

Committee	PLANNING COMMITTEE A	
Report Title	342-342A BARING ROAD, LONDON SE12 0DU	
Ward	Grove Park	
Contributors	Elizabeth Donnelly	
Class	PART 1	Date: 6 <sup>th</sup> Oct 2016

Reg. Nos. DC/15/92925

Application dated 08.07.2015

Applicant DGW Planning (on behalf of Redeemed Christian Church of God Winners House Parish)

Proposal The change of use of the first floor at 342A Baring Road SE12 to a place of worship, together with the change of use of ground floor at 342 to a community internet cafe/bookstore and multi-purpose office.

Applicant's Plan Nos. 341 001; 341 010; 341 030; 341 130 Received 10th July 2015; Parking Survey (Sanderson Associates) Received 21st June 2016; Planning and Transport Received 31st August 2016; 341 105 Rev D Received 9th September 2016; 341 150 Rev C Received 23rd September 2016; 341 010 Rev B Received 23rd September 2016

Background Papers Case File LE/302/342/TP (1)

Designation PTAL 4  
Local Open Space Deficiency  
Not in a Conservation Area  
Not a Listed Building  
B Road

## **1.0 Property/Site Description**

- 1.1 The application site is located on the western side of Baring Road, close to the junction with Downham Way. The application building is part of a shopping parade which is a two storey development with a 'U' shaped building arrangement. The application relates to the vacant ground floor retail unit at No.342 which is located in the north-western corner of the parade and the first floor of the most northern unit (No.342A - Use Class A1 with ancillary offices). Sainsburys currently occupy the ground floor of this unit. To the front of the parade, there is a small amount of parking provision which includes marked out bays and parking controls.

- 1.2 To the north of the site is the Grove Park Bus Station and a petrol station. The railway tracks and trees and shrubbery are located to the west (rear) of the site.
- 1.3 The site is located in the centre of Grove Park which is designated as a Neighbourhood local centre in the Council's Core Strategy (2011) policy document. Grove Park station is approximately 80m south of the site on the eastern side of Baring Road.
- 1.4 The section of Baring Road where the application site is located is double lined. The surrounding streets are within a Controlled Parking Zone (CPZ). The PTAL level is 4, with the nearby train station and a number of bus routes operating within the area.
- 1.5 The site is not within or adjacent to a conservation area. The nearby Baring Hall Hotel is a locally listed building.

## **2.0 Planning History**

- 2.1 In 2012, planning permission was refused for the change of use of the first floor at 342 Baring Road to provide a place of worship, together with the change of use of the ground floor at 342A Baring Road from a shop to a bookstore and multi-purpose office (DC/12/82125).

The application was presented to Planning Committee on 18<sup>th</sup> July 2013 with an officer recommendation for the grant of planning permission. Nevertheless, Members voted to refuse planning permission. The following reasons for refusal were given:

- *parking demand associated with use as a place of worship is likely to conflict with use of the short term parking spaces in front of the shopping parade at the Neighbourhood local centre, which would have a negative effect on the vitality and viability of the local shopping centre and the proposal would result in an unsatisfactory access arrangement that would be prejudicial to the safety of pedestrians, including worshippers arriving at/ leaving the premises, contrary to Policy 6 Retail hierarchy and location of retail development of the Core Strategy (June 2011) and Policy 44 Places of worship of the Development Management Plan (proposed submission version 2013)*
- *the use would result in the loss of commercial premises within the Grove Park Neighbourhood local centre and the applicant has failed to demonstrate that the premises should no longer be retained in commercial use, contrary to Policy 6 Retail hierarchy and location of retail development of the Core Strategy (June 2011)*

### **3.0 Current Planning Application**

- 3.1 This application seeks planning permission for the change of use of the first floor at 342A Baring Road from retail use (A1 Use with ancillary offices) to a place of worship (D1 Use). The vacant ground floor unit at No.342 Baring Road would be used as a bookshop and internet café, along with a facilitating access to the first floor of the building (A1/D1 Use).

