the development. Those at the ground floor, are already compromised to a degree given their relationship with the boundary. On the basis that the windows serve secondary/non-habitable spaces the proposed development is not considered to result in unacceptable harm to the residential amenities of the neighbouring flats.

64. The Residential Design Guide SPD (2015) states that residential developments should maximise sunlight and daylight, both within the new development and to neighbouring properties. As stated by the agent, and confirmed with neighbours, the closest windows within Belvoir Lodge serve kitchens which measure c.6sqm, many of which have now been opened up into the wider living/dining area. The kitchens would not meet the minimum standards for a habitable room and therefore are considered to be secondary windows, with the wider living/dining rooms being served by principal windows on the eastern elevation of the block. The primary windows to these rooms would not be affected by the proposed development.
65. Overall it is considered on balance that the overall impact caused by the new dwelling on Belvoir Lodge would be limited and would not warrant a reason for refusal.

Transport and highways

66. The application site has a PTAL rating of 2. Despite this low score there are still good connections to public transport within the vicinity. There are no controlled parking zones (CPZ) along Belvoir Road or the surrounding roads.

Car parking

67. Policy P54 'Car Parking' of the Southwark Local Plan (2022) states that where off street car parking spaces are proposed, the number of spaces should be determined by considering the anticipated demand for the parking spaces and the tenure of the development and the quality and accessibility of the local public transport network and the access to local amenities.
68. The residential car parking standards for sites within PTAL Zone 2 should provide:

- A maximum of 0.5 spaces per home
69. Initially two parking spaces were shown for the new dwelling, however concerns were raised with the overprovision. Therefore, during the course of the application amended plans were received reducing the frontage car-parking area so that it can only accommodate a single vehicle. The revised proposal is therefore considered to be acceptable in this regard.

Access

70. Comments have been raised by the residents of Belvoir Lodge regarding the use and maintenance of the access route along the side elevation of 2 Belvoir Road. Officers have queried this with the applicant and as per paragraph 10 of this report it has been confirmed that the applicant has right of access over this land. For the purpose of the planning application officers can confirm that the correct Certificate B has been served on the Freeholder of the access route/strip of land.
71. The maintenance of this land is responsibility of the residents of Belvoir Lodge, the future maintenance of this land would be a separate legal matter that would need to be agreed with the interested parties.
72. The applicant has been advised by officers that all relevant parties would need to be signatories to the Section 106 Legal Agreement. The applicant has confirmed that they are aware of this and would like to proceed with the determination of the planning application by the planning committee.

Cycle parking

73. Policy P53 'Cycling' of the Southwark Local Plan (2022) requires residential developments with PTAL scores of 2 to provide:
- A minimum 2 spaces per two or more bedroom dwellings.
74. Initially cycle parking was shown at the end of the access road and it was unclear as to how many space would be accommodated on the site. Amended plans were submitted showing that the new and existing dwelling would both have a cycle store which could accommodate at least 2no. bicycles. It is considered that full details of the cycle stores should be conditioned.

Refuse storage

75. Dedicated waste storage has been provided for both the existing and new dwellings which would be met by local collection arrangements comparable to

the existing dwelling.

Energy and sustainability

76. Given the scale of the development an Energy Assessment is not required as part of the validation requirements, however, the applicant has provided information within the Design and Access Statement to demonstrate how the proposed new dwelling will accord with the energy hierarchy (Be Lean, Be Clean and Be Green) in Policy P70 of the Southwark Plan (2022).
77. The building design has incorporated passive energy measures to reduce energy demand, this includes; high efficient lighting systems and controls, natural daylight to limit the need for artificial lighting, super-insulated walls, floors and roofs will help to avoid overheating in the summer months. Whilst low carbon energy generation has been explored, there are no suitable technologies for this site. Overall given the scale of development, it is considered that the proposal would meet the aims and objectives of Policy P70.

