



Planning Committee B

Report title:

MORNINGTON CENTRE, STANLEY STREET, LONDON, SE8 4BL

Date: 9th July 2024

Key decision: No.

See "[Legal Requirements](#)" in the guidance for more information.

Class: Part 1

See "[Legal Requirements](#)" in the guidance for more information.

Ward affected: Deptford

Contributors: Barnaby Garcia, Planning Officer

Outline and recommendations

This report sets out the Officer's recommendation for approval of the above proposal. This application is before committee as it received more than 10 objections from neighbours and businesses.

Application details

Application reference number(s): DC/24/135691

Application Date: 19 April 2024

Applicant: Mr. Merryweather - Art Hub Studios CIC

Proposal: Temporary change of use from Class F1(a) (School) to Class E(g) (artist studios/workspace with ancillary gallery space and studio office) and the provision of cycle parking at the Mornington Centre, Stanley Street, SE8.

Background Papers: (1) Submission Papers
(2) Submission Technical Reports and Supporting Documents
(3) Internal Consultee Responses
(4) External Consultee Responses

Designation: PTAL 6a/6b
Small HMO North Ext A4
Air Quality
Area of Archaeological Priority
Not in a Conservation Area
Not a Listed Building

Screening: None

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1 SITE AND CONTEXT

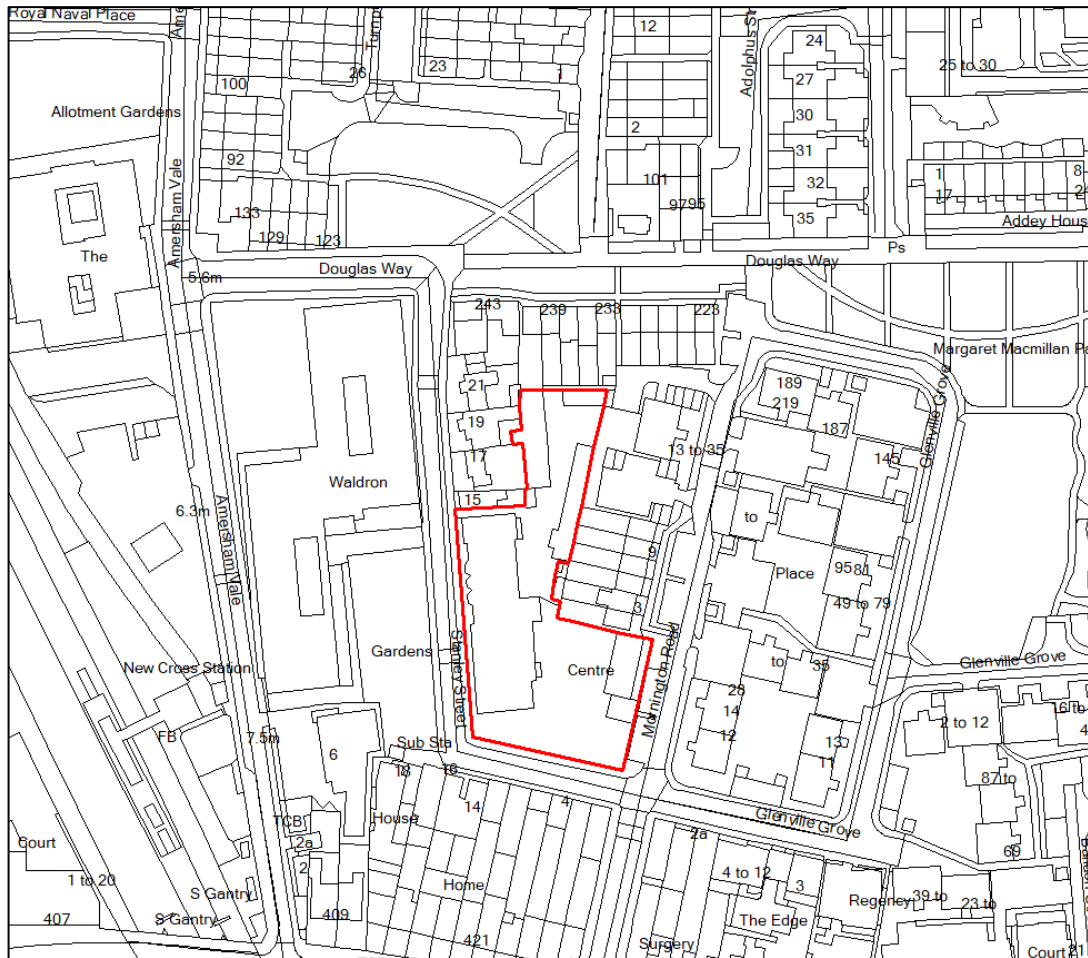


Figure 1: Site Location Plan

Site description and current use

- 1 The application relates to four storey, late Victorian/Edwardian, purpose-built school, located on the eastern side of Stanley Street, approximately 60m north of New Cross Road and 70m east of New Cross Railway Station.

Character of area

- 2 Stanley Street features a variety of uses, with residential and educational buildings, along with allotments and a medical centre on the western side of the street. The broader area is also mixed use in nature, being in close proximity to New Cross Station and the A2 Road.
- 3 The site is not within a Conservation Area, nor is it a listed building. It lies within an Area of Archaeological Priority. The site lies within the North Lewisham CEZ.

Local environment

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- 4 The site lies within Flood Risk Zone 1 and is nearby to the Margaret McMillan and Fordham Parks.

Transport

- 5 The site benefits from the highest transport accessibility level of 6a, being close by to New Cross, Deptford, and New Cross Gate Railway Stations offering direct links to central, eastern and southern London.
- 6 The site is also within close proximity to bus stops on New Cross Road.

2 RELEVANT PLANNING HISTORY

- 7 **DC/06/064041:** The installation of an entrance door and the provision of a temporary portakabin for kitchen and W.C. accommodation at the Mornington Centre, Stanley Street SE8. **Granted** 13/12/2006

3 CURRENT PLANNING APPLICATION

THE PROPOSALS

Background

- 8 Since construction, the building has been in use as a school. The school catered for c.315 children aged from 3-11 years old. The school has now ceased operation as a school and has been vacant since 2015, when the building was decommissioned.
