

Committee	PLANNING COMMITTEE A	
Report Title	43-47 RUSHEY GREEN, LONDON SE6 4AS	
Ward	RUSHEY GREEN	
Contributors	LUKE MANNIX	
Class	PART 1	25 AUGUST 2016

<u>Reg. Nos.</u>	DC/15/93490
<u>Application dated</u>	25.08.15 [as revised on 14.03.16]
<u>Applicant</u>	Alan Wipperman & Co. [on behalf of Ms Hanif]
<u>Proposal</u>	The change of use of Capital House, 43-47, Rushey Green, SE6, from D1 educational use to mixed use within class D1 for places of worship and educational uses
<u>Applicant's Plan Nos.</u>	Planning Statement; The Management Policy and Plan; JS/SP/266/2/02; JS/SP/266/2/03 (received 25th August 2015); Noise Impact Assessment (received 21st December 2015); Transport Statement; Travel Plan (received 14th March 2016); JS/SP/266/2/01 - B; JS/SP/266/2/07; Schedule of the Works to Improve the Building (received 22nd June 2016); Site Location Plan (received 27th August 2015).
<u>Background Papers</u>	(1) LE/857/43/TP (2) Local Development Framework Documents (3) The London Plan
<u>Designation</u>	Catford Major District Centre Area of Archaeological Priority
<u>Screening</u>	N/A

1.0 Property/Site Description

- 1.1 The application relates to Capital House, situated on the corner of Rosenthal Road and Rushey Green. The property includes a 10 storey property including basement parking and is split into commercial units on the lower floors and residential flats above. Currently, the businesses lawfully occupying the property include a hand car wash (sui generis) and gym (D2), both on the ground floor.
- 1.2 The site is located in the Catford town centre, which is characterised by mixed use development formed of predominately A1 retail shopping and commercial units. The surrounding street networks, including Rosenthal Road, are primarily residential in nature being terraced dwellings. The site is not located in a Conservation Area and is not within the vicinity of a Listed Building.
- 1.3 The site currently has pedestrian access from both Rushey Green and Rosenthal Road. Vehicle access is provided from Rosenthal Road with 52 car parking

spaces provided in the basement, together with further parking on the ground floor to the rear. Rushey Green is a classified 'A' road and a red route and as such on street parking is available. Rosenthal Road is unclassified but is also a red route near its intersection with Rushey Green together with restricted hours parking along the street.

- 1.4 The site is located approximately 900m from Catford and Catford Bridge Stations and is served by a number of bus routes along Rushey Green. The site has a PTAL rating of 5-6a, based on a scale of 0-6b with 6b being the highest.

2.0 Planning History

- 2.1 2nd July 2001 – Planning permission was granted for the change of use of the petrol filling station, 43-49 Rushey Green SE6 to a hand car wash service
- 2.2 13th April 2010 – Planning permission was granted for change of use of the ground, first and second floors of Rosenthal House, 43-47 Rushey Green SE6 from Offices (Use Class B1) to an Education Institution (Use Class D1).
- 2.3 A condition was added to the planning permission preventing the change of use to any other use within Use Class D1, which would normally be allowed through the Town and Country Planning Act (Use Classes) Order 1987.
- 2.4 20th November 2015 – Planning permission was granted for the proposed subdivision of the existing shop at 43-47 Rushey Green and change of use of one unit to a gymnasium (Use Class D2), together with the provision of vehicle and cycle parking to the rear.
- 2.5 In 2014, an enforcement investigation was opened against the unlawful change of use at the ground, first and second floors of Capital House to places of worship.
- 2.6 It is noted that in 2012 a planning application was submitted for the change of use of part of the first and second floor at Rosenthal House 43-47 Rushey Green SE6 from a non residential institution (Use Class D1(c) to a Place Of Worship (Use Class D1)(h)). The application was never determined and thus planning permission was not granted. It was subsequently deemed withdrawn following the submission of the current application.

3.0 Current Planning Applications

The Proposals

- 3.1 Retrospective planning permission is sought for the change of use of Capital House, 43-47, Rushey Green, from D1 educational use to mixed use within class D1 for places of worship and educational uses.
- 3.2 When originally submitted, 11 churches occupied the site over the first and second floor. A number of the churches offered space for prayer and congregation, as well as ancillary classrooms for educational purposes. The occupiers, together with floorspace, are summarised as follows:-
- Mountain of Fire and Miracle Mysteries (389 sqm);
 - Fountain of Hope C&S Branch (213 sqm);

- Members of Church God International UK Branch (543 sqm);
- Celestial Church of Christ – Salvation of Jesus Christ Parish (160 sqm);
- Watchman Catholic Charismatic Renewal Movement (207 sqm);
- Pentecost Baptist Church London (95 sqm);
- Glory of God New Jerusalem Church (198 sqm);
- Jehovah Mercy Temple C&S Branch (154 sqm);
- Jehovah Adonai Kingdom Worldwide (122 sqm);
- Redeemed Christian Church of God (506 sqm); and,
- Holy Pentecostal Church of Christ Oke Anu (140 sqm).

3.3 In addition to the above, two educational use tenants are located on the second floor, being Parch Hill – Alistair Educational (122 sqm) and Free2Learn Adult Education (100 sqm).

3.4 It should be noted that on 23rd January 2016, the Council was notified that the Celestial Church of Christ had vacated their tenancy and the unit was subsequently occupied by the Somali Parents Initiative. The unit is being used for additional education and tutoring of children.

3.5 Overall, the current uses are considered to fall under D1 Use Class, being a mix of places of worship and educational uses. It is understood that the churches began occupying the site from 2011.

3.6 The units vary in size and as such the number of worshippers and pupils occupying the units vary. In addition, the hours of worship operate at various times, with some being used as late as 1am during special circumstances. However it is noted that the highest level of use is on Sundays.

3.7 Included as part of the development was works to improve soundproofing, such as acoustic boards to the window openings used in areas of worship, particularly where musical instruments were used. In addition, air conditioning units were installed to provide appropriate internal ventilation and cooling, obviating the need to open windows.

