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Item No. 7.1	Classification: Open	Date: 26 January 2021	Meeting Name: Planning Sub-Committee A
Report title:	Development Management planning application: Application 20/AP/1043 for: Full Planning Application Address: UNIT 7 & 8, 17-19 BLACKWATER STREET, LONDON SE22 8SD Proposal: Demolition of 2 light industrial units (Use Class B8) and the construction of 2 x two bedroom dwellings (Use Class C3).		
Ward(s) or groups affected:	Goose Green		
From:	Director of Planning		
Application Start Date	09/04/2020	Application Expiry Date	04/06/2020
Earliest Decision Date	30/10/2020		

RECOMMENDATION

1. That planning permission is granted, subject to conditions.

BACKGROUND INFORMATION

Site location and description

2. The application site refers to Units 7 and 8 Blackwater Court, which are light industrial units accessed from Blackwater Street. The units are single storey buildings which occupy a shared courtyard with Units 4, 5 and 6, immediately to the south of Units 7 and 8.
3. To the east of the site is the rear of East Dulwich Picturehouse Cinema, which fronts Lordship Lane, and to the north and south of the site are rear gardens of residential properties on Bassano Street and Blackwater Street. The surrounding area comprises a mix of predominantly residential and commercial uses. Lordship Lane, adjacent to the application site, is designated as a District Town Centre.
4. Unit 7 is used for storage (Use Class B8), whilst Unit 8 is currently used as a workshop and associated premises, registered as Mission Bubble Studios. Unit 8 has been subject to various enforcement cases. Notwithstanding this, the unit does not have planning permission for such uses and is therefore unlawful. It has

been subject to various enforcement cases.

5. The application site is subject to the following designations:
 - Suburban Density Zone
 - Critical Drainage Area
 - Air Quality Management Area
6. The site is not located within a conservation area and does not comprise any listed buildings, nor are any located within close proximity.

Details of proposal

7. The proposed development seeks the demolition of the existing units and the construction of 2 x part single and part two storey residential dwellings (Use Class C3). Both units would be 2 bedroom residential dwellings. Associated works also include

Relevant Planning history

8. See Appendix 1 for any relevant planning history of the application site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

9. The main issues to be considered in respect of this application are:
 - Principle of the proposed development in terms of land use;
 - Quality of accommodation;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Design quality;
 - Transport and highways;
 - Environmental impacts;
 - Other matters;
 - Community impact and equalities assessment;
 - Human rights, and;
 - Positive and proactive statement.
10. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

11. 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 2016, the Core Strategy 2011, and

the Saved Southwark Plan 2007.

12. 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

National Planning Policy Framework (the Framework)

13. The revised National Planning Policy Framework ('NPPF') was published in February 2019 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 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

London Plan 2016

14. The relevant policies from the London Plan 2016 are:
 - Policy 3.3 (Increasing housing supply)
 - Policy 3.4 (Optimising housing potential)
 - Policy 3.5 (Quality and design of housing developments)
 - Policy 5.3 (Sustainable design and construction)
 - Policy 6.9 (Cycling)
 - Policy 6.13 (Parking)
 - Policy 7.5 (Local character)
 - Policy 7.6 (Architecture)

Core Strategy 2011

15. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:
 - Strategic Policy 1 (Sustainable development)
 - Strategic Policy 2 (Sustainable transport)
 - Strategic Policy 5 (Providing new homes)
 - Strategic Policy 12 (Design and conservation)
 - Strategic Policy 13 (High environmental standards)

Southwark Plan 2007 - saved policies

16. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF

states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

- Policy 3.2 (Protection of amenity)
- Policy 3.8 (Waste management)
- Policy 3.11 (Efficient use of land)
- Policy 3.12 (Quality in design)
- Policy 3.13 (Urban design)
- Policy 4.2 (Quality of residential accommodation)
- Policy 5.2 (Transport impacts)
- Policy 5.3 (Walking and cycling)
- Policy 5.6 (Car parking)

Relevant Supplementary Planning Documents (SPDs)

17. Of relevance in the consideration of this application are:

- 2015 Technical Update to the Residential Design Standards SPD 2011
- Dulwich SPD 2013

Emerging planning policy

Draft New London Plan

18. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Following an examination in public, the Mayor then issued the Intend to Publish London Plan.
19. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made.
20. Until the London Plan reaches formal adoption it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

New Southwark Plan

21. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation

closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.