#### First floor unit: The Place of Worship

- 3.2 It is proposed that the Worship Hall would be located at first floor level at No.342A Baring Road.
- 3.3 The congregation is an existing congregation of approximately 155 members (75 adults and 80 children) who until recently met in the ground floor of Unit 14, Leegate Centre, SE13 7QT. Since vacating this premises, they have been meeting at Thomas Tallis School, Kidbrooke (London Borough of Greenwich) on a temporary basis.
- 3.4 It is proposed that the Hall would have a capacity of 200 people, with peak usage twice a week. The Hall would also be used at other times, but to a lower intensity. The church's programme is outlined below:

Sunday service (main service): Every Sunday, 10:30 – 13.00 hours

Bible studies: Every Wednesday, 19.00 – 20.30 hours

Holy Communion service: Every first Friday of the month, 19.00 – 20.30 hours

Power of Prayer: Every third Friday of the month, 19.00 – 20.30 hours

Praise Night: Every fourth Friday in a five week month, 19.00 – 21.00 hours

#### Ground floor unit: Bookshop/ Internet Café/ Access to first floor

- 3.5 It is proposed that the retail nature of the ground floor retail unit at No.342 Baring Road is to be retained, with the introduction of a bookshop/internet café that would operate in conjunction with the Worship Hall. Access to the first floor would also be provided via this unit.
- 3.6 Internally, the unit would comprise bookshop/internet café space, ancillary offices and a stepped access to the first floor.
- 3.7 Externally, no changes are proposed. The applicant seeks to retain the existing shop front.

- 3.8 It is proposed that this mixed-use development would be serviced (refuse collected) from and cycle storage located on the piece of land at the northern elevation of the building (where the building recesses). The development would be car-free; providing no designated parking provision.

#### **4.0 Consultation**

##### Neighbours & Local Amenity Societies etc.

- 4.1 101 local residents, the Councillors for the Grove Park ward, the Grove Park Community Group and the Grove Park Residents Association were consulted.

- 4.2 Three letters of objection were received from local residents. These are summarised below:

- inappropriate location for this change of use; the proposal does not fit with the surrounding area and shops that serve the local community
- the Council's policy framework states that the most appropriate location for places of worship are in the network of major and district town centres as set out in Core Strategy Policy 6
- no need for further community style religious sites
- parking stress on surrounding area and shopping parade parking provision
- increased congestion
- does not fit in with redevelopment plans for Grove Park and the Grove Park Neighbourhood Forum
- application does not demonstrate hours of operation
- lack of accessibility, particularly to the first floor
- noise pollution; hours of use could be disruptive

(Letters are available to Members)

##### Transport for London (TfL) and Highways

- 4.3 TfL and the Council's Highway's officer were also consulted.

##### *TfL*

- 4.4 TfL also raised concerns in relation to the scheme and challenge a number of the assumptions and objectives within the Travel Plan submitted. These assumptions relate to the following issues:

- increase in those using cars to get to the site (staff and worshippers)

- the likelihood of the use of the public car park by worshippers and staff
- predicted reduction in public transport
- lack of data to support claim that worshippers live within walking/ cycling distance of site

In light of the above, TfL are concerned that many more people would use a car to get to/ from the site with a consequent impact on street parking, unauthorised use of the bus station and other areas with parking restrictions. TfL also ask the following:

- the amount of cycle parking provided is increased to accord with the London Plan
- Blue Badge holder parking is proposed
- Drop off/ pick up provision for worshippers, in particular those that are disabled

### *Highways*

4.5 Highways officers requested that a parking survey was undertaken to demonstrate that the proposal would not give rise to unacceptable impact upon surrounding streets and the short-term parking provision located to the front of the site.

4.6 Highways officers were satisfied that the parking survey submitted demonstrated the acceptability of the proposal in this regard and adequately addressed concerns raised by TfL.

## **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 any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.
- 5.3 The Development Plan for Lewisham comprises the Core Strategy, Development Plan Document (DPD) (adopted in June 2011), those saved policies in the adopted Lewisham UDP (July 2004) that have not been replaced by the Core Strategy and policies in the London Plan (July 2011). The National Planning Policy Framework does not change the legal status of the development plan.

#### National Planning Policy Framework (NPPF)

- 5.4 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)'.
- 5.5 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.