Supporting Documents

a) Planning Statement

3.8 A planning statement was prepared by Alan Wipperman & Co. dated 24th August 2015 in support of the retrospective planning application. The statement gives a brief history and context of the site and the uses, as well as the relevant planning policies and an assessment of the application against these and other material considerations.

b) Noise Impact Assessment

3.9 A noise impact assessment was prepared by KP Acoustics dated 10th December 2015. This included a noise survey of the site and an assessment of the noise generated by the use against relevant criteria to inform any further soundproofing and operational management if necessary.

c) Transport Statement

3.10 A transport statement was prepared by Cannon Consulting Engineers dated February 2016. The statement gives a indication of the current situation, including a parking and transport survey, in addition to an assessment of the impact of the development against relevant policies and material considerations.

d) Travel Plan

3.11 A travel plan was prepared by Cannon Consulting Engineers dated February 2016 and is to be read in conjunction with the transport statement. The document gave the sustainable transport aims as well as measures on how the development would meet these targets. In addition, monitoring measures were proposed.

e) Management Plan

3.12 A management policy and plan was prepared by Alan Wipperman & Co. The document outlines the measures implemented by the building management to deal with noise and disturbances, traffic impacts. These measures are to be read in conjunction with the measures of the travel plan.

f) Other

3.13 Other supporting documents submitted include 1:20 sections of the soundproofing works completed, proposed plans of improvements to the rear car park and schedule of improvements to the external appearance of the building.

4.0 Notification/Consultation

4.1 This section outlines the notification and consultation procedures carried out by the Council following the submission of the application and summarises the responses received. 178 letters were posted to nearby residents and businesses, which exceeds the minimum statutory requirements and those required by the Council's adopted Statement of Community Involvement (SCI).

4.2 Ward Councillors and relevant Council departments were also notified.

4.3 Following the submission of updated information in relation to noise impact and transport assessment, a further round of notification was undertaken on 24th March 2016.

Written Responses received from Local Residents and Organisations

4.4 In total 130 responses were received. Of these, 19 objections were received from residents including 17 from Rosenthal Road, 1 from Farley Road and 1 from Rosenthal House.

4.5 The following concerns were raised:-

- The number of churches is too great for a building that was not designed for this purpose;
- Severe impacts through noise and disturbances on the residential amenity, especially with late night worship, amplified music equipment and the use of the flat roof for outdoor amenity;
- Issues of parking outside of controlled parking hours (primarily Sunday). Parking management is poor and often results in people parking across private drives and on footpaths. There are also problems with deliveries to the churches;
- The poor state of the building and poor litter and refuse management leads to negative impacts to the character and amenity of the area; and,
- Complaints regarding the actions taken by management to mitigate the issues raised as being insufficient.

4.6 Following re-notification in March, a further 3 letters were received from residents who had previously made representations in the original notification. The matters raised relate to those already outlined above, in particular noise, traffic, poor management as well as anti-social behaviour. However, the responses placed greater emphasis to the fact that the impacts are on-going during the course of the application. This fact was also raised in a number of phone calls and emails also made to planning officers during the course of the application.

4.7 Objections also raised concerns with the consultation process by the Council. As outlined in the Council's SCI, adjoining properties are to be notified and a site notice displayed. This is greater than the statutory requirement which requires either letters or site notice as opposed to both.

4.8 Letters were sent out to residents in a 50m radius, which is greater than that outlined in the SCI. In addition, officers took note of the site notice posted to the front of Rushey Green whilst on site visit in November 2015. Furthermore, two rounds of notification of local residents took place to ensure residents were informed of new and additional materials submitted in support of the application.

4.9 Therefore, it is considered that sufficient public notification has been undertaken by officers pursuant to the Council's SCI and the statutory requirements.

4.10 It is also recognised that the previous application was never determined and an enforcement case is currently open against the development. Whilst these matters are noted, it is not considered that these would prevent the determination of this application.

4.11 On the other hand, 111 responses were received in support of the application. Of the responses, 17 were from residents within SE6, 10 from SE15 and 6 from SE13. In addition, a petition signed by the churches occupying the building has been received. The following points were raised in these responses:-

- The building provides a space for worship in a convenient location;
- The churches offer help to youth, elderly, homeless etc. and improve the wellbeing of the community;

- The site provides much needed teaching and training benefits to both children and adults;
- Various charity events are held by the churches to raise money which is subsequently re-invested into the community; and,
- Appropriate management processes have been put in place to deal with issues arising with neighbours, however there have been several incidents of anti-social behaviour directed at the church as well.

4.12 The matters raised in resident responses are dealt with below. Letters are available for members to view.

Highways and Transportation

4.13 The site is noted as having excellent public transport accessibility, being well connected to bus and train services which are within easy walking distances from the site.

4.14 As Capital House has been used as a place of worship for a number of years the Transport Statement and Travel Plan submitted with the application have been able to provide a travel survey and car parking surveys that provide an understanding of the current travel characteristics and parking demand for the use of Capital House as a place of worship.

4.15 If planning permission is granted, the following conditions should be secured:-

- details of cycle parking.
- implementation of the Travel Plan to influence travel behaviour, to promote alternative modes of travel and encourage the use of alternative local parking provision. The Travel Plan should include:
 - incentives to use the public car park in Holbeach Road to mitigate the impact of overspill parking on-street;
 - the creation of a lift share scheme; and,
 - the installation of a real-time travel information board in the foyer of Capital House.

Environmental Health

4.16 Comments were received in respect of the noise implications outlined in the management plan and planning statement. These documents generally cover all potentialities and the management controls, particularly for the associated noise from people arriving and leaving the premises.

4.17 However it would be considered helpful for some general commitment to providing some detail on measures incorporated within each of the churches. It was considered that an acoustic consultant should be appointed to provide advice on sound insulation for the churches, with specifications on measures necessary.

4.18 Following this, a Noise Impact Assessment was undertaken and submitted in support of the application. It was considered that this report was acceptable.

5.0 Policy Context

Introduction

5.1 Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

A local finance consideration means:

- (a) a grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown, or
- (b) sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL)

5.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) makes it clear that 'if regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'. The development plan for Lewisham comprises the Core Strategy, the Development Management Local Plan, the Site Allocations Local Plan and the Lewisham Town Centre Local Plan, and the London Plan. The NPPF does not change the legal status of the development plan.

National Planning Policy Framework

5.3 The NPPF was published on 27 March 2012 and is a material consideration in the determination of planning applications. It contains at paragraph 14, a 'presumption in favour of sustainable development'. Annex 1 of the NPPF provides guidance on implementation of the NPPF. In summary, this states in paragraph 211, that policies in the development plan should not be considered out of date just because they were adopted prior to the publication of the NPPF. At paragraphs 214 and 215 guidance is given on the weight to be given to policies in the development plan. As the NPPF is now more than 12 months old paragraph 215 comes into effect. This states in part that '...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)'.