- 9 The legal use of the building has not changed from the original, educational use (Use Class F1), but has been occupied by guardians while the building has not remained in operation. The guardians have occupied parts of the site for approximately 9 years.
- 10 A temporary lease of five years has been agreed between the Council and the applicant for the use of site as artist studios.

Scope of proposals

- 11 The proposal seeks for the temporary (for a period of five years) change of use of the site from a school (Use Class F1) to artist studios and a public gallery space with an ancillary site office. The public gallery space would be open to the public approximately twice per month, however the rest of the building (the studios), would not be open to the public, and would be accessed by artists/employees from a different entrance than the gallery. The studios are intended to be accessible to artists and employees at all times. More information on hours of operation is given within paras 72-4.
- 12 The proposals would not result in any change to the external appearance of the building, nor would it result in any physical interior works in terms of knocking through walls, relocating doors, etc.
- 13 Therefore, this application only considers the temporary change of use of the site, and the additional planning considerations thereof.

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4 CONSULTATION

PRE-APPLICATION ENGAGEMENT

14 No formal pre-application advice was sought.

APPLICATION PUBLICITY

15 Site notices were displayed on 22/05/24.

16 Letters were sent to residents and business in the surrounding area and the relevant ward Councillors on 15/05/24.

17 10 responses were received, comprising 12 letters of objection and 1 of support:

4.1.1 Comments in objection

Comment	Para where addressed
Increase in noise disturbance/light pollution through more intensive use.	Paras 70-75
Increase in traffic through more intensive use.	Paras 49-50, 67.
The development will impact protected species on site.	No physical changes are proposed to the building, and the scale of the scheme is such that this is not a material planning consideration.
The scheme will result in the eviction of guardians on site.	Para 37
The plans are inaccurate, e.g. hedges not shown	As the proposal is only for the change of use internally, officers conclude that the plans are sufficiently accurate to complete the assessment of the application.
Proposal does not detail plans for the outbuildings/wild garden	Officers can only assess that which has been presented before them.

4.1.2 Comments in support

Comment	Para where addressed
Bringing old building back to use in a proactive way	Paras 36-41

INTERNAL CONSULTATION

18 The following internal consultees were notified on 15/05/24.

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- 19 Highways: No response received, however a full assessment of highways implications is made within this report at paras 43-65.
- 20 Environmental Protection: No objections were raised with the development.