22. These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version. This version will be considered at the Examination in Public (EiP).
23. It is anticipated that the plan will be adopted in late 2020 following an EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Summary of public consultation responses

24. 81 consultation responses have been received from members of the public, comprising 79 objections and 1 support comment. Summarised below are the material planning considerations raised by members of the public.
25. Principle of development and proposed land uses:
 - Change of use to Use Class C3 residential dwellings from light industrial units.
 - The loss of employment premises / community benefit.
 - The loss of a gym.
26. Design quality and site layout:
 - Proposed materials would be out of character with the area.
 - Scale of development.
 - Amenity space.
27. Neighbour amenity impacts:
 - Overlooking / impact on privacy.
 - Security uses.
 - Construction impacts.
 - Daylight and sunlight impacts.
 - Sense of enclosure.
 - Change in ground levels.
28. Transport, parking, highways, deliveries and servicing matters:
 - Access.

29. Other matters:

- Loss of the art mural on Unit 8.
- Impact on local ecology.

These matters are addressed comprehensively in the relevant preceding parts of this report.

Assessment

Principle of the proposed development in terms of land use

30. The proposal seeks the demolition of the existing light industrial units on the application site and the construction of two residential dwellings (Use Class C3). The lawful use of the units is considered to be for storage (Use Class B8), however it is acknowledged that Unit 8 appears to currently be active, though not within Use Class B8.
31. In relation to Unit 8, planning application 17/AP/4140 for a certificate of lawful development for the existing use as a gym (Use Class D2) was refused on 10/01/2019, with a response from the applicant to a planning contravention notice describing the use as for professional development, with no specific reference to fitness. It was concluded that it was not possible to establish a continual Use Class D2 use. The current business rates of the premises are for Mission Bubble Studios, which is a photography studio. It is also noted that objections raised by members of the public predominantly refer to the premises as being used as personal training studio which is not the lawful use of the premises. It should be noted that the recent change in use classes to introduce Class E does not affect the established use of the premises as the B8 class was not subsumed into the new Use Class E.
32. There have been various enforcement cases on the application site in relation to Unit 8, with no subsequent planning consents. It is therefore deemed that the current use of Unit 8 is not lawful as there has been no consistent use over the last 10 years. The premises are not protected in policy terms and as such, the demolition and replacement with residential dwellings (Use Class C3) is considered acceptable.
33. Unit 7 is used for storage (Use Class B8) which is not offered any policy protection within this location in the development plan.
34. The provision of residential dwellings at this location is acceptable in principle, with the immediate surrounding area comprising a mix of residential and commercial land uses. The proposal would make an efficient use of a backland site and contribute to housing in the borough.

Quality of accommodation

Unit 8

35. Unit 8, on the east of the application site, is a proposed part single storey and part two storey dwelling of 2 bedrooms. This is the larger of the two dwellings proposed with a total GIA of 154 sq. m. This far exceeds the 79 sq. m. requirement for a 2 bedroom 4 person dwelling across 2 storeys and would therefore provide a high quality of accommodation in terms of space standards. In line with this, all individual rooms would also far exceed the minimum requirements as set out in the 2015 Technical Update to the Residential Design Standards SPD 2011.
36. The design of the building, in order to protect neighbouring amenity, includes openings to the south and west elevations. These openings would provide sufficient levels of daylight and sunlight to all habitable rooms within the dwelling. Two skylights are also proposed at first floor level to provide additional daylight and sunlight to the building. Outlook would be predominantly over the proposed central garden courtyard which would ensure a degree of privacy and is considered acceptable.
37. The proposed garden courtyard would be 32.9 sq. m. in total area and a balcony is proposed at first floor level of 8.7 sq. m. The 2015 Technical Update to the Residential Design Standards SPD 2011 states that the nature and scale of outdoor amenity space should be appropriate to the location of the development, its function and the character of the area within which it is situated. This amount of private external amenity space is considered appropriate for the proposed 2 bedroom dwelling in the context of the constrained backland site and would provide future occupiers with a good quality of external accommodation, particularly as a private garden courtyard would be provided.