5.4 Officers have reviewed the Core Strategy for consistency with the NPPF and consider there is no issue of significant conflict. As such, full weight can be given to these policies in the decision making process in accordance with paragraphs 211, and 215 of the NPPF.

Other National Guidance

- 5.5 On 6 March 2014, DCLG launched the National Planning Practice Guidance (NPPG) resource. This replaced a number of planning practice guidance documents.

London Plan (March 2016)

- 5.6 On 14 March 2016 the London Plan with updates to incorporate the Housing Standards and Parking Standards Minor Alterations was adopted. The policies relevant to this application are:

Policy 3.1 Ensuring equal life chances for all
Policy 3.16 Protection and enhancement of social infrastructure
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.4 Local character

Core Strategy

- 5.7 The Core Strategy was adopted by the Council at its meeting on 29 June 2011. The Core Strategy, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Development Management Local Plan and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Lewisham Core Strategy as they relate to this application:

Spatial Policy 1 Lewisham Spatial Strategy
Spatial Policy 2 Regeneration and Growth Areas
Core Strategy Policy 14 Sustainable movement and transport
Core Strategy Policy 15 High quality design for Lewisham
Core Strategy Policy 19 Provision and maintenance of community and recreational facilities

Development Management Local Plan

- 5.8 The Development Management Local Plan was adopted by the Council at its meeting on 26 November 2014. The Development Management Local Plan, together with the Site Allocations, the Lewisham Town Centre Local Plan, the Core Strategy and the London Plan is the borough's statutory development plan. The following lists the relevant strategic objectives, spatial policies and cross cutting policies from the Development Management Local Plan as they relate to this application:

- 5.9 The following policies are considered to be relevant to this application:

DM Policy 26	Noise and vibration
DM Policy 29	Car parking
DM Policy 30	Urban design and local character
DM Policy 31	Alterations/extensions to existing buildings

6.0 Planning Considerations

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

- a) Principle of Development
- b) Design
- c) Highways and Traffic Issues
- d) Noise and Impact on Adjoining Properties

Principle of Development

6.2 As a starting point, it is noted that the lawful use of the premises for educational use and the proposed use as a place of worship fall within the same D1 use class of the Town and Country Planning (Use Classes) Order 1987.

6.3 Normally, it would not be considered development requiring planning permission to change from educational use to places of worship. The previous planning permission to change the use from B1 employment use to educational uses placed a restriction on the D1 designation to prevent any other D1 use except for educational uses. This is to ensure that the local planning authority can consider the impact of any other D1 use on surrounding amenity and infrastructure.

6.4 Chapter 8 of the NPPF aims to promote healthy communities in line with the social role of sustainable development. Paragraph 70 states that, to deliver the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for the provision and use of community facilities (such as places of worship) and other local services to enhance the sustainability of communities and residential environments. Planning decision should also guard against the unnecessary loss of valued facilities and services.

6.5 In line with the NPPF, the London Plan and the Council's Local Development Framework has developed policies to provide and protect infrastructure for the benefit of the community.

6.6 London Plan Policy 3.1 states that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities. Proposals involving loss of these facilities without adequate justification or provision for replacement should be resisted.

6.7 In addition, part B of London Plan Policy 3.16 states that:

Development proposals which provide high quality social infrastructure will be supported in light of local and strategic social infrastructure needs assessments. Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.

- 6.8 In line with the above policy, the Council's Core Strategy identifies the need to provide community uses within the Borough. Policy 19 states that the Council will apply the London Plan policies in ensuring there is no net loss of facilities, as well as ensuring the needs of future and existing residents are sufficiently provided for.
- 6.9 The proposed scheme involves a mixed D1 use of the premises incorporating places of worship (proposed) and educational facilities (existing).
- 6.10 The supporting planning statement outlines that the previous use included 5 colleges which offered courses to international students. However, it is understood that, due to restrictive changes to the rights of entry into the UK for overseas students, the colleges failed financially and subsequently vacated the premises. Taking this into account, the previous educational use is now redundant.
- 6.11 The premises was then occupied by various religious groups as a place of worship. It is noted that the first church moved to the premises in 2011. It is stated by the applicant that the units were let for the use with the understanding it was permitted within the D1 Use Class, however the previous planning permission from 2010 tied the use to educational uses only through a planning condition.
- 6.12 Places of worship are included as social infrastructure under Paragraph 3.86 of the London Plan. In addition, Paragraph 7.198 of the Core Strategy outlines places of worship as community facilities within the Infrastructure Development Plan. Therefore the occupation of the site by places of worship is considered to be the re-provision of social infrastructure compliant with the London Plan. It is also noted that the units not occupied as a place of worship are in educational use, which is in line with the granted use from 2010.
- 6.13 Overall, it is considered that the use of the site as a mixed place of worship and educational use adequately re-provides social infrastructure against the redundant international student college. Therefore it is considered to be compliant with the London Plan and Core Strategy on the protection and provision of social infrastructure.
- 6.14 DM Policy 44 specifically relates to places of worship and aims to support the growing demand for faith premises in the borough and to ensure that any new provision is appropriately located and managed to benefit users and protect local neighbourhoods.
- 6.15 Part 1 of the policy states that the Council's preferred locations for the development of public places of worship are the network of major and district town centres. This is also reflected in Core Strategy Policy 19.
- 6.16 The site is located within the Catford town centre, designated as a Major Town Centre in the Core Strategy, and has very good to excellent accessibility to public transport. With this in mind, the site is appropriately located near public transport routes and other commercial premises.
- 6.17 Therefore it is considered that the location of the building for use as a place of worship are supported under the Council's policies.
- 6.18 In summary, the development appropriately provides social infrastructure to benefit the community. Furthermore, the site's location within a town centre with

high accessibility is considered to be suitable for the places of worship. Therefore the principle of the development is considered acceptable.

6.19 Nonetheless, it is noted DM Policy 44 goes on to state that all applications for places of worship will be required to:-

- demonstrate that there will be no detrimental effect on local amenity through noise, hours of operation or any other environmental impacts;
- provide a travel plan to show that transport issues can be mitigated; and,
- be delivered to the highest design standards.

6.20 Therefore, notwithstanding the appropriate location and beneficial provision of community facilities, the proposal should ensure it meets the above criteria. This is discussed further below.