#### London Plan (as amended 2016)

The London Plan policies relevant to this application are:

Policy 3.16 Protection and enhancement of social infrastructure

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services

Policy 6.9 Cycling

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 7.1 Lifetime neighbourhoods

## Policy 7.2 An inclusive environment

### London Plan Supplementary Planning Guidance (SPG)

The London Plan SPG's relevant to this application are:

Accessible London: Achieving an Inclusive Environment (2004)

Planning for Equality and Diversity in London (2007)

### Core Strategy (2011)

- 5.6 The Core Strategy, together with the London Plan and the Development Management Local 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:

Objective 11: Community well-being

Policy 6 Retail hierarchy and location of retail development

Policy 8 Sustainable design and construction and energy efficiency

Policy 14 Sustainable movement and transport

Policy 15 High quality design for Lewisham

Policy 19: Provision and maintenance of community and recreational facilities.

### Development Management Local Plan (2014)

- 5.7 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:

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

DM Policy 1 Presumption in favour of sustainable development

DM Policy 15 Neighbourhood local centres

DM Policy 16 Local shopping parades and corner shops

DM Policy 22 Sustainable design and construction

DM Policy 29 Car parking

DM Policy 30 Urban design and local character

DM Policy 44 Places of worship

## **6.0 Planning Considerations:**

- 6.1 The main planning considerations in respect of this application includes the following:

- Principle of development
- Design
- Neighbouring amenity
- Highways/Transport

#### Principle

- 6.2 The proposal seeks to deliver a place of worship at first floor level. This would replace the ancillary space (currently vacant) connected to the ground floor retail unit at No. 342A Baring Road. The proposal includes a community bookshop/internet café and office, together with access to the place of worship at first floor level at ground floor. The ground floor unit (No.342) was previously used in conjunction with the supermarket, but is vacant at present.
- 6.3 In order to fully assess the principle of the proposed development, officers must have regard to both the acceptability of the loss of the existing A1 retail floorspace and the proposed D1/A1 uses.

#### Loss of retail floorspace

- 6.4 In relation to the principle of the loss of the retail floorspace at first floor level, officers have assessed the proposal in relation to Core Strategy Policy 6 '*Retail hierarchy and location of retail development*' which identifies this locality as a neighbourhood local centre. It seeks to protect local shopping facilities from change of use or redevelopment where there is an economic demand for such services but states that in the neighbourhood local centres and parades, change of use and contraction of the shopping facilities will be considered if evidence is established that there is no economic prospect of such uses continuing.
- 6.5 Further to this, DM Policy 15 '*Neighbourhood local centres*' seeks to retain shops in order to protect the existing neighbourhood local centres and ensure the on-going provision of an adequate range of shops that meet the daily needs of the local community. It sets out a criteria against which proposals for change of uses to non-A1 uses are considered against.
- 6.6 The proposed place of worship that would be located at the first floor of No.342A Baring Road (above Sainsburys) would give rise to the loss of retail floorspace. It should also be noted that previous refusal DC/12/82125 was, in part, refused on the loss of a commercial premises within the Grove Park neighbourhood local centre.
- 6.7 In order to demonstrate the acceptability of a change of use with regards to Core Strategy Policy 6 and DM Policy 15 whilst also overcoming the previous reason for refusal, the applicant must demonstrate that:
- reasonable attempts to market vacant shop units have been made;



- the availability of similar alternative shopping facilities within a comfortable walking distance (400m);
- it would not significantly impact upon the balance to the number and type of units within the centre.

6.8 It is important to note that the change of use would occur at first floor level, with the ground floor retail unit (Sainsburys) unaffected. As the unit is located at first floor level, and not used in conjunction with Sainsburys, the loss of this retail floorspace would not be expected to significantly impact upon the balance to the number and type of units within the centre. Rather, in light of the vacant retail units that exist within the parade currently, it is felt that the introduction of a contrasting use would create a large amount of footfall that has the potential to enhance the vitality of the parade.

6.9 In the submission documents, the applicant refers to the premises as disused (vacant) and provides some marketing evidence which refers to the difficulty in letting the first floor space and the smaller retail unit at ground floor. It is stated that Sainsburys, the current retail operator that occupy the ground floor unit, does not require the additional floorspace due to trading hour regulations. The information provided outlines that there had been a small amount of commercial interest in these units, but none from conforming A1 retail users. The applicant has not provided extensive marketing evidence, especially in relation to more recent years, nevertheless, it is noted that the first floor and smaller ground floor unit have been vacant since Sainburys occupied the site in 2011. Also, due to the neighbourhood local centre location of the application site, officers are satisfied that there is extensive availability of alternative retail facilities within a comfortable walking distance.