Unit 7

38. Unit 7, to the west of the application site, is also a proposed part single storey and part two storey dwelling comprising 2 bedrooms at ground floor. The total GIA of the dwelling is 75 sq. m. which slightly falls short of the 79 sq. m. requirement for a 2 bedroom 4 person dwelling. Notwithstanding this, the open plan kitchen / dining / living room area at 32.5 sq. m. and the two bedrooms at 13 sq. m. and 12 sq. m. all meet or exceed the minimum individual room standards as set out in the 2015 Technical Update to the Residential Design Standards SPD 2011. Internal storage space is also provided and sufficient circulation space is proposed at ground floor. On balance, it is considered that the shortfall in the total GIA is acceptable as all individual rooms are sufficiently sized and the building has been appropriately designed to minimise impacts on the amenity of the surrounding occupiers.
39. The dwelling would be dual aspect, with openings to the east and west to ensure there would be no overlooking from surrounding residential properties. All habitable rooms would benefit from vertical windows or doors providing sufficient levels of daylight and sunlight to future occupiers.

40. The dwelling would benefit from a rear garden of 17.2 sq. m. and a small balcony at first floor of 3 sq. m. This amount of private external amenity space is again considered acceptable for the 2 bedroom dwelling and is appropriate given the backland nature of the application site.
41. The proposal also includes provision for an external lift, allowing the dwelling to be adapted to become fully wheelchair accessible.

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

42. The application site is bound by the rear of residential properties on Bassano Street to the north and the rear of residential properties on Blackwater Street to the south. These properties range from two to three storeys. The proposal has been designed to follow the footprints of the existing light industrial units on site.

Unit 8

43. Unit 8 would be predominantly single storey, with a smaller second storey of 45 sq. m. GIA directly abutting the flank wall of the rear of East Dulwich Picturehouse Cinema, which fronts Lordship Lane. The positioning of this second storey is away from surrounding residential properties and is modest in size, therefore it would not create a sense of enclosure to surrounding occupiers.
44. No windows are proposed on the northern or eastern elevations of the building to prevent overlooking to the rear of properties on Bassano Street and Lordship Lane. The proposed windows predominantly front onto the garden courtyard to the south of the site and towards the rear of a commercial building which fronts Blackwater Street, therefore not overlooking the rear of properties on Bassano Street. The proposed windows fronting the rear of the commercial building does not give rise to any significant overlooking. The garden courtyard is to be bound by perforated steel panels to further enhance privacy levels. At first floor, the bedroom window would again face north and would not front any existing residential windows surrounding the application site.
45. A balcony is proposed to the west of the first floor element of the proposal. This would be set back 11 m from the western boundary of the proposed building and 3.5 m from the northern boundary of the proposed building, resulting in a 9m gap from the rear of the properties on Bassano Street. A perforated steel privacy screen is proposed on the balcony to ensure privacy. This provision is recommended to be secured via condition.

Unit 7

46. Unit 7, to the west of the application site, has been designed with the first floor set back from the southern boundary to increase the separation distance of this storey to the rear of properties on Blackwater Street. This design approach appropriately ensures that the proposal would not be overbearing as the existing residential gardens are not as deep on this side and the proposal would retain the

scale of the existing single storey building. The two storey element would however be built up to the northern boundary of the site, approximately 9 m from the rear of residential properties on Bassano Street. This area also benefits from extensive mature tree coverage within the rear gardens of properties on both Blackwater Street and Bassano Street which would further reduce any potential sense of enclosure caused by the proposal.