Design

6.21 In addition to the requirements of DM Policy 44, DM Policy 30 and 31 requires development, including alterations to existing buildings, to be of the highest design standard to ensure they positively add to the existing townscape.

6.22 The subject building itself, being a post war residential tower with ground floor commercial, is not considered to be of significant architectural merit. Therefore it does not positively add to the character of the area.

6.23 Nonetheless, officers note that the current state of the site has deteriorated to the detriment of the building appearance and the streetscene in general. In addition, internal alterations include the addition of acoustic soundproofing within the building, which has a visible impact on the external appearance.

6.24 Officers have held discussions with the applicant in order to secure improvements to the appearance of the property as part of the application. As a result of these discussions, a schedule of improvement works have been provided, which includes the following:-

- The repair of broken or missing windows;
- The fixing of Acrylic sheets to windows which have been blocked by soundproofing;
- The reconstruction of brick walls and installation of gates to the ground floor car park; and,
- Installation of signage and line markings to the car and motorcycle parking spaces.

6.25 It is considered that the above works are suitable to improve the general appearance of the building and enhance, albeit slightly, the character of the area. The blocking up of the windows is not a positive addition as it fails to provide visual links into and from the building. However, taking into account the need for acoustic protection, officers consider that the principle of blocking the necessary windows to be acceptable.

- 6.26 In order to ensure the fixings to the boarded windows are appropriate, officers consider it necessary to request details prior to their installation. This should be secured through a condition. Furthermore, a condition should secure the provision of the alterations to the car park as shown on the proposed plans.
- 6.27 In summary, officers consider that through the improvements proposed and the securing of these through condition, the development would have an acceptable impact in terms of design.

Highways and Traffic Issues

a) Access

- 6.28 Supporting accessible and inclusive development is a key objective of the Council's Core Strategy and is key to providing accessible community facilities.
- 6.29 Pedestrian access for the churches is primarily provided from Rushey Green, which is the same as the residential units above. However it is also noted that for some of the churches the only pedestrian entrance is from Rosenthal Road (Members Church of God International and Fountain of Hope).
- 6.30 Vehicular access is provided from Rosenthal Road with a crossover allowing vehicle entrance to the basement level parking area and another to the ground floor parking area to the rear. Stairs are located in the basement which lead to Rushey Green, however no internal access into Capital House is provided from basement level and therefore worshippers would have to come onto the highway before entering the building.
- 6.31 A lift is located in the core of the building from Rushey Green. No lift is located from Rosenthal Road nor from the basement parking.
- 6.32 In terms of highway safety, officers note that the exiting vehicle access points are well established from the previous use. It is considered that the use of the access points by vehicles associated with the churches does not adversely impact on the use of the highway network.
- 6.33 It is acknowledged that, taking into account the proximity to the basement and ground floor parking, a large number of people would enter the building from the Rosenthal Road access. This is not ideal from a highway safety aspect, given the relatively narrow footpath compared to Rushey Green, nor from a noise aspect as people enter and exit the site, particularly late at night.
- 6.34 It was noted by officers whilst on site visit that a sign was put in place to prevent the use of the Rosenthal Road access point after 10pm. Officers consider that conditioning the use of the building, as well as restricting the use of the Rosenthal Road entrance to emergency access only, would mitigate any adverse impacts on residential amenity. Furthermore, officers consider that the restriction of pedestrian access from Rosenthal Road would reduce any congregation of people on the narrow footpath, thereby preventing adverse impacts on pedestrian and vehicle safety.
- 6.35 Therefore, officers consider that through the addition of an appropriate condition that the access into the site would be acceptable.

- 6.36 Disabled parking is located in the basement level. Taking into account there is no lift access from the basement, it is considered that less mobile people would be forced to exit via the ramp and around through the Rushey Green entrance to utilise the only lift. Given the gradient of the ramp and the nature of the footpath along Rosenthal Road, this does not provide ideal access opportunities for disabled and elderly people who worship at the site.
- 6.37 Officers consider that the ground floor car park to the rear would provide a much better means of access for disabled visitors as it would be relatively level from the space to the entrance at Rushey Green. Therefore, notwithstanding the plans submitted, it is considered that a condition should be added for the provision of disabled parking spaces at the ground floor level. This should be in line with the car parking standards outlined below.
- 6.38 Overall, officers consider that the access into the site is appropriate in terms of highway safety and inclusive design.

b) Car Parking

- 6.39 The NPPF seeks to promote sustainable transport, stating that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.
- 6.40 The London Plan also seeks to balance the need for new development with preventing excessive car parking provision that undermines cycling, walking and public transport use. Consequently, the maximum standards set out in Table 6.2 should be the basis for considering planning applications.
- 6.41 The Council's Core Strategy 14 and DM Policy 29 also seeks a managed and restrained approach to car parking provision to contribute to the objectives of traffic reduction while protecting the operational needs of major public facilities, essential economic development and the needs of people with disabilities. The standards of Table 6.2 are also utilised.
- 6.42 Travel plans area considered to be important tools in improving the use of sustainable transport modes and reducing private vehicle use. This is referenced in paragraph 36 of the NPPF, as well as the transport policies of the London Plan and Core Strategy.
- 6.43 There are no parking standards for D1 uses. However, it is noted that Paragraph 6A.1 states that *"if there is no standard provided, the level of parking should be determined by the transport assessment undertaken for the proposal, which should be in line with but not limited to the criteria set out in paragraph 39 of the NPPF, the impact on traffic congestion, and the availability of on and off street parking."*
- 6.44 It should also be noted that Table 6.2 of the London Plan recommends 6% of total parking spaces be reserved from disabled parking. Parking spaces designated for use by disabled people should be 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone, to enable a disabled driver or passenger to get in or out of a vehicle and access the boot safely.

- 6.45 The site contains 52 formal parking spaces within the basement level. Additional parking is available to the rear on the ground floor. Officers note that the number shown in the drawings is 33 spaces, whilst the assessment outlines 29 spaces. Given these are informal spaces with no markings, officers consider it reasonable to utilise the lesser number as given in the assessment. Therefore the total of on site parking provided is considered to be 81 spaces. Of these spaces, 4 are designated as disabled parking within the basement.
- 6.46 The site fronts Rushey Green, which is a red route with no parking permitted. In addition, parking along Rosenthal Road is also restricted with a Controlled Parking Zone, restricting parking to resident permit holders or pay and display holders Monday to Friday, 09:00-19:00. Taking this into account, parking is unrestricted on weekdays and in evenings.
- 6.47 A Transport Statement and Travel Plan has been submitted in support of the application. The assessment included the typical numbers of staff/worshippers and pupils within the occupiers throughout the week. Whilst these numbers may vary depending on personal circumstances of worshippers, officers consider it reasonable to use these in the assessment. The numbers are given in detail within Tables 1.1, 1.3, 1.4 and 1.5 of the assessment, which officers have summarised in Table 1 below.