EXTERNAL CONSULTATION

- 21 No external consultation was required to be carried out for this application.

5 POLICY CONTEXT

LEGISLATION

- 22 Planning applications are required to be determined in accordance with the statutory development plan unless material considerations indicate otherwise (S38(6) Planning and Compulsory Purchase Act 2004 and S70 Town & Country Planning Act 1990).
- 23 On the 3rd of November 2023 Lewisham Council submitted the Lewisham Local Plan and its supporting documents to the Secretary of State for its independent examination. Relevant policies may now be given weight as appropriate in accordance with para 48 of the NPPF.

MATERIAL CONSIDERATIONS

- 24 A material consideration is anything that, if taken into account, creates the real possibility that a decision-maker would reach a different conclusion to that which they would reach if they did not take it into account.
- 25 Whether or not a consideration is a relevant material consideration is a question of law for the courts. Decision-makers are under a duty to have regard to all applicable policy as a material consideration.
- 26 The weight given to a relevant material consideration is a matter of planning judgement. Matters of planning judgement are within the exclusive province of the LPA. This report sets out the weight Officers have given relevant material considerations in making their recommendation to Members. Members, as the decision-makers, are free to use their planning judgement to attribute their own weight, subject to aforementioned directions and the test of reasonableness.

NATIONAL POLICY & GUIDANCE

- National Planning Policy Framework 2023 (NPPF)
- National Planning Policy Guidance 2014 onwards (NPPG)
- National Design Guidance 2019 (NDG)

DEVELOPMENT PLAN

- 27 The Development Plan comprises:

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- London Plan (March 2021) (LPP)
- Core Strategy (June 2011) (CSP)
- Development Management Local Plan (November 2014) (DMP)

6 PLANNING CONSIDERATIONS

28 The main issues are:

- Principle of Development
- Impact on Adjoining Properties
- Transport

29 It is noted that, as there are no physical changes to be undertaken for this building, Urban Design is not a material planning consideration in this case.

PRINCIPLE OF DEVELOPMENT

General policy

30 The National Planning Policy Framework (NPPF) at paragraph 11, states that there is a presumption in favour of sustainable development and that proposals should be approved without delay so long as they accord with the development plan.

31 The London Plan (LP) sets out a sequential spatial approach to making the best use of land set out in LPP GG2 (Parts A to C) that should be followed.

Policy

32 LP Policy HC5 *Supporting London's culture and creative industries* and DMP Policy 43 *Art, culture and entertainment facilities* both speak of the need to facilitate and encourage art and cultural uses where they would not lead to an unacceptable impact to neighbouring amenity. This is particularly true of sites located within Cultural Enterprise Zones (CEZ) where specifically the temporary use of vacant buildings for uses within the creative industry should be promoted.

33 LP Policy S3 *Education and childcare facilities* emphasizes the need to ensure sufficient provision of educational facilities, including early years, primary, secondary, further, and higher education. The policy mandates that any loss of existing educational facilities shall be resisted unless it can be demonstrated that there is no ongoing or future demand for them, or that alternative provision of equivalent or better quality will be made.

34 CS Policies 19 and 20 speak of the need to protect educational facilities, ensuring that there is no net loss of provision. The Council will support the provision of new educational facilities.

Guidance and other material considerations

35 The following policy of the draft Local Plan should be considered but carry only limited weight in planning terms: Policy EC18 *Culture, creative industries and the night-time economy* This policy seeks to protect and enhance existing cultural industries,

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particularly within the North Lewisham CEZ. Specifically, the policy speaks of proposals to make use of vacant spaces.

- 36 Policy LNA3 *Creative Enterprise Zone* also applies, which seeks to enhance existing clusters of creative and cultural industries within the CEZ, and to facilitate the creation of additional clusters.