47. The proposal does not include any windows to the north or south and therefore would not have any impacts on the privacy of the surrounding residential properties. Windows are proposed fronting Blackwater Court and to the west, towards Bassano Street. A balcony is proposed to the rear of the dwelling, which would sit above the proposed rear garden. Subject to the proposed perforated steel privacy screens, which are recommended to be secured via condition, it is considered that this would not give rise to any privacy issues.

Daylight, sunlight and overshadowing

48. A Daylight and Sunlight Assessment has been submitted which considers the impact of the proposed development on existing properties on Bassano Street and Blackwater Street. BRE guidance states that if the Vertical Sky Component (VSC) of a neighbouring window is both less than 27% and less than 0.8 times its former value then there would be an adverse impact on daylight levels. The assessment identifies that all surrounding residential properties would comply with this, with the exception of 2 Bassano Street, which is located to the north of the application site. The ratio of impact on the property is 0.77, which is only marginally below the BRE guidance of 0.8. On balance, it is considered that this slight impact on the daylight levels received by 2 Bassano Street would not be significant enough to be detrimental on the existing quality of accommodation within the property.
49. The assessment also calculates the Annual Probable Sunlight Hours (APSH) for windows facing within 90 degrees of due south. BRE guidance recommends that interiors where occupants expect sunlight should receive at least one quarter (25%) of APSH following development. It is identified that none of the surrounding residential properties would have percentages below 25 as a result of the proposed development.
50. An overshadowing study has also been submitted which confirms that none of the surrounding properties would experience any additional significant overshadowing as a result of the proposed development, with the rear of properties on Bassano Street already experiencing some level of overshadowing from the existing industrial units on the application site. The ratio of impact as a result of the proposed development would be above 0.8 for all surrounding private amenity spaces which is in line with BRE guidance.
51. It is also noted that a change in ground level occurs between the application site and 1 – 6 Kent House, which is likely due to top soil being removed from the property. It has been confirmed that the submitted Daylight and Sunlight Assessment has been produced using the window locations, sills and head

heights of the neighbouring buildings, and as such, the assessment appropriately reflects the daylight and sunlight impacts that would be seen as a result of the proposed development.

Construction

52. Due to the backland nature of the application site, a condition has been recommended for a Construction Environmental Management Plan (CEMP) to be submitted to ensure that surrounding occupiers would not suffer a loss of amenity by reason of unnecessary pollution or nuisance.

Design quality

53. The siting of the proposed buildings occupies a similar footprint to the existing units, creating an interesting architectural typology that reflects the urban plot. The massing of the dwellings is considered to be proportionate to the existing industrial units and therefore would not be out of character with the surrounding area. The proposed composition of the dwellings has carefully considered neighbouring properties.
54. The proposed development at Unit 7 follows a simple linear plan form with the provision of amenity space to the rear of the property. Similarly, Unit 8 would be a well-articulated building, constructed around a central courtyard providing improved natural light to the interior of the property.
55. The proposed backland development would be a high quality contemporary addition to the area, improving the outlook of surrounding properties in comparison to the existing industrial units. The proposal is of high architectural quality and echoes previous industrial connotations, with a material palette that uses a combination of brick, corten and zinc. A condition for details of materials has been recommended to ensure a high quality finish is achieved.
56. Overall the proposed development is considered to be a sensitive contemporary addition to the surrounding area that represents clever architectural quality and responds to the constraints of the backland site.

Transport and highways

57. The proposed development would be car free. An access and traffic report has been submitted which identifies that all vehicle movements currently associated with Units 7 and 8 would be removed and therefore the number of vehicles accessing the site would be significantly reduced. Future occupiers would be able to access the site by foot or cycle. This shift towards sustainable transport is supported.
58. The proposal includes the provision of cycle storage for 2 cycles each to the front of the dwellings. This quantum is in line with the requirements of the London Plan and the storage would be in an accessible location for future occupiers. A condition has been recommended to ensure the cycle storage is provided.

59. Refuse storage is proposed to the front of each residential dwelling, which would be easily accessible for future occupiers and for collection from Blackwater Street. This arrangement would be in line with the current arrangements for the industrial units.