Ecology and biodiversity

78. A Preliminary Ecological Appraisal and Preliminary Roost Assessment has been undertaken which concludes that the habitat to be impacted by the re-development work is of low ecological value. It concludes that an Ecological Enhancement Plan should be provided to secure new wildlife friendly planting on site and the creation of new bird/bat/insect/hedgehog boxes to secure net-gains for biodiversity. It is also recommended that precautionary measures of working are employed for birds, herpetofauna and small mammals during the works and that light mitigation is recommended for the developed site to avoid an increase in levels of light pollution and impacts on local wildlife.
79. Overall the preliminary appraisal is accepted and no further surveys are required. It is proposed that a pre-commencement condition is attached to ensure the proposed mitigation is included within an agreed ecological enhancement plan prior to any construction commencing on-site.

Air quality

80. The application site is within the AQMA (Air Quality Management Area) and an Air Quality Neutral Assessment has been submitted with the application. There has been a change in the guidance for Air Quality Neutral Assessments since the application was submitted therefore an amended report was submitted in October 2023 to refer to the new guidance.

Water resources and flood risk

81. The application site is located within a designated Critical Drainage Area, which indicates that there are drainage issues in the area. A Flood Risk Assessment and Surface Water Management Report has been submitted with the application which is considered acceptable.

Planning obligations (S.106)

Planning obligation	Mitigation	Applicant's position
Housing, Viability and Amenity Space		
Affordable housing contribution	A contribution of £70,872 towards social and intermediate housing in the borough	Agreed
Affordable housing Late stage review	Late stage review mechanism	Agreed
Transport and highways		
Highways works s278	Repair any damage to the highway due to construction activities for the Development including construction work and the movement of construction vehicles.	Agreed

CIL

83. The site is located within Southwark CIL Zone 2, and MCIL2 Band 2 Zone. Based on the GIA measurements obtained from the proposed floor plans, the gross amount of CIL is £53,779.64. It should be noted that this is an estimate, and the floor areas will be checked when related CIL Assumption of Liability is submitted after planning approval has been secured.

Community impact statement / Equalities Assessment

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

85. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
86. 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.

Human rights implications

87. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
88. This application has the legitimate aim of providing new homes and improved employment space. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Carbon concurrent

89. This application has taken measures to reduce carbon emissions on site with the aim of contributing to net carbon zero by 2050 in accordance with the adopted development plan.
90. These measures are summarised in the table below:

Net carbon zero: summary table	
Are carbon emission reductions covered in the main report?	No. The proposed development is a minor development and therefore is not required to provide minimum on site carbon saving figures.
Be Lean measures (energy efficient design and construction)	The building design has incorporated passive energy measures to reduce energy demand, this includes; high efficient lighting systems and controls, natural daylight to limit the need for artificial lighting, super-insulated walls, floors and roofs will help to avoid overheating in the summer months.
Be Clean measures (low carbon energy supply)	While low carbon energy generation has been explored, there are no suitable technologies for this site.
Be Green measures (on site renewable energy generation and storage)	All available technologies for renewable energy have been explored.
Any other comments	A new house will be subject to up to date building regulations for energy efficiency

Meeting Southwark's Climate Change Strategy and Action Plan

91. In July 2021, the council adopted its Climate Change Strategy and action plan for tackling the climate emergency. The plan sets out how emissions in the borough can be reduced from buildings, transport and waste disposal.
92. The Strategy sets out 148 action points that the council will undertake to achieve its ambition to do all it can to achieve a net zero carbon borough by 2030 across five key priority areas:
- Greener Buildings: these actions relate to Southwark's built environment and new developments e.g., emissions from privately rented homes, commercial

offices and private property development. They cover scope one and two emissions.