Discussion

- 37 As noted within Policy HC5 of the London Plan, given the site's location within a CEZ, arts uses such as that proposed should be supported by the Council in principle, specifically in the case of temporary permissions relating to vacant buildings.
- 38 Officers are satisfied there is no conflict with policies such as LPP S3 which seeks to resist the loss of educational facilities. The existing site has been vacant for a number of years, and the proposal to temporarily change its use from an educational facility into affordable workspace for artists and a gallery space and ancillary building office would align with the ambitions of the Development Plan. Officers note that while the site is currently partially occupied by guardians, this is not a lawful use in planning terms and the lawful use of the site is currently for educational purposes (Use Class F1). Therefore, in planning terms, the change of use would not result in the loss of residential accommodation, as this is not contained within the lawful use. The temporary change of use would be from Class F1 to Class E.
- 39 The DMLP makes reference to supporting creative uses where they would not result in unacceptable impacts to neighbouring amenity. While this will be considered in greater detail below within the Transport Impacts and Impacts on Neighbouring Amenity sections of this report, the existing use as a school is likely to generate much more disruptive impacts on neighbours than the proposed use. As such, the site should not be discounted as a matter of principle on the basis of neighbouring impacts.
- 40 As noted above, the temporary use would see the provision of a gallery space which would be ancillary to the main use. The principle of such a use would be supported, subject to a more a detailed assessment on neighbouring amenity impacts and transport impacts, which is given within this report. The ancillary office use is to facilitate the use of the studios/workspaces and galleries, and as such would be acceptable.
- 41 The proposed change of use would be temporary in nature and is required to accommodate works taking place at the Cockpit Arts Centre in Deptford. Once these works are completed, it is intended that Art Hub Studios would move back to Deptford. This temporary permission would mean that the site would revert back to the existing F1 Use Class after five years, thereby not resulting in the loss of the site for educational uses. Therefore, while the policies relating to educational facilities are relevant, they are not engaged owing to the fact the school is not occupied and the temporary nature of this permission.

6.1.1 Principle of development conclusions

- 42 The proposed use would bring a vacant building into use for the creative industry, providing affordable workspace for creatives within the Deptford CEZ. The use would be temporary, and the use class of the building would revert back to the existing F1 use after five years, as such it would not result in the loss of educational floorspace.

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- 43 Officers therefore support the principle of the development, subject to a more detailed assessment on the potential highways impacts and impacts to neighbouring amenity.

TRANSPORT IMPACT

General policy

- 44 Nationally, the NPPF requires the planning system to actively manage growth to support the objectives of para 104. This includes: (a) addressing impact on the transport network; (b) realise opportunities from existing or proposed transport infrastructure; (c) promoting walking, cycling and public transport use; (d) avoiding and mitigating adverse environmental impacts of traffic; and (e) ensuring the design of transport considerations contribute to high quality places. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and a choice of transport modes.
- 45 Para 115 states “*Development should only be prevented or refused on transport grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”.
- 46 The Core Strategy, at Objective 9 and CSP14, reflects the national and regional priorities.

6.1.2 Local Transport Network

Policy

- 47 The NPPF at paragraph 114 states that significant impacts on the transport network (in terms of capacity and congestion) should be mitigated to an acceptable degree.

Discussion

- 48 The site is located within PTAL 6b, representing the highest level of transport accessibility. It is located nearby to several railway stations and bus stops. The high PTAL rating leads officers to conclude that the staff and users of the site will easily be able to access the site using non-car modes of transport.
- 49 Notwithstanding, it is noted that the pre-existing use of the site as a school (catering for 315 pupils and teachers) was likely to generate a much higher demand on the local transport network. Owing to the less intensive use proposed, officers assess the local transport network to be well equipped to deal with the newly proposed use.
- 50 Given the above consideration, officers are satisfied that a use of the nature proposed could be accommodated comfortably within the local transport network.

6.1.3 Servicing and Refuse

Policy

- 51 CSP13 sets out the Council’s waste management strategy for new development and states that major developments should be designed to incorporate the existing and future long-term needs of waste management and disposal.

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52 Storage facilities for waste and recycling containers should meet at least BS5906:2005 Code of Practice for waste management in Buildings in accordance with London Plan Housing Supplementary Planning Guidance (2016) standard 23.

Discussion

53 Limited details of the proposals for the storage of refuse have been provided, though within the Planning Statement submitted, the location of the existing refuse storage facilities has been indicated along Stanley Street. It is proposed that the storage of refuse would remain within this location and would be collected along Stanley Street.

54 Two Eurobins have been proposed, one for dry recycling and another for general waste. A smaller bin has been proposed for waste glass.