Environmental impacts

60. Southwark's Tree Officer has reviewed the application and advised that an Arboricultural Impact Assessment is not required for the proposed development as there are no tree constraints on or adjacent to the site.
61. Southwark's Ecologist has advised that the site currently has negligible ecological value and it is therefore considered that the site can provide biodiversity net gain. As such, conditions have been recommended for biodiversity roofs to be provided on the proposed flat roof areas and for 2 swift bricks to be provided for each dwelling.

Other matters

62. It is noted that an art mural is located on Unit 8 which would be lost as a result of the proposed development. The applicant has contacted the artist to discuss whether he would be interested in redoing the artwork, however the artist advised that he would not be interested in repainting an old artwork. It is therefore considered that the loss of the artwork should not be a barrier to the proposed development.

Consultation responses from internal and divisional consultees

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

64. Environmental Protection Team:

- Advise conditions relating to noise, land contamination and construction

Officer Comment: Conditions recommended.

65. Ecology Officer:

- Advise conditions for biodiversity roofs and swift bricks to be provided
- Confirm that no ecological surveys are required

Officer Comment: Conditions recommended.

66. Tree Officer:

- Confirm that no arboricultural impact assessment is required for the proposal as there are no existing trees located on the application site

Officer Comment: Noted.

67. Highways Development Management:

- Advise that the applicant must enter into a S278 agreement for works to highways.

Officer Comment: Informatives attached.

Consultation responses from external consultees

68. No responses have been received from external consultees.

Community impact and equalities assessment

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

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

71. 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.

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

Human rights implications

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

Positive and proactive statement

74. 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.
75. 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

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

Conclusion

77. The proposed development seeks the demolition of the existing industrial buildings which are lawfully Use Class B8 storage units and the construction of 2 residential dwellings. The proposed dwellings would provide a high quality of accommodation for future occupiers. The proposed design is considered to be

appropriate within the local context and the scale of massing is similar to that of the existing units. The design also ensures that the proposal would not result in any significant overlooking impacts to neighbouring occupiers or create a sense of enclosure.

78. It is therefore recommended that the application is granted, subject to conditions.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2312-A Application file: 20/AP/1043 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning	
Report Author	Abbie McGovern, Planning Officer	
Version	Final	
Dated	27 October 2020	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		7 January 2021

APPENDIX 1

Consultation undertaken

Site notice date: n/a.

Press notice date: n/a.

Case officer site visit date: n/a

Neighbour consultation letters sent: 03/11/2020

Internal services consulted

Design and Conservation Team [Formal]
Ecology
Environmental Protection
Highways Development and Management
Flood Risk Management & Urban Drainage
Urban Forester
Transport Policy

Statutory and non-statutory organisations

Environment Agency

Neighbour and local groups consulted:

First Floor Flat 126 Lordship Lane
London
126 Lordship Lane London Southwark
First Floor Flat Rear 126 Lordship Lane
London
124 Lordship Lane London Southwark
122 Lordship Lane London Southwark
First Floor And Second Floor Flat 122
Lordship Lane London
First Floor Flat 120A Lordship Lane
London
120 Lordship Lane London Southwark
Second Floor Flat 120A Lordship Lane
London
118A Lordship Lane London Southwark
118 Lordship Lane London Southwark
118C Lordship Lane London Southwark
118B Lordship Lane London Southwark

116B Lordship Lane London Southwark
St Thomas More Hall 116A Lordship
Lane London
Unit 2 17-19 Blackwater Street London
Units 5 And 6 17-19 Blackwater Street
London
Unit 4 17-19 Blackwater Street London
Unit 8 17-19 Blackwater Street London
Unit 1 17-19 Blackwater Street London
Unit 3 17-19 Blackwater Street London
Flat 1 Kent House Bassano Street
Flat 5 Kent House Bassano Street
Flat 3 Kent House Bassano Street
Flat 4 Kent House Bassano Street
Flat 2 Kent House Bassano Street
Flat 5 Park House Bassano Street
Flat 3 Park House Bassano Street
Flat 1 Park House Bassano Street