6.10 Furthermore, it is proposed that the ground floor unit, which would provide a community bookshop/internet café and also access to the first floor use, would be used in a A1/D1 capacity. It is noted that an amount of A1 floorspace would be lost within this ground floor unit through the provision of access to the church. However, compared to the existing vacant A1 unit, it is felt that this part of the proposal plays a significant role in ensuring that the proposed development maintains a positive and compatible relationship with the surrounding shopping parade, especially in relation to the provision of an active frontage at ground floor level. The proposed plans for this unit would not be considered to have a detrimental impact upon the vitality of the Grove Park neighbourhood local centre, nor the shopping parade that it is immediately part of. As a result, officers are satisfied that this aspect of the proposal is acceptable and seek to secure the A1 element Use of this ground floor unit by condition.

6.11 In light of the above, and on the basis that the proposal would increase the activity within the parade, the principle of the loss of the existing retail floorspace is considered to be acceptable in relation to DM Policy 15. The other aspects of this policy will be assessed in the design, neighbouring amenity and highways/transport/access part of the report.

## Proposed Place of Worship

- 6.12 London Plan Policy 4.6 'Support for and enhancement of arts, culture, sport and entertainment' seeks to encourage the focus of development in town centres, whilst ensuring that such development is: located on sites with good access to public transport, accessible to all sections of the community, including disabled and older people and addresses deficiencies in facilities, providing a cultural focus to foster more sustainable local communities.
- 6.13 Similarly, Core Strategy Policy 6 'Retail hierarchy and location of retail development' states that the Council will expect major retail development, leisure and related town centre uses, including arts, cultural and entertainment facilities to be located within the major and district centres. Core Strategy Policy 19 'Provision and maintenance of community and recreational facilities' reiterates that the preferred location for such uses will be in areas that are easily accessible and located within close proximity of public transport, other community facilities, services and town and local centres.
- 6.14 DM Policy 44 'Places of worship' also states that proposals for development in the major and district town centres and all other areas will only be considered in areas that are:
- a. Highly accessible to users through public transport, cycling and walking routes
  - b. Able to source an adequate level of parking for users, without negatively impacting on local street parking or the accessibility of other local services
- 6.15 The application site is located within a neighbourhood local centre, rather than a major or district town centre as referred to by Core Strategy Policy 6. Objections from local residents refer to this point and also question the appropriateness of this change of use within the surrounding context of shops that serve local people.
- 6.16 The site has a PTAL rating of 4, directly adjacent to a PTAL 5 zone. It is also located less than 100m from Grove Park Station and is in close proximity to many bus stops, served by various bus routes. In this regard, the application site is considered to be highly accessible through public transport routes and due to its location close to the main junction between Downham Way and Baring Road, there is considered to be sufficiently legible pedestrian routes to the site. Officers are therefore satisfied that the proposal satisfies requirement (a) of DM Policy 44.
- 6.17 It is also felt that the through the introduction of the proposed place of worship, it would give rise to a significant increase in footfall to the shopping parade and wider Neighbourhood local centre which has the potential to enhance the vitality and viability of the surrounding retail as mentioned previously.

- 6.18 In order to address criteria (b) of DM Policy 44, the applicant has submitted a parking survey that has demonstrated the acceptability of the proposed development in relation to the parking impact of the proposal. It is also noted that the parking impact of the proposed place of worship formed the basis of a reason for refusal in relation to DC/12/82125. This will be discussed in further depth in the highways and transport section of this report.
- 6.19 However, to conclude in relation to the principle of development, officers are satisfied that the loss of the existing retail floor space and the introduction of the proposed uses are considered to be acceptable.

#### Design

- 6.20 DM Policy 19 'Shopfronts, signs and hoardings' seeks to ensure that shopfronts should be designed to a high quality and reflect and improve the character and quality of their surroundings.
- 6.21 The proposal would not give rise to any external changes to the elevations of the ground floor unit, nor the first floor unit. Whilst the front elevation of the ground floor unit is currently hidden by hoarding, the plans show a standard shop front which relates to the neighbouring retail units. As this plan would form part of the approved documents, the shopfront design is secured in this regard, should this application be approved.