55 The existing use as a school, being more intensive than the use proposed, would have resulted in a greater amount of waste being produced than the proposed use. Therefore, it is not likely that there would be a material increase in the level of waste produced, nor an increase in demand for the collection of the waste, beyond that which could resume without any planning control.

56 The waste would be collected along Stanley Street, where there are double yellow lines which allow for collections to be made.

57 With regards to general servicing, the site already benefits from a post room, and deliveries/collections will take place from this location. Officers do not expect deliveries to be materially different to the existing use and find this proposal to be acceptable. Deliveries would take place between 9am-5pm.

6.1.4 Transport Modes

Policy

58 The Development Plan requires the adequate provision of cycle parking and specifies the quantum of car parking permitted within sites. LP Policy T5 specifies the number of cycle parking spaces required for a development. LP Policy T6 specifies the quantum of parking spaces permissible.

59 Para 10.6.18 of Policy T6 of the LP notes that '[f]or industrial sites, the role of parking - both for workers and operational vehicles - varies considerably depending on location and the type of development proposed. Provision should therefore be determined on a case-by-case basis, with the starting point for commuter parking being the standards in Table 10.4 with differences in employment densities taken into account. Flexibility may then be applied in light of site-specific circumstances.

60 Locally, DMLP and CSP reflect the above policies.

Discussion

61 Policy T5 of the London Plan requires that, for light industrial uses (which the proposed use as E(g) would fall into), one long stay cycle space per 250sqm is required. The total floor area of the site is 2,233sqm, therefore circa nine long term cycle spaces. One short term space is required per 1,000sqm, thus a further two spaces should be provided.

62 In total, the scheme proposes 11 cycle spaces (nine long stay and two short stay) to be provided, where there is currently no provision for cycles. The spaces would be located

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within the former playground, which is secured by gates. The spaces would therefore be secure.

- 63 The proposed provision of cycle spaces would meet the requirements of the London Plan, and notwithstanding it is evident that there is sufficient space for additional cycle spaces should they be required. Furthermore, officers acknowledge the highly sustainable location of the site, meaning that there is opportunity for users and visitors to access the site using other sustainable transport modes.
- 64 On balance, therefore, officers assess the provision of cycle spaces, owing to the temporary nature of the site and its proximity to other sustainable transport modes, to be acceptable.
- 65 With regards to parking, five parking spaces are already present and these are proposed to be retained. While sites within Inner London should aim to be car free, in this case, given the pre-existing provision of car parking spaces, and the potential for end users to have bulky items, it is reasonable that these spaces be retained in order to allow for a viable, temporary use.

6.1.5 Transport impact conclusion

- 66 The proposed scheme is likely to be less intensive than the existing, educational use which is lawful at the site, and which could recommence with no planning controls. Therefore, the scheme would be acceptable with regards to servicing and refuse. Accounting for the specific context and proposed, temporary use, the proposed provision of cycle and car parking would be acceptable on balance.

LIVING CONDITIONS OF NEIGHBOURS

- 67 The scheme would not result in the alteration of the building, therefore no impacts are anticipated with regards to loss of light/outlook, or sense of privacy. The only material consideration in this case with regards to impacts on neighbours is the degree to which the noise and disturbance of the site would be acceptable.

6.1.6 Noise and disturbance

Policy

- 68 NPPF para 135 sets an expectation that new development will be designed to create places that amongst other things have a 'high standard' of amenity for existing and future users. At para 180 it states decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

- 69 This is reflected in relevant policies of the London Plan (LPP D3), the Core Strategy (CP15), the Local Plan (DMPs 32 and 33) and associated guidance.

- 70 LPP D3 states that development proposals should deliver appropriate impacts to outlook, privacy and amenity as well as mitigating noise levels.

Discussion

- 71 Officers note that the existing use of the site, which could recommence at any time without further planning control and would cater for 315 students and teachers, would be

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likely to result in noise impacts for the locality, especially during break times where the children would be outside, and at opening/closing times.