- Active and Sustainable Travel: these actions relate to surface transport across the borough, e.g., emissions from private car travel. They cover scope one, two and three emissions.
- A Thriving Natural Environment: these actions relate to the maintenance and security of the borough’s natural environment e.g., increasing tree canopy coverage.
- A Circular Economy with Green Jobs: these actions relate to waste within the borough e.g., emissions from non-recyclable waste disposal. They cover scope one and two emissions.
- Renewable Energy: these actions relate to the provision of more renewable energy within the borough i.e., local installation of technologies such as solar PV.

93. The following action points have identified as relevant to this planning application:

Priority area:	Thriving Natural Environment
Theme:	Building and development works alongside and enhances our natural environment
Officer commentary	Conditions are recommended to ensure compliance with the mitigation proposed in the ecological assessment.
Priority area:	Active and Sustainable Travel
Theme:	Making cycling and walking easier
Officer commentary:	The new house will provide cycle parking

Positive and proactive statement

94. 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.

95. 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

96.	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?	NO

CONCLUSION

97. Overall, the proposed development would be of high quality design and would provide a good quality of accommodation for both future and existing residents. Whilst there would be some overbearing impact caused by the new dwelling on the existing properties on Belvoir Road and at Belvoir Lodge, as a result of the sloping topography of the site, the overall impact is not considered to be detrimental to the amenity of the neighbouring residents and does not warrant a reason for refusal.
98. The proposal would provide 1no. on site parking space and dedicated cycle and refuse storage. There would also be replacement tree planting, hard and soft landscaping within the site.
99. The proposal would make a financial contribution of £70,872 towards social and intermediate housing in the borough in accordance with Policy P1 of the Southwark Plan (2022).
100. It is therefore recommended that planning permission is granted subject to conditions and completion of a Section 106 Legal Agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2562-2 Application file: 22/AP/2447 Southwark Local Development Framework	Environment, Neighbourhoods & Growth Department	Planning enquiries: 020 7525 0254 planning.enquiries@southwark.gov.uk Case officer telephone:

and Development Plan Documents	160 Tooley Street London SE1 2QH	020 7525 0254 Council website: www.southwark.gov.uk
--------------------------------	--	---

APPENDICES

No.	Title
Appendix 1	Recommendation
Appendix 2	Planning Policies
Appendix 3	Relevant planning history
Appendix 4	Consultation undertaken
Appendix 5	Consultation responses received

AUDIT TRAIL

Lead Officer	Steve Platts, Director of Planning and Growth	
Report Author	Zoe Brown, Team Leader – Major Applications and New Homes	
Version	Final	
Dated	30 October 2023	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance	No	No
Strategic Director of Environment, Neighbourhoods and Growth	No	No
Strategic Director of Housing	No	No
Date final report sent to Constitutional Team	30 October 2023	

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 Patel Belvoir Property Services	Reg. Number	22/AP/2447
Application Type	Minor application		
Recommendation	GRANT subject to Legal Agreement	Case Number	2562-2

Draft of Decision Notice

Grant subject to Legal Agreement for the following development:

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

2 Belvoir Road London Southwark SE22 0QY

In accordance with application received on 8 July 2022 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

PROPOSED LOCATION PLAN-P3 0100 REV P3 received 21/12/2022

PROPOSED SITE PLAN - P3 0101 REV P3 received 21/12/2022

PROPOSED ELEVATIONS - P3 0103 REV P3 received 21/12/2022

PROPOSED SECTIONS - P3 0104 REV P3 received 21/12/2022

Other Documents

Time limit for implementing this permission and the approved plans

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

Reason:

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

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

3. D/CEMP

No development shall take place, including any works of demolition, until a written D/CEMP for the site has been devised. The D/CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the D/CEMP shall be available on site at all times and shall include the following information:

- o A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
- o Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc.;
- o Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);
- o A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;

- o Site traffic - Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;
- o Waste Management - Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.
- o A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London

Guidance on preparing CEMPs and best construction practice can be found at <http://www.southwark.gov.uk/construction>

All demolition and construction work shall then be undertaken in strict accordance with the plan and relevant codes of practice, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity), and the National Planning Policy Framework 2023.