#### Neighbouring Amenity

- 6.22 DM Policy 44 'Places of Worship' requires development to demonstrate that there will be no detrimental effect on local amenity through noise, hours of operation or any other environmental impacts. Further to this, DM Policy 26 'Noise and Vibration' seeks to protect sensitive uses from excessive noise.
- 6.23 With a capacity of 200 Worshippers, it is expected that the proposed church use would generate a level of noise above the existing retail use. It is however felt that most noise generation would be concentrated around the main services which would attract a larger percentage of the congregation. A local resident has however expressed concern in relation to the noise that may be generated by the proposed church.
- 6.24 The application site is located within a shopping parade which is part of the wider neighbourhood local centre. The site is situated on a busy thoroughfare and adjoins a retail use to the south, the bus garage to the north and the railway line to the west. There is also a pub nearby. A concentration of commercial activity and a certain amount of noise generating development is therefore to be anticipated in this location.
- 6.25 Residential properties are located opposite the site on Baring Road and an objection with regard to noise impacts has been received. It should be noted that Baring Road is an A classified Road and is designed to connect primary areas along its route therefore in the highway hierarchy it is expected that such roads would have high ambient noise levels. This is further compounded by the location of the application site in a local shopping hub and adjacent to

the railway line, a bus terminus and at a busy intersection. Notwithstanding it is considered appropriate to propose a condition that would inhibit the generation of music, amplified sound systems or other forms of loud noise that is audible outside of the premises.

6.26 Also having regard to nearby residential properties and the capacity of the Worship Hall, officers seek to control the opening hours of the proposed church. It should also be noted that a local resident has raised concern in relation to the lack of opening hours specified.

6.27 Given the noise condition that is proposed, it is not envisaged that nearby residential occupiers would be disturbed through the actual church activities. However, as the Worship Hall has the capacity of 200 members, officers seek to ensure that an unacceptable noise disturbance does not arise from the arrival and departure of the congregation at anti-social hours.

6.28 The planning statement set outs a weekly church programme and states that the typical arrival and dispersal patterns of the church suggest that the congregation would begin to arrive 20-25 minutes before and leave a similar time afterwards. The church programme is set out below:

Sunday service (main service): Every Sunday, 10:30 – 13.00 hours

Bible studies: Every Wednesday, 19.00 – 20.30 hours

Holy Communion service: Every first Friday of the month, 19.00 – 20.30 hours

Power of Prayer: Every third Friday of the month, 19.00 – 20.30 hours

Praise Night: Every fourth Friday in a five-week month, 19.00 – 21.00 hours

6.29 On this basis, it is considered appropriate to restrict use to between 09.00 hours and 21.00 hours on weekday nights (Sunday to Thursday) and 09.00 hours to 22.00 hours on weekend nights (Friday to Saturday). This is considered to appropriately accord with the church programme proposed by the applicant and allow for adequate arrival and departure time, whilst considering the proximity of the building to residential property.

6.30 Subject to these conditions, the proposed use is considered compatible with the immediate surrounding existing development.

#### Transport/Highways/Accessibility

6.31 DM Policy 44 'Places of Worship' states that proposals for development will only be considered in highly accessible locations and where there is an adequate level of parking for users, without negatively impacting on local street parking or the accessibility of other local services.

6.32 The proposed development would be car-free, offering no on-site parking provision for staff or visitors. In this regard, it should be noted that the London Plan (2015) states that in locations with a PTAL of 4-6, on-site provision

should be limited to operational needs, parking for disabled people and that required for taxis, coaches and deliveries/servicing.