- 72 The proposed use would see the existing rooms in use as artist studios. The studios themselves would be accessible 24 hours a day for artists, though the outside space would be closed from 9pm until morning. Officers sought additional information from the applicant in order to understand what types of art are typically undertaken at the site. Their response is:

“Across all sites¹, we only offer studios for visual arts, such as painting, sculpture, ceramics, printmaking, illustration, prop making, drawing and fashion - We allow the use of sewing machines for textile work. We do not cater for practices such as music, dance or theatre, although we do allow some performance art as part of our exhibition programme. We operate a Headphone Policy across all sites, all music, podcasts and audio must be played using headphones.

The use of power tools is currently limited at our Deptford site. Drills can be used for putting up exhibitions and things like shelving, but anything that creates dust or prolonged noise is not allowed in any studio. We do have a loading bay that can be used for drilling and small amounts of mitre sawing which people use to make things like stretchers for canvases. We have a dedicated carpentry space down at our Woolwich site that Deptford members can use. The hours of this are 10am - 4pm, Monday to Friday with the space locked at the end of the day by a technician. We currently do not offer facilities for metal work, casting or moulding, although we do offer access to kilns for firing ceramics at our Woolwich site. Noise from these is minimal.”

- 73 Given that the proposed site would temporarily replace the Deptford site, there would be no metal working, nor works which would generate any prolonged noise disturbance. From the description given above, Officers are satisfied that the physical works taking place at the site would not be disruptive, and in any case would be less disruptive than the operation of a school. Nevertheless, given that the use of the site would be on a temporary basis, the use of the site would revert back to an educational use, and as such noise disturbance would not be likely to be prolonged.

- 74 With regards to the use of the community gallery space, the Planning Statement indicates that two shows would be given per month, and there would be a maximum capacity of 100 people at any time. As with above, Officers find it unlikely that this proposed infrequent use would be more disruptive than the existing use, and in any case, the proposed gallery, in having operating hours of 11am-9pm, would not generate prolonged noise into unacceptable hours.

6.1.7 Impact on neighbours conclusion

- 75 The proposed uses of the studio spaces lead Officers to conclude that there would be no unacceptable impacts on neighbouring amenity with regards to noise disturbance. The gallery space would be opened infrequently, and in any case would have operating hours which would not generate unacceptable noise disturbance. The proposed use, in being less intensive than the existing lawful use, is likely to be less disruptive.

¹ The existing Deptford site and a site in Woolwich

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76 In light of this, officers find the impacts on neighbours to be minimal and acceptable.

7 LOCAL FINANCE CONSIDERATIONS

77 Under Section 70(4) of the Town and Country Planning Act 1990 (as amended), a local finance consideration means:

- 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
- sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy (CIL).

78 The weight to be attached to a local finance consideration remains a matter for the decision maker.

79 The CIL is therefore a material consideration, but the site would not be required to make a contribution towards CIL.

8 EQUALITIES CONSIDERATIONS

80 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

81 In summary, the Council must, in the exercise of its function, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and those who do not;
- foster good relations between people who share a protected characteristic and persons who do not share it.

82 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the decision maker, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.

83 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

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guidance can be found at: <https://www.equalityhumanrights.com/en/publication-download/technical-guidance-public-sector-equality-duty-england>

- 84 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:
- The essential guide to the public sector equality duty
 - Meeting the equality duty in policy and decision-making
 - Engagement and the equality duty
 - Equality objectives and the equality duty
 - Equality information and the equality duty
- 85 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: <https://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty-guidance>
- 86 The planning issues set out above do not include any factors that relate specifically to any of the equalities categories set out in the Act, and therefore it has been concluded that the scheme would result in no impact on equality. Officers note that one specific aim of the development would be to provide affordable workspace to local artists, which is considered to contribute towards reducing inequality within this sector.

9 HUMAN RIGHTS IMPLICATIONS

- 87 In determining this application, the Council is required to have regard to the provisions of the Human Rights Act 1998. Section 6 of the Human Rights Act 1998 prohibits authorities (including the Council as local planning authority) from acting in a way which is incompatible with the European Convention on Human Rights. "Convention" here means the European Convention on Human Rights, certain parts of which were incorporated into English law under the Human Rights Act 1998. Various Convention rights are likely to be relevant including:
- Article 9: Freedom of thought, belief and religion
 - Article 8: Right to respect for private and family life
 - Protocol 1, Article 1: Right to peaceful enjoyment of your property
 - Protocol 1, Article 2: Right to education
- 88 Under Article Eight of the Convention on Human Rights and Article One of the