Flat 2 Park House Bassano Street
Flat 4 Park House Bassano Street
Flat 1 York House Bassano Street
Flat 5 York House Bassano Street
Flat 3 York House Bassano Street
Flat 2 York House Bassano Street
Flat 4 York House Bassano Street
Flat 2 2 Bassano Street London
Flat 1 2 Bassano Street London
Flat 3 2 Bassano Street London
15 Blackwater Street London Southwark

First Floor Flat 15 Blackwater Street
London
13 Blackwater Street London Southwark
11 Blackwater Street London Southwark
9 Blackwater Street London Southwark
7 Blackwater Street London Southwark
16 Bassano Street London Southwark
12 Bassano Street London Southwark
14 Bassano Street London Southwark

Re-consultation:

APPENDIX 2

Consultation responses received

Internal services

Design and Conservation Team [Formal]
Ecology
Environmental Protection
Highways Development and Management
Urban Forester
Transport Policy

Statutory and non-statutory organisations

Neighbour and local groups consulted:

56 Beauval Road London SE22 8UQ
40 Danecroft Rd London SE24 9NZ
118C Lordship Lane London SE22 8HD
Unit 4. Blackwater Court 17-19
Blackwater Street East Dulwich
31 Lait House 1 Albemarle Road
Beckenham
Flat 3, York House Bassano Street East
Dulwich
13 Blackwater Street London SE22 8RS
Flat 5, York House Bassano Street
London
311 Shakespeare Road London SE24
0QD
74 Waverley Road Oxshott KT22 0RZ
Beauchamp road Croydon SE19 3DB
Flat 3, Park House Bassano Street East
Dulwich
43 Mount Adon Park London SE22 0DS
31 Burbage rd LONDON SE24 9HB
FLAT 3 BELVOIR LODGE 59
UNDERHILL ROAD LONDON
Flat 4, Beech Court 69 wood vale
London
Flat 4, Beech Court, 69 Wood Vale
London

7 George Mews London SW9 7AB
25 Shawbury Road London SE22 9DH
Park House Bassano Street London
9 Blackwater Street London SE22 8RS
4 Quaker Close Sevenoaks TN13 3XG
3A Thorne Terrace London SE153LN
124a Colney Road Dartford DA1 1UH
247 Manwood Road London Se4 1sf
69 Memorial Avenue London E153BS
23 Aveline Street London SE11 5DJ
4 Prima Road London SW90NA
91 Grove Lane London
17 Pickworth close London Sw8 2TS
26 Sancroft street Kennington
65 Sunny Bank South Norwood London
1 Claylands Road London SW8 1NU
2 Winford Court London SE15 5JE
4 Park House Bassano Street London
UNIT 3 PUSH STUDIOS 21
BLACKWATER STREET EAST
DULWICH LONDON SE22 8SD
83 Stradella Rd Herne Hill London
80 Crawthow Grove London SE22 9AB
35 Parade Square Colchester CO2 7GP
5 Grover house Vauxhall street London
2 Beauval Road London SE22 8UQ

52 Hillcourt London SE22 0PE
198 Lordship Lane London SE22 8LR
31a Morat Street London SW9 0RJ
31-33 Milton Road Flat 8 London
Medlar Cottage Primrose lane Bredgar
1 Raeburn Road Blackfen Sidcup
5 grover house Vauxhall street London
128-130 Lordship Lane London
Southwark
174 Green Lane London SW163NE
Apt 3 12 Fairclough Street London E1
1PT
20 Groveway London SW9 0AR
Unit 2, 17-19 Blackwater Street London
SE22 8SD
9 Blackwater Street London Southwark
7 Blackwater Street London Southwark
6 Lynford French House Thrush street
Walworth