- 6.33 It is however noted that the previous application DC/12/82125 was refused on the basis that the parking demand associated with the use of the building as a place of worship would be likely to conflict with the use of the short term parking spaces in front of the shopping parade. It was felt that this would have a negative impact on the vitality and viability of the local shopping hub. Further to this, it was felt that the access arrangements were unsatisfactory and would prejudice the safety of pedestrians, including worshippers arriving at and leaving the premises.
- 6.34 In order to demonstrate the acceptability of the proposal in relation to the above, the applicant has submitted a parking survey that has regard to any impact upon the surrounding streets and the short term parking provision which serves the shopping parade.
- 6.35 Firstly, it is important to reiterate the proximity of the application site to Grove Park Railway Station and numerous bus stops that are served by various bus routes.
- 6.36 Secondly, as the Church is currently utilising temporary accommodation elsewhere, the applicant has taken the opportunity to confirm how they travel to the Church premises at present. Whilst in relation to a different location (with a lower PTAL), it was felt that this would provide a good idea of the likely number of car borne journeys. In summary, this survey exercise demonstrated that just 6 of the 36 households/groups (which contained 132 regular worshippers) that regularly worship at the Church arrive by car. The majority (28 householders/groups) travel to the Church by public transport.

- **Car parking**

*Impact on short term parking provisions*

- 6.37 The short-term parking provision (1 hour max. stay) which is located to the front of the shopping parade serves the existing shops within the parade. In the technical letter prepared by Sanderson associates (consulting engineers) ltd, regard is had to the management of this parking provision. It is managed by a private company, UK Car Park Management Ltd (CPM), whom administer the operation of parking by attending the site at random times and days, monitoring the dwell times, ticketing where necessary. It is noted that various tenants have noticed a marked improvement in parking availability as a result of this service- previous to the implementation of this strategy, the parking provision was used by commuters, in conjunction with Grove Park Station.
- 6.38 Further to this, it is proposed that a full Travel Plan is secured by condition, this would be expected to address the short-term parking provision and further discourage worshippers to park there for any period of time.

- 6.39 In light of this, officers are satisfied that the management of this parking provision, together with the full Travel Plan is sufficient to inhibit Worshippers from parking in this area for a prolonged period of time.

*Impact on upon surrounding streets*

- 6.40 The extent of highway network that was surveyed was agreed with officers prior to undertaking the survey. The pre-agreed area was considered to capture all surrounding streets that were considered to provide parking opportunities for users of the proposed Church. The survey was conducted on a Wednesday from 18:00 – 22:00 hours and a Sunday from 08:00 – 14:00 hours (to reflect the operation hours of Church) in 15 minutes 'beats', recording the number of vehicles parked within the identified zones.
- 6.41 There are parking restrictions (resident permit holders, in connection with a Controlled Parking Zone (CPZ) and single yellow lines) under operation within the surrounding streets. However, the parking restrictions do not apply in the evenings or on Sundays. These restrictions therefore have little affect/control over parking impact arising from the proposed Church, when considered in relation to the church schedule.
- 6.42 Taking this into consideration, the results of the survey demonstrated that in the weekday PM period, the maximum occupation of marked parking bays was 64.3%, leaving 10 spaces unoccupied/ available. On the Sunday, the maximum occupation was 82.1%, leaving 5 spaces unoccupied/ available. In addition to this, the single yellow line areas (outside of restricted hours), provided 54 available spaces during the weekday PM period and 58 available spaces on the Sunday.
- 6.43 Based on the number of members of the congregation that currently travel to the temporary Church location via car, together with the findings of the parking survey as outlined above, it is felt that the surrounding streets have sufficient capacity to cope with the additional parking demand that is expected to arise from the proposed Church use. Further to this, officers feel that the CPZ and yellow lines in the surrounding streets would control any parking demand that should arise outside of the surveyed periods.
- 6.44 Further to the parking survey, the applicant submitted an initial Travel Plan. TfL raised concern about some of the assumptions made within the document and envisage that more people would use a car to get to and from the site with a consequent impact on street parking, unauthorised use of the bus station and other areas with parking restrictions.
- 6.45 As outlined above, Highways officers have reviewed the results of the parking survey and are satisfied that the proposed development would not significantly impact upon street parking, nor the short term parking provision to the front of the shopping parade. With regards to the bus station and other nearby restricted areas, officers feel that such issues can be adequately dealt with through a full Travel Plan which would be required by condition should this application be found otherwise acceptable. In this regard, officers feel that TfL's concerns have been adequately addressed. Their further

comments in relation to cycle parking and disabled parking provision are addressed below.