4. Arboricultural Method Statement

Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

1. A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

2. A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative

pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

3. Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation. This should include a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given. All foundation depths should, as a minimum, concord with NHBC 4.2.13, or be as engineer designed.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority.

In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations. If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework (2023) Parts 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021; and policies of The Southwark Plan 2022: P56 Protection of amenity; P57: Open space; P58: Open water space; P59: Green infrastructure, P66 Reducing noise pollution and enhancing soundscapes, P13: Design of places; P14: Design quality; P15: Residential design, P20: Conservation areas; P21: Conservation of the historic environment and natural heritage and P60 Biodiversity.

Permission is subject to the following Grade Condition(s)

5. Tree planting strategy

Prior to above ground works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period.

Details of a management plan, responsibilities and maintenance schedules shall be submitted to and approved by the Local Planning Authority.

This shall include an irrigation schedule for all trees to ensure successful establishment.

For stem girths of up to 20cm the schedule shall be a minimum of three years, and five years for stem girths greater than 20cm. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

All tree planting shall be carried out in accordance with those details and at those times. All trees and shrubs will conform to the specification for nursery stock as set out in British Standard 3936 Parts 1 (1992) and 4 (1984). Advanced Nursery stock trees shall conform to BS 5236 and BS: 4428 Code of practice for general landscaping operations; BS 8545:2014 Trees: from nursery to independence in the landscape; BS: 5837 (2012) Trees in relation to demolition, design and construction; BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf); EAS 03:2022 (EN) - Tree Planting Standard, and Trees and Design Action Group guidance.

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

Reason:

So that the Council may be satisfied that the proposed tree planting scheme is in accordance with The National Planning Policy Framework (2023). Parts, 8, 11, 12, 15 and 16; Policies G1 (Green Infrastructure, G5 (Urban Greening) and G7 (Trees and Woodlands) of the London Plan 2021); Policies G5 (Urban greening) and G7 (Trees and woodland) of the London Plan (2021); Policy P13 (Design of Places), Policy P56 (Protection of Amenity), Policy P57 (Open Space), Policy P60 (Biodiversity) and P61 (Trees) of the Southwark Plan (2022).

6. Details of means of enclosure

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

Reason:

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

7. Cycle storage details

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

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

Policy T5 (Cycling) of the London Plan (2021); Policy P53 (Cycling) of the Southwark Plan (2022).

8. Refuse storage details

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

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with Chapters 8 (Promoting healthy and safe communities) and 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P56 (Protection of amenity) and Policy P62 (Reducing waste) of the Southwark Plan (2022).

9. Sample materials/panels/boards

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

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Chapter 12 (Achieving well-designed places) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); Policy P13 (Design of Places) and Policy P14 (Design Quality) of the Southwark Plan (2022).

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

10. The following measures for the mitigation of impact and enhancement of biodiversity, set out in the preliminary ecological report by Arbtech, will be implemented in full prior to the new development being occupied.

- Nest boxes,
- Native Planting,
- Wildlife Pond,
- Habitat Bat Box Schwegler 1FR Bat Tubes into the fabric of the building 3-5m above ground in a south/south-westerly direction;
- Stag beetle loggery,
- Hedgehog house;
- Small mammal gaps (13cm x 13cm) in the new fencing every 20m; and,
- Invertebrate hotels/bee bricks.

Reason: To increase the biodiversity of the site, to mitigate any impact from the development hereby approved in accordance with Chapter 15 (Conserving and enhancing the natural environment) of the National Planning Policy Framework (2021); Policy G6 (Biodiversity and access to nature) of the London Plan (2021); P56 Protection of amenity, P57 Open space, P58 Open water space, P59 Green infrastructure, P60 Biodiversity, P66 Reducing noise pollution and enhancing soundscapes and P69 Sustainable standards of the Southwark Plan (2022).