Table [1]: Church and Education Attendance

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Places of Worship	44	77	78	51	118	80	311
Education	43	0	27	70	0	110	33
Total	87	77	105	121	118	190	344

- 6.48 A travel survey of worshippers and pupils has been included within the assessment, which are summarised in Tables 4.5, 4.6 and 4.7 of the assessment.
- 6.49 The travel survey highlighted that 31% of transport modes were completed by car, this includes both single driver (11%) and car with passengers (20%). Therefore, taking the highest attendance on Sundays as the worst case scenario, the development results in 107 vehicles travelling to site which require parking spaces. Taking into account the 81 on site parking spaces available, the proposed development is considered to have a need of 26 on street parking spaces during Sunday. It is noted that this roughly correlates with the number of respondents who indicate that they park on the street and as such, officers consider this to be accurate.
- 6.50 The parking survey was completed on Thursday 28th January 2016 (16:00-21:30) and Sunday 31st January 2016 (09:00-17:00) in line with the Lambeth Methodology, which is the accepted method for assessing parking availability.
- 6.51 Taking into account Rushey Green is a red route, the only available parking spaces were along Rosenthal Road. The survey found 61 parking spaces and,

whilst they were subject to a CPZ and pay and display area, they would be available to overspill parking in the evenings and on Sundays.

- 6.52 The findings of the survey on Thursday found that the amount of parking used at its peak was 39 spaces, or 48% capacity. On Rosenthal Road, at its peak the number of spaces used was 46, or 75%. Overall, it is considered that the development at this time does not significantly impact on parking demand in the area.
- 6.53 The parking survey highlighted that on a Sunday, parking demand at Capital House and on Rosenthal Road exceeded 100% between 10:30-14:00 and peak parking demand at Capital House and Rosenthal Road resulted in 114% and 115% parking stress respectively.
- 6.54 Therefore, at peak demand on a Sunday, there is parking overspill onto Rosenthal Road associated with Capital House, which results in parking stress on Rosenthal Road.
- 6.55 The proposal includes a draft Travel Plan which aims at reducing the number of people accessing the site via private vehicles. The plan highlights the excellent public transport links in the area, with Catford and Catford Bridge stations located 900m walk from the site and a number of bus routes operating along Rushey Green.
- 6.56 With that in mind, the plan outlines the measures in which the development would attempt to reduce the need for private vehicle travel and therefore reduce the impact on parking stress caused by the development. Table 7.1 outlines that the target is a reduction from 31% to 27.9% over a period of 5 years. This equates to a reduction of 11 parking spaces required.
- 6.57 Section 5 of the plan outlines the measures which will be implemented to meet the targets listed in Table 7.1. These are summarised as follows:-

Measures to Encourage Walking

- A plan of safe pedestrian routes will be made available to all occupants;
- A plan would also be on display within the building; and,
- Health benefits of walking will be promoted.

Measures to Encourage Cycling

- Secure cycle parking spaces provided in the basement;
- A plan of cycle routes in the area would be provided to occupants and made available within the building; and,
- Health benefits of cycling will be promoted.

Measures to Encourage Public Transport

- Plans of public transport routes and timetables will be made available to occupants and within the building.

- 6.58 In addition to the measures to improve sustainable modes of transport, car sharing would be promoted over single driver vehicle use. Furthermore, given that car travel need is a necessity for the development, any parking overspill would be directed to the nearby public parking facilities which is located in the Catford town centre which is free on Sundays. Parking marshalls are utilised to maximise this knowledge amongst attendants and information on free off street parking nearby would also be made available.
- 6.59 A Travel Plan Co-ordinator would be appointed to manage and implement the Travel Plan. Monitoring through surveys would be completed on the first, third and fifth anniversary of the travel plan to ensure targets are being met and if not, what further measures would be required.
- 6.60 The plan highlights that 75% of the people who attend the churches and education services live within 10 miles of the site. A further 25% of total attendants live within 2 miles. Therefore, the plan concludes that the reduction targets are achievable.
- 6.61 Officers consider that, given the number of attendants within commutable distance and the accessibility of public transport modes, the reduction in car use is considered realistic. Furthermore, taking into account the measures and strategies to reach these targets, it is considered that the reduction is attainable. Therefore the attached travel plan is considered appropriate to reach the aim of vehicle reduction.
- 6.62 It is acknowledged within the assessment that the development does result in parking stress within the site and on Rosenthal Road. Whilst officers do consider that the amount of parking generated is resulting in adverse impacts upon the highway, this is without the measures of the transport plan, which includes directing parking away from Rosenthal Road.
- 6.63 The assessment notes that there are nearby places of worship which may also impact on parking, most notably the Elim Pentecostal Church at 75a Rushey Green. Officers acknowledged that, given the sites location within the Catford town centre, there are other nearby uses which add to the parking stress and therefore this use may not be the only development resulting in large amounts of car trips.
- 6.64 Notwithstanding this, officers consider that through tying the development to the measures of the travel plan and management plan, the development can adequately control the impact on the highway caused by parking generation. Furthermore, taking on board the benefits of the use to the community and the suitable location detailed under the principle of development, officers consider the support of such uses in this location, with adequate control of adverse highway impacts, would be appropriate.
- 6.65 With respect to disable parking, the London Plan standards require 6% of parking capacity allocated to disabled parking, which equates to 5 of the 81 spaces within the site. Whilst the plans show four spaces provided, it is considered that a condition would secure the disabled parking for the development.
- 6.66 Therefore, whilst the development is acknowledged to result in adverse impacts, through appropriate management and reduction practices, this impact would be reduced to a satisfactory level. As such, the development is considered acceptable on balance.