- 6.46 Further to this, there is also a strip of land just beyond the northern elevation of the building. Whilst this is where the proposed cycle storage would be located, it is noted that it is frequently used as an informal car parking space as existing. On the basis that the proposed development would be car-free and that the strip of land adjoins the pavement, it is considered appropriate to include a condition that would restrict the parking of cars in this location.

- **Accessibility**

- 6.47 Policy 4.6 of the London Plan states that new developments should be accessible to all sections of the community, including disabled and older people. In this instance, the level of accessibility of the building is compromised by the nature of the existing building and the neighbourhood local centre location, affecting parking opportunities in close proximity to the site.
- 6.48 The comments received from TfL refer to disabled parking/ drop-off/ pick-up provision. The proposed plans do show an intention to provide a disabled parking bay within the short term parking provision, however, this falls outside of the red line, the ownership of the applicant and would involve collaboration with the Company that manage this parking provision. Officers encourage the applicant to work with the parking management Company to achieve this.
- 6.49 It is however recognised, due to the location of the application site, on a main road and in close proximity to the station, the bus garage and retail hub, there are little opportunities to provide off-street or on-street disabled parking provision. Taking into consideration the wider benefits of the proposed location and the general car-free nature of the development, officers consider the non-provision of a disabled parking bay to be acceptable in this instance.
- 6.50 Further to this, it was also not possible to provide a designated drop-off/ pick-up space outside of the Church due to space constraints/proximity to existing marked out bays. It is however felt that there are opportunities for visitors (including disabled visitors) to be dropped off in close proximity to the church. Officers are satisfied that whilst this may also require collaboration with the parking management company, this can be adequately addressed as part of the detailed Travel Plan required by condition, should this application be approved. The Travel Plan will be required to set out a strategy in relation to drop-off/ pick-up which demonstrates disabled user priority.
- 6.51 The wheelchair accessibility of the building is also limited, with stepped access to the first floor Worship Hall; the plans do however outline a location for a possible lift provision should it be feasible. The proposal would be required to meet Building Regulations in relation to building accessibility. Nevertheless, from a planning perspective, officers recognise the constraints

of working within the realm of an existing building and consider the proposal to be acceptable in this regard.

- **Cycle parking**

- 6.52 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. Cycle parking provision should be in line with the minimum standards of Table 6.3 of the London Plan. For D1 use classes, 1 space should be provided per 8 staff for long stay parking, together with 1 space per 100 sqm for short stay visitor provision.
- 6.53 With 548sqm of D1 use and low staffing numbers (approximately 1-2 for the retail use and 3-4 for the Church), it is proposed that 8 cycle spaces, in the form of Sheffield bike stands, are provided on the strip of land just beyond the northern elevation of the building, where the building recesses. This is considered to be adequate and appropriate.
- 6.54 The applicant has provided details of the proposed bike stand. It is proposed that these are secured by condition.

- **Servicing/Refuse**

- 6.55 2 x 360L refuse and recycling waste bins would be provided as part of the proposed development. They would be located in the same location as the cycle storage.
- 6.56 Whilst the applicant has suggested that the refuse storage area is largely screened by the existing boundary enclosure/fence, due to the proximity and potential visibility of the designated area from the street, it is proposed that details of the refuse storage, together with details of how the building would be serviced is required by condition.

**7.0 Equalities Implications**

- 7.1 The Council has considered the public sector equality duty under section 149 of the Equalities Act 2010 and in the exercise of its functions to have due regard to the need to eliminate discrimination, harassment and victimisation and any other conduct which is prohibited under this Act and to foster good relations between persons who share a relevant protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race religion or belief, sex and sexual orientation.
- 7.2 As with the case with the original separate duties, the new duty continues to be a “have regard duty” and the weight to attach to it is a matter of judgement bearing in mind relevance and proportionality. It is not an absolute requirement to eliminate discrimination, advance equality of opportunity, or foster good relations.

**8.0 Conclusion**



- 8.1 Based on the discussions above, the proposed development, subject to the conditions imposed, is considered to be acceptable.
- 8.2 It is felt that the parking survey submitted adequately overcomes concerns relating to the parking impact of the proposed D1 use.
- 8.3 Further to this, the proposed development is expected to improve the vitality of the local shopping parade and neighbourhood local centre that it is part of by significantly increasing the footfall and bringing back into use commercial floorspace that has been vacant for a long time.
- 8.4 Officers are therefore satisfied that the proposed development overcomes the previous reasons for refusal and recommend that planning permission is granted.