11. Obscure glazing to be provided

The ground floor kitchen window and first floor bedroom window on the southern elevation of the proposed new dwelling building shall be obscure glazed and fixed shut up to a height of 1.7m above the floor level and shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at from undue overlooking in accordance with Chapter 8

(Promoting healthy and safe communities) of the National Planning Policy Framework (2023); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

Permission is subject to the following Compliance Condition(s)

12. Removal of permitted development rights

Notwithstanding the provisions of Schedule 2, Part 1 Classes A, B, C, D and E of the Town and Country Planning General Permitted Development Order (or amendment or re-enactment thereof) no extension, enlargement or other alteration of the new dwelling hereby permitted shall be carried out.

Reason:

To safeguard the character and the amenities of the premises and adjoining properties in accordance with Chapter 12 (Achieving good design) of the National Planning Policy Framework (2023); Policies D4 (Delivering good design) and HC1 (Heritage conservation and growth) of the London Plan (2021); Policy P13 (Design of Places), Policy P14 (Design Quality) and Policy P56 (Protection of Amenity) of the Southwark Plan (2022).

13. Roof to be used only in emergency

The roof of the single storey extension hereby permitted at 2 Belvoir Road shall not be used other than as a means of escape and shall not be used for any other purpose including use as a roof terrace or balcony or for the purpose of sitting out.

Reason:

In order that the privacy of neighbouring properties may be protected from overlooking from use of the roof area in accordance with Chapter 8 (Promoting healthy and safe communities) of the National Planning Policy

Framework (2021); Policy D4 (Delivering good design) of the London Plan (2021); and Policy P56 (Protection of amenity) of the Southwark Plan (2022).

14. Residential internal noise levels

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

Bedrooms - 35dB LAeq T†, 30 dB LAeq T*, 45dB LAFmax T *

Living and Dining rooms- 35dB LAeq T †

* - Night-time 8 hours between 23:00-07:00

† - Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P66 (Reducing noise pollution and enhancing soundscapes), and the National Planning Policy Framework 2023.

Permission is subject to the following Special Condition(s)

15. Contaminated land - further findings

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority [LPA]) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

Reason:

There is always the potential for unexpected contamination to be identified during development ground works. The Environment Agency and the Environmental Protection Team should be consulted should any contamination be identified, in accordance with the Southwark Plan 2022 Policy P56 (Protection of amenity); Policy P64 (Contaminated land and hazardous substances), and the National Planning Policy Framework 2023.

Informatives

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

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

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

- 2 The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980. Detailed drawings should be submitted as part of the s278 application confirming this requirement.
- 3 Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies. Please contact Hernan Castano, Highway Development Manager on 020 7525 4706 to arrange.

- 4 Pedestrian sightlines must be created and retained in perpetuity for the access at the point of its interface with the public highway. A bare minimum 1.5m x 1.5m sightline on either side of the vehicular access road must be provided and demonstrated on a submitted plan. All masonry, planting and other features within this area must be designed to be no higher than 0.6m.

Planning Policies

National Planning Policy Framework (the framework)

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

The relevant chapters from the Framework are:

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

The London Plan 2021

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

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D6 Housing quality and standards
- Policy D12 Fire safety
- Policy H1 Increasing housing supply
- Policy H2 Small sites
- Policy H4 Delivering affordable housing
- Policy G1 Green infrastructure
- Policy G4 Open space
- Policy G6 Biodiversity and access to nature
- Policy G7 Trees and woodlands
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SI 12 Flood risk management
- Policy SI 13 Sustainable drainage

- Policy T4 Assessing and mitigating transport impacts
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction
- Policy DF1 Delivery of the plan and planning obligations