c) Cycle Parking

- 6.67 In order to promote sustainable modes of transport in line with the NPPF, Policy 6.4 of the London Plan requires new development to provide cycle parking. This is also outlined within Core Strategy Policy 14.
- 6.68 Cycle parking provision should be in line with the minimum standards of Table 6.3 of the London Plan. For D1 use classes which aren't specifically listed, 1 space should be provided per 8 staff for long stay parking, together with 1 space per 100 sqm for short stay.
- 6.69 Table 1.5 states the staff number of the proposed development. In total, the number of full-time and part-time staff employed on both paid and volunteer basis is 131. Furthermore, the internal floorspace is 2,949 sqm. Taking this into account, 17 long stay spaces and 30 short stay spaces should be provided.
- 6.70 In addition to the above, it is noted within the appendix of the Transport Assessment that within the questionnaire 11 people would consider cycling to the church. Taking into account the number of children who utilise the site, it is considered that the potential for cycle users can be increased through provision of suitable parking facilities in line with the London Plan.
- 6.71 Therefore the provision of cycle parking is considered to be critical to the success of the Travel Plan in improving sustainable modes of transport.
- 6.72 The proposed plans show no location for future cycle parking within the development, yet it is noted that the transport assessment outlines 10 cycle parking spaces in the basement. This is still not considered to be compliant with the London Plan standards however.
- 6.73 Whilst details have not been presented for assessment, officers consider that through the addition of details submitted through condition, this would make the development acceptable in this regard.
- 6.74 Therefore officers consider that the development would be acceptable with regard to cycle parking.

d) Servicing and Refuse

- 6.75 The site includes refuse storage in the basement level. This is formed of euro bins. Whilst this is not included in the transport assessment or management plan, it is understood that the bins are taken to the street by management on collection days and returned once emptied. In terms of refuse capacity, it is considered that the storage, together with the location of the bins, is appropriate for the development.
- 6.76 Officers acknowledge the objections provided in reference to refuse and litter left on the highway, however there is nothing to suggest litter has been as a result of the proposed use of the churches. Furthermore, through the appropriate management of the building, officers consider that any impact as a result of refuse from the development would be adequately dealt with.
- 6.77 Therefore officers consider that the development does not result in adverse impacts on the highway in terms of refuse.

- 6.78 It is noted that objections have been received in relation to vehicles utilising the site for deliveries. Officers consider that the use of the site for churches and educational purposes would result in a small number of deliveries, normally small vans providing musical equipment, chairs or similar items. This is considered to be less onerous than other commercial activities in the area or other D1 uses such as schools.
- 6.79 In addition to the above, it is considered that any deliveries can be made either from the basement or from the car park to the rear. Given the nature of the use is concentrated on evenings and on Sundays, it is considered that deliveries, which are normally taken during working hours would not impact the highway or the neighbouring amenities in this manner. A condition should be added to secure this.
- 6.80 Therefore officers consider that the development would not adversely harm the surrounding highway in terms of deliveries.

e) Highway Summary

- 6.81 The development is accessed by pedestrians from Rushey Green and Rosenthal Road. Vehicles enter the car parking areas from Rosenthal Road. Whilst there are concerns over the ease of accessibility into the site for wheelchair users, this is not considered to result in unacceptable development.
- 6.82 The parking area accommodates 81 car parking spaces. The development at the moment results car trip generations which results in overspill that has a harmful impact on Rosenthal Road in particular.
- 6.83 Whilst this is noted, a Travel Plan has been submitted which outlines measures to increase sustainable modes of transport. Considering the highly accessible location, together with appropriate cycle storage, officers consider that the measures can be actively promoted to ensure the need for car travel can be reduced. Furthermore, through the active promotion of car parking in nearby designated car parks as outlined in the Travel Plan, it is considered that the parking generated by the development would have an acceptable level of impact on Rosenthal Road.
- 6.84 The development is not considered to adversely impact the highway in terms of refuse and deliveries.
- 6.85 Overall, the proposed development, with strict adherence to the Travel Plan and appropriate conditions, would have an acceptable impact on the highway network on balance.

Noise and Impact on Adjoining Properties

- 6.86 The proposed development does not result in any increase in building scale or introduce any new openings that overlook residential properties. Therefore the development would not impact on neighbouring properties in terms of privacy, sunlight/daylight or visual obtrusion.
- 6.87 Taking this into account, the only impact on the amenity of adjoining properties is through noise and disturbances from the use of the churches.

- 6.88 As noted in Part 3 of DM Policy 44, places of worship should demonstrate that there will be no detrimental impact on local amenity through noise, hours of operation or any other environmental impacts.
- 6.89 The proposal is located within the Catford town centre and therefore the development along Rushey Green is dominated by commercial uses. However, the site adjoins residential properties along Rosenthal Road and Farley Road, as well as residential properties within Rosenthal House above.
- 6.90 To the rear, the nearest neighbour is 9 Rosenthal Road, which, whilst separated from the building by 9.6m, adjoins the car park utilised on weekends. The remaining adjoining dwellings are opposite the site on the other side of Rosenthal Road. The properties along Farley Road back onto the site with the rear elevation of the dwellings separated from the building by 17m.
- 6.91 Principle objections from local residents adjoining the property have been with respect to noise and disturbances from the use of the building, including late hours of operation with use of amplified musical instruments.
- 6.92 The primary opening hours of the occupiers are weekday evenings, with most occupying until 22:00, and day time hours on Sundays. It should also be noted that three of the premises that do operate beyond 22:00 do so on alternative Fridays of the month. Therefore, based on the supporting statements, only one premises operates beyond 22:00 per Friday.
- 6.93 1:20 sections highlighting the sound insulation has also been submitted showing details of the level of insulation around sensitive openings. It shows that there is a series of 12.5mm plaster board and 100mm insulation board to form a sound barrier 237.5mm in total thickness.
- 6.94 A Noise Impact Assessment has been submitted with the application, which includes a survey of the noise levels produced as part of the development. Continuous monitoring was undertaken for the duration of the survey between 14:00 on 27th November and 12:00 on 30th November 2015. These measurements were taken at the boundary of the site to the rear as well as at the source adjacent to windows.
- 6.95 The survey identified that the highest noise levels were recorded between 19:00 to 24:00 on Fridays and 09:00 until 12:00 on Sundays. On average, this was measured as 55 dB from the source and 54 dB at the boundary on Friday and 60 dB at the source and 57 dB from the boundary on Sunday. The full results of the survey are shown in the figures of the report.
- 6.96 The report adopts a criteria of 10dB below the average background noise level as the threshold for unacceptable impact. This is considered acceptable. As the level of noise during Sunday was the worst case scenario, it was used in the assessing the impact. Therefore an average noise level of 47 dB was considered to be the appropriate noise level for the assessment.
- 6.97 A comparison is provided in Table 6.1 and 6.2 of the report and assesses the noise levels against the applied criteria. It should be noted that the noise level at the receiver has distance attenuation added, which is considered appropriate. The report stated that, should the development result in noise levels 10 dB below the background noise, then further sound insulation would be required.