**9.0 RECOMMENDATION GRANT PERMISSION subject to the following conditions:**

1. The development to which this permission relates must be begun not later than the expiration of three years, beginning with the date on which the permission is granted.

**Reason:** As required by Section 91 of the Town and Country Planning Act 1990.

2. The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:

341 001; 341 010; 341 030; 341 130 Received 10th July 2015; Parking Survey (Sanderson Associates) Received 21st June 2016; Planning and Transport Received 31st August 2016; 341 105 Rev D Received 9th September 2016; 341 150 Rev C Received 23rd September 2016; 341 010 Rev B Received 23rd September 2016

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

3. A minimum of **8** cycle parking spaces shall be provided within the development as indicated on the plans hereby approved (drawing no. 341 180 Rev A and 341 105 Rev D)

All cycle parking spaces shall be provided and made available for use prior to occupation of the development 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).

4. The premises (No.342 and 342A Baring Road, SE12) shall only be open for operation between the hours of 09.00 hours and 21.00 hours Sunday to Thursday and between 09.00 hours and 22 hours Friday to Saturday.

**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, DM Policy 15 Neighbourhood Local Centres, DM Policy 16 Local shopping parades and corner shops of the Development Management Local Plan (November 2014).

5. 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.

**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 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

6. (a) No part of the development hereby approved shall be occupied until such time as a user's Travel Plan, in accordance with Transport for London's document 'Travel Planning for New Development in London' has been submitted to and approved in writing by the local planning authority. The development shall operate in full accordance with all measures identified within the Travel Plan from first occupation.

(b) The Travel Plan shall specify initiatives to be implemented by the development to encourage access to and from the site by a variety of non-car means, shall set targets and shall specify a monitoring and review mechanism to ensure compliance with the Travel Plan objectives. The Travel Plan must also outline a strategy for the drop-off and pick-up of users, including disabled users and what measures are in place to inhibit church users from parking within the controlled parking provision (located to the front of the parade).

(c) Within the timeframe specified by (a) and (b), evidence shall be submitted to demonstrate compliance with the monitoring and review mechanisms agreed under parts (a) and (b).

**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).

7. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the ground floor of No.342 Baring Road shall be used in a retail capacity, providing a bookshop/internet cafe in connection with the Place of Worship at first floor level. It shall also provide access to the Worship Hall at first floor access and for no other purpose. The first floor of No.342 and No.342A Baring Road shall be used as a Place of Worship (including ancillary facilities) and for no other purpose (including any other purpose in Use 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 secure the retail character at ground floor level as part of the wider shopping parade and to safeguard the amenities of the adjoining premises and the area generally and to comply with Paragraph 120 of the National Planning Policy Framework, Policy 6 Retail hierarchy and location of retail development of the Core Strategy (2011), DM Policy 15 Neighbourhood local centres, DM Policy 16 Local shopping parades and corner shops, DM Policy 26 Noise and Vibration and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

8. No vehicle parking shall take place on the strip of land adjacent to the northern elevation of the building on drawing no. 341 110 Rev C.

**Reason:** In the interests of highway safety and to comply with Policy 14 Sustainable transport and movement of the adopted Core Strategy (June 2011).

9. No development shall commence on site until the following has been submitted to and approved in writing by the local planning authority:
- details for the storage of refuse and recycling facilities
  - details of any servicing/ delivery arrangements, including refuse collection
  - demonstrate compatibility of proposed arrangements with existing arrangements operating in connection with the surrounding commercial premises and the short-term parking provision.

The facilities as approved in this condition shall be provided in full prior to occupation of the development and shall thereafter be permanently retained and maintained.

**Reason:** In order that the local planning authority may be satisfied with vehicle movement and the provisions for recycling facilities and refuse storage

in the interest of safeguarding the amenities of neighbouring occupiers and the area in general, in compliance with Development Management Local Plan (November 2014) DM Policy 30 Urban design and local character, Policy 14 Sustainable movement and transport and Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (June 2011)

10. The fire escape door shown on drawing no. 341 110 Rev C shall be used for no other means besides fire escape.

**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 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

### **Informative**

**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.