25 Bassano Street London SE22 8RU
100 Woodside Green London SE25 5EU
10 Bassano Street London SE22 8RU
11 Edgewood Green Croydon Surrey
51 Elderton road Sydenham London
43 Murchison Avenue Bexley Da5 3ln
55 glenwood road London SE64NF
2 St Stephens Terrace London
12 Bassano Street London SE22 8RU
12 Bassano St London SE22 8RU

128 - 130 lordship lane london se22 8hd
11 hillcourt Rd London SE22 8SD
6 Woodcombe crescent London SE23
3BG
5 Blackwater street London Se22 8rs
12 Glenalmond House London SW15
3LP
16 Bassano Street East Dulwich London
479 LORDSHIP LANE LONDON SE22
8JY
79 Lambert Road London SW2 5BB
3 Blackwater Street East Dulwich
London
18 Blackwater Street London SE22 8RS
3 Blackwater Street East Dulwich
London
21 Hermitage Court Woodford Road
London
130 Lordship Lane London SE22 8HD
Flat 65 County House 241 Beckenham
Road London
160 Tooley Street London Southwark
128/130 Lordship Lane, East Dulwich
128/130 Lordship Lane London

APPENDIX 3

Relevant planning history

Reference and Proposal	Status
19/EQ/0044 Demolition of 2 x light industrial units (Use Class B8) and the construction of 2 x dwellinghouses (Use Class C3) 1 x 2 bedroom and 1 x three bedroom	Pre-Application Enquiry Closed 03/05/2019

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	Dr Nicola Bees & Mr David Rose Nicola & David Bees & Ros...	Reg. Number	20/AP/1043
Application Type	Minor application	Case Number	2312-A
Recommendation	GRANT permission		

Draft of Decision Notice

Planning permission is **GRANTED** for the following development:

Demolition of 2 light industrial units (Use Class B8) and the construction of 2 x two bedroom dwellings (Use Class C3).

Unit 7 & 8 17-19 Blackwater Street London Southwark

In accordance with application received on 8 April 2020 and Applicant's Drawing Nos.:

Existing Plans

Proposed Plans

Plans - Proposed Proposed Site Plan 8354-A3-P_001 Rev A received 08/04/2020

Plans - Proposed Heights Comparison After Neighbourhood Consultation 8354-A3-SK(20)128 Rev A received 08/04/2020

Plans - Proposed Proposed 3D Views Unit 8 8354-A3--_901 Rev C received 08/04/2020

Plans - Proposed Proposed Ground Floor Plan Unit 7 8354-A3-P_101 Rev E received 08/04/2020

Plans - Proposed Proposed First Floor Plan Unit 7 8354-A3-P_102 Rev E received 08/04/2020

Plans - Proposed Proposed Roof Plan Unit 7 8354-A3-P_103 Rev E received 08/04/2020

Plans - Proposed Proposed Ground Floor Plan Unit 8 8354-A3-P_105 received 08/04/2020

Plans - Proposed Proposed First Floor Plan Unit 8 8354-A3-P_106 Rev E received

08/04/2020

Plans - Proposed Proposed Roof Plan Unit 8 8354-A3-P_107 Rev E received

08/04/2020

Plans - Proposed Proposed Section A-A _ B-B 8354-A3-P_200 Rev D received

08/04/2020

Plans - Proposed Proposed Front, Rear _ Side Elevation Unit 7 8354-A3-P_300

received 08/04/2020

Plans - Proposed Proposed Front, Rear _ Side Elevation Unit 8 8354-A3-P_301

Rev D received 08/04/2020

Plans - Proposed Proposed Views Unit 7 8354-A3-P_900 Rev C received 08/04/2020

Plans - Proposed Proposed Waste Management Routes 8354-A3-SK(20)130

received 10/06/2020

Other Documents

Design and access statement Design _ Access Statement received 08/04/2020

Document Covering Letter received 08/04/2020

Document Pre-Planning Neighbourhood Consultation received 08/04/2020

Document Access _ Traffic Report received 08/04/2020

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

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

- impacts and the identified remedial measures;
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.;
 - Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
 - A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.;

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

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

Permission is subject to the following Grade Condition(s)

4. Details of the materials to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any work in connection with this permission is carried out and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with the National Planning Policy Framework 2019, Strategic Policy 12 (Design and conservation) of the Core Strategy 2011 and Saved Policies 3.12 (Quality in design) and 3.13 (Urban design) of the Southwark Plan 2007.

5. Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof shall be submitted to and approved in writing

by the Local Planning Authority. The biodiversity (green/brown) roof shall be:

- biodiversity based with extensive substrate base (depth 80-150mm);
- laid out in accordance with agreed plans; and
- planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2019, Policies 2.18 (Green infrastructure), 5.3 (Sustainable design and construction), 5.10 (Urban greening) and 5.11 (Green roofs and development site environs) of the London Plan 2016, Strategic Policy 11 (Design and conservation) of the Core Strategy 2011 and Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

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

6. Details of 4 swift nesting bricks (2 for each dwelling) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

Details shall include the exact location, specification and design of the habitats. The boxes shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The swift nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with the National Planning Policy Framework 2019, Policies 5.10 (Urban greening) and

7.19 (Biodiversity and access to nature) of the London Plan 2016, Strategic Policy 11 (Open spaces and wildlife) of the Core Strategy 2011 and Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

7. Prior to occupation of the development hereby approved details of the proposed perforated steel privacy screens shall be submitted to and approved in writing by the Local Planning Authority. The privacy screens shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason:

In order to protect the privacy and amenity of the neighbouring occupiers from undue overlooking in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

Permission is subject to the following Compliance Condition(s)

8. 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_{1/2}, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T_{1/2}

Dining room - 40 dB LAeq T_{1/2}

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

_{1/2} - 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 National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Plan 2007.

9. Before the first occupation of the building, the cycle storage facilities as shown on the drawings hereby approved shall be provided and made available to the users of the development.

Thereafter, such facilities 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 satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with the National Planning Policy Framework 2019, Strategic Policy 2 (Sustainable transport) of the Core Strategy 2011 and Saved Policy 5.3 (Walking and cycling) of the Southwark Plan 2007.

10. Private and communal external amenity areas shall be designed to attain 55dB(A) LAeq, 16hr $\bar{L}_{1/2}$. $\bar{L}_{1/2}$ Daytime - 16 hours between 07:00-23:00hrs.

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 National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Plan 2007.

11. The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 - 07.00hrs.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity) and 4.2 (Quality of residential accommodation) of the Southwark Plan 2007.

12. Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the dwellings.

The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with the National Planning

Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policies 3.2 (Protection of amenity) and 3.7 (Waste reduction) of the Southwark Plan 2007.

Permission is subject to the following Special Condition(s)

13. 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:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011 and Saved Policy 3.2 (Protection of amenity) of the Southwark Plan 2007.

Informatives

- 1 All developers and contractors working on this development are given notice that standard site hours are:
Monday to Friday - 08.00 - 18.00hrs
Saturday - 09.00 - 14.00hrs
Sundays & Bank Hols - no works

Any programmed/expected work required outside the standard site hours will require permission from Southwark's Environmental Protection Team under S61 of the Control of Pollution Act 1974 (e.g. regular extensions for set-up and clean down periods, extended concrete pours, the delivery and collection of abnormal loads, etc.). An application form can be found on the Southwark website - the link is:- <http://www.southwark.gov.uk/construction>

Follow the instructions on the web page to the form, complete it and submit it on-line. Forms need to be submitted a minimum of 28 working days before permission is needed to be in place for regular extended site hours and 5 working days before permission is needed to be in place for a short, temporary extension to site hours.

- 2 Should a site manager require an un-foreseen emergency extension of site hours (for emergency engineering or health & safety reasons) they will require express permission from Southwark's Noise & Nuisance Team who can be contacted 24/7 via a call centre on 0207 525 5777. An officer will call back to address the issue verbally as soon as they are available
- 3 The applicant must enter into a S278 Highways agreement with Southwark's Highways Development Management Team for the following works:

Upgrade of crossover on Blackwater Street to current SSDM standards.