- 6.98 The tables show that the internal noise level generated would be greater than the background noise level over certain frequency bands. However, it is noted that once the noise leaves the building, and taking into account the distance attenuation, the level at the nearest noise sensitive receiver is below the 10 dB reduction criteria.
- 6.99 Therefore, taking the findings into account, the report concludes that further soundproofing works to the building are not recommended.
- 6.100 Officers have assessed the noise survey and consider that in general the findings are appropriate. Furthermore, considering the existing soundproofing undertaken which is highlighted in the details provided, it is considered that noise levels from the building are appropriate within the context of the urban surroundings.
- 6.101 Notwithstanding this, it is acknowledged that noise breakout is possible from poor management, amplified musical equipment and late hours would have a significant impact on residential amenity if left unchecked.
- 6.102 With respect to management, it is noted that the management plan submitted with the application outlines the measures to deal with noise and disturbances. This includes the appointment of building managers and specific numbers on which these managers can be contacted.
- 6.103 The management plan highlights that residents would contact the building managers to raise any noise/disturbances or traffic issues in relation to the use. These issues would be logged in a register and passed to the relevant occupier for action. The register would also be available to view by the local authority. The plan highlights that should problems continue to arise, written notice would be given to the occupier. Failing that, the occupier may have their tenancy terminated. Officers understand that this has happened in the past, with a previous occupier evicted for continuing noise and disturbances.
- 6.104 Management would also include notification of the measures, which includes notices in English and other relevant languages as well as terms being made clear to occupiers through regular verbal discussions.
- 6.105 Officers have assessed the management strategies and generally consider the measures to be appropriate to attenuate noise and disturbances to an acceptable level. Furthermore, the enforcement of relevant opening hours would ensure development is controlled to within these hours. The applicant has offered conditionable opening hours as part of the application. These are as follows:-
- Monday to Friday 08:00-22:00;
 - Saturday 07:30-20:00; and,
 - Sunday 08:30-18:00.
- 6.106 In terms of noise from the car park, officers note that the rear parking area would be closed from 21:00 to reduce any noise impacts after this period. It is acknowledged that there would be noise levels generated from the car park in the mornings, particularly on Sunday mornings, however officers consider this to be an acceptable impact. Furthermore, this noise level can be adequately managed through the management plan.

- 6.107 Finally, officers consider that restrictions on amplified music and audible singing or chanting would be appropriate in ensuring the development does not have significant adverse impacts in this respect. Furthermore, through conditioning the use of the flat roof, it is considered that this would ensure it is not used for gathering or amenity space for worshippers.
- 6.108 In summary, officers acknowledge that the development has been acting without planning permission and subsequently has resulted in adverse impacts on the residential amenity, which is highlighted in the objections. However, this should be weighed against the beneficial community benefits of the churches and educational uses, together with the appropriate location within the Catford town centre. As such, officers consider that these matters outweigh the adverse impacts, which it is considered can be managed appropriately through enforceable conditions.
- 6.109 Therefore, officers consider that the impact on residential amenity is acceptable.

7.0 Community Infrastructure Levy

- 7.1 The above development is not CIL liable.

8.0 Equalities Considerations

- 8.1 Section 149 of the Equality Act 2010 (“the Act”) imposes a duty that the Council must, in the exercise of its functions, have due regard to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 8.3 The duty is a “have regard duty” and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.
- 8.4 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

8.5 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

8.6 The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

8.7 The matters of the application are such that the building is used by various religious organisations. Furthermore, there is an enforcement case open against the use. Therefore there is potential for an impact on equality.

8.8 The occupants and letters of support have outlined the various community duties the churches undertake in the course of their operations. Furthermore, given the location of the site within the Catford town centre, the location is considered to be beneficial in providing community services and places of worship. Bearing in mind that the adverse impacts can be appropriately managed, officers consider the proposal would have a beneficial impact on equality.

9.0 Conclusion

9.1 The site is located within the Catford town centre and subsequently the location is preferential for places of worship. Furthermore, given the community benefits of the site, it is considered that the use of the building for places of worship and educational uses is supportable.

9.2 However, the site is noted as having detrimental impacts in terms of design, highways and neighbouring amenity such as noise and disturbances.

9.3 In terms of design, the applicant has submitted schedules for the improvement to the visual appearance of the building. Taking into account the architectural nature of the building is limited and other uses such as the car wash, it is considered that the development's impact on the character of the building is acceptable.

9.4 The development does result in overspill which causes parking stress along Rosenthal Road, particularly on Sundays when the restrictions of the CPZ does not apply. However, the applicant has submitted a Travel Plan which officers

consider provides an appropriate response to reducing private vehicle travel and support sustainable transport modes, considering the excellent access to public transport. In addition, through appropriate management, users of the site will be guided towards public car parks to reduce the stress on Rosenthal Road.

- 9.5 Therefore officers consider the impact on the highway as a result of parking would be acceptable if appropriately managed through conditions.
- 9.6 In terms of access, including disabled access, refuse and servicing, the development is considered to be appropriate.
- 9.7 The development currently utilises soundproofing measures to reduce the level of noise leaving the site. A noise survey has been undertaken which shows that the noise level reaching the nearest noise sensitive user as a result of the development is acceptable.
- 9.8 Through conditioning the hours of use and restricting amplified music, officers consider that the development would be acceptable. Furthermore, through appropriate management, any adverse impact on neighbouring properties can be effectively handled to reduce the impact on neighbours.
- 9.9 In determining the above application, officers have taken into account the relevant planning policy and other material concerns. Overall, the use of the Capital House for a mixed use of places of worship and educational purposes is considered to be acceptable on balance.

RECOMMENDATION

GRANT PERMISSION subject to the following conditions:-

- (1) The development shall be retained strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

Planning Statement; The Management Policy and Plan; JS/SP/266/2/02; JS/SP/266/2/03 (received 25th August 2015); Noise Impact Assessment (received 21st December 2015); Transport Statement; Travel Plan (received 14th March 2016); JS/SP/266/2/01 - B; JS/SP/266/2/07; Schedule of the Works to Improve the Building (received 22nd June 2016); Site Location Plan (received 27th August 2015).