Southwark Plan 2022

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

- Policy SP1 Homes for all
- Policy P1 Social rented and intermediate housing
- Policy P13 Design of places
- Policy P14 Design quality
- Policy P15 Residential design
- Policy P18 Efficient use of land
- Policy P50 Highways impacts
- Policy P53 Cycling
- Policy P54 Car parking
- Policy P55 Parking standards for disabled people and the physically impaired
- Policy P56 Protection of amenity
- Policy P59 Green infrastructure
- Policy P60 Biodiversity
- Policy P61 Trees
- Policy P65 Improving air quality
- Policy P66 Reducing noise pollution and enhancing soundscapes
- Policy P68 Reducing flood risk
- Policy P69 Sustainability standards
- Policy P70 Energy

SPDs

Of relevance in the consideration of this application are:

- Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015)
- 2015 Technical Update to the Residential Design Standards (2011)
- Affordable Housing SPD (2008)
- Development Viability SPD (2016)

APPENDIX 3

Relevant planning history

Reference and Proposal	Status
CE/22/0297 Viability advice 22/AP/2247	CE Response 14/10/2022

Consultation undertaken

Site notice date: n/a.

Press notice date: n/a.

Case officer site visit date: n/a

Neighbour consultation letters sent: 09/01/2023

Internal services consulted

Environmental Protection

Community Infrastructure Levy Team

Urban Forester

Design and Conservation Team [Formal]

Transport Policy

Flood Risk Management & Urban Drainage

Ecology

Highways Development and Management

Highways Development and Management

Statutory and non-statutory organisations

Neighbour and local groups consulted:

8, LADYSHIP TERRACE, BELVOIR ROAD, LONDON, SE22 0QQ

3, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

7, BELVOIR ROAD, LONDON, SE22 0QY

4, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

1, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

5, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

2, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

6, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX

7, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
8, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
9, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
10, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
11, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
12, BELVOIR LODGE, UNDERHILL ROAD, LONDON, SE22 0QX
5, BELVOIR ROAD, LONDON, SE22 0QY
4 Belvoir Lodge Underhill Road London
6 Belvoir Lodge Underhill Road London

1 Belvoir Lodge Underhill Road London
7 Belvoir Lodge Underhill Road London
8 Ladyship Terrace Belvoir Road London
6 Ladyship Terrace Belvoir Road London
12 Belvoir Lodge Underhill Road London
10 Belvoir Lodge Underhill Road London
8B Belvoir Road London Southwark
Belvoir Lodge Underhill Road London
8A Belvoir Road London Southwark
8 Belvoir Road London Southwark
7 Ladyship Terrace Belvoir Road London
4 Belvoir Road London Southwark

Re-consultation:

APPENDIX 5

Consultation responses received

Internal services

Community Infrastructure Levy Team

Urban Forester

Design and Conservation Team [Formal]

Transport Policy

Ecology

Highways Development and Management

Highways Development and Management

Statutory and non-statutory organisations

Neighbour and local groups consulted:

4 Belvoir Road London SE22 0QY

Flat 5, Belvoir Lodge 59 Underhill Road
London

Flat 6 Belvoir Lodge 101 Overhill Road
London

Flat 5 101 Overhill Road London

Flat 6 Belvoir Lodge 59 Underhill Road
London

Heliosgatan 56 Stockholm 12063

Flat 12 101 Overhill Road London

6 Belvoir Road London SE22 0QY

Flat 2 Belvoir Lodge 59 Underhill Road
London

5 Belvoir Road London SE22 0QY

Flat 11 Belvoir Lodge 59 Underhill Road
London

Flat 15 Belvoir Lodge Underhill Road
London

Flat 8, Belvoir Lodge 59 Underhill Road
London Flat 1, Belvoir Lodge 59 Underhill
Road London

Flat 3 Belvoir Lodge 59 Underhill Road
East Dulwich

4 Belvoir Lodge 59 Underhill Road
London

LRJ Planning, Pen-y-Rhiw, Redbrook
Road, Newport, NP20 5AB Pen-y-Rhiw
Newport

25 Limesdale Road Liverpool L185JF

Flat 9 Belvoir Lodge 59 Underhill Road
East Dulwich