Reason: To ensure that the development is retained in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority.

- (2) (a) Within 3 months of the granting of planning permission, a detailed schedule and specification of the Acrylic sheets to be used on the windows shall be submitted to the local planning authority for approval.
- (b) The development shall be carried out in accordance with the approved details within 6 months of approval by the local planning authority.

Reason: To ensure that the local planning authority may be satisfied as to the external appearance of the building and to comply with Policy 15 High quality design for Lewisham of the Core Strategy (June 2011) and Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character.

- (3) (a) A minimum of 17 long stay and 30 short stay cycle parking spaces shall be provided within the development.
- (b) Within 3 months of the granting of planning permission full details of the cycle parking facilities shall be submitted to the local planning authority for approval.
- (c) All cycle parking spaces shall be provided and made available for use within 6 months of approval by the local planning authority and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 14: Sustainable movement and transport of the Core Strategy (2011).Condition

- (4) (a) The development shall operate in accordance with the Travel Plan hereby approved.
- (b) On the first, third and fifth anniversary of the Travel Plan, evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed with the Travel Plan.

Reason: In order that both the local planning authority may be satisfied as to the practicality, viability and sustainability of the Travel Plan for the site and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

- (5) The flat roof of the building shall be used for emergency and maintenance purposes only and shall not be used as a balcony, roof garden or similar amenity area.

Reason: In order to prevent any unacceptable loss of residential amenity and to comply with DM Policy 26 Noise and vibration and DM Policy 44 Places of worship of the Development Management Local Plan (November 2014).

- (6) (a) Loading and unloading of goods shall only be carried out within the curtilage of the site.
- (b) No deliveries shall be taken at or despatched from the site other than between the hours of 8am and 8pm on Mondays to Fridays, 8am and 8pm on Saturdays, or at any time on Sundays or Public Holidays.

Reason: In order to safeguard the amenities of adjoining residents and to comply with Paragraph 120 of the National Planning Policy Framework, and DM Policy 26 Noise and Vibration, and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- (7) The premises shall only operate within the following hours:

Monday to Friday 8am - 10pm

Saturday 7:30am - 8pm

Sunday 8:30am - 6pm

Or as otherwise agreed in writing by the local planning authority.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and vibration and DM Policy 44 Places of worship of the Development Management Local Plan (November 2014)

- (8) No music, amplified sound system or other form of loud noise (such as singing or chanting) shall be used or generated which is audible outside the premises or within adjoining buildings after 9pm.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework and DM Policy 26 Noise and vibration and DM Policy 44 Places of worship of the Development Management Local Plan (November 2014).

- (9) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for places of worship and educational uses and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: To protect against the loss of community facilities and ensure any future use is compatible with the Town Centre without adversely affecting neighbouring amenities.

- (10) (a) The development shall operate in accordance with the Noise Impact Assessment and the rating level of the operational noise emitted from the site as measured from the nearest noise sensitive user shall be 10dB below the existing background level at any time.
- (b) The soundproofing treatment shown on plan no JS/SP/266/2/07 hereby approved shall be installed in the windows of noise sensitive elevations as shown on plan nos JS/SP/226/2/02 and JS/SP/226/2/03 hereby approved. This treatment shall be maintained in perpetuity.

Reason: To safeguard the amenities of the adjoining premises and the area generally and to comply with DM Policy 26 Noise and vibration of the Development Management Local Plan (November 2014).

- (11) The development shall implement the Schedule of the Works to Improve the Building hereby approved within 6 months of planning permission being granted. All works shall be maintained in perpetuity.

Reason: To ensure the development improves and enhances the character of the area, in compliance with DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

- (12) The door into Capital House from Rosenthal Road shall not be used for access or egress, with the exception of emergency access.

Reason: To ensure the use of the property does not adversely impact on the neighbouring amenity in terms of noise and disturbance as well as adversely impact on the highway through congregation of people around the entrance, in compliance with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011); DM Policy 26 Noise and vibration and DM Policy 44 Places of worship of the Development Management Local Plan (November 2014).

- (13) (a) The whole of the car parking accommodation shown on drawing nos JS/SP/266/2/01 - B hereby approved shall be provided and retained permanently for the accommodation of vehicles of the occupiers of the development (including employees using the building and persons calling at the building for the purposes of conducting business with the occupiers thereof).
- (b) Notwithstanding the approved plans, within 6 months of the granting of planning permission 5 disabled parking spaces shall be provided at ground floor level and retained permanently for the accommodation of vehicles of the occupiers of the development.
- (c) The disabled parking spaces shall be 2.4m wide by 4.8m long with a zone 1.2m wide provided between designated spaces and at the rear outside the traffic zone. Evidence of compliance shall be submitted and approved in writing by the local planning authority.

Reason: To ensure the permanent retention of the spaces for parking purposes and to ensure that the use of the building does not increase on-street parking in the vicinity and to comply with Policy 14 Sustainable movement and transport of the Core Strategy (June 2011), DM Policy 29 Car parking of the Development Management Local Plan (November 2014), and Table 6.2 of the London Plan (2016).

INFORMATIVES

- (A) **Positive and Proactive Statement:** The Council engages with all applicants in a positive and proactive way through specific pre-application enquiries and the detailed advice available on the Council's website. On this particular application, positive discussions took place which resulted in further information being submitted.
- (B) The applicant is reminded that Conditions 2 (sheet materials) and 3 (cycle parking) require details to be submitted to the local planning authority

within 3 months of the granting of planning permission. In addition, conditions 4 (Travel Plan) and 13 (disabled parking) require evidence to be submitted to the local planning authority for approval.

It is considered that the material to the front of the windows, given the high visibility and impact this has on the character of the building and area in general, is important in ensuring the impact is acceptable. Furthermore, the need for cycle parking is vital to the success of the Travel Plan in promoting sustainable modes of transport over private vehicle use, in addition to meeting the standards of the London Plan. Therefore it is critical to have correct details prior to their installation. The applicant is given 3 months to undertake provide these details which is considered sufficient.

The Travel Plan highlights that monitoring surveys are required to assess the progress against the stated targets, and therefore the Council would need to see evidence of this target being met and, if not being met, improved measures to meet these targets. In addition, the need for disabled parking is crucial to ensuring equal access and this should be suitable situated to provide level access to the entrance. Therefore evidence that this has been provided would need to be submitted to ensure this has condition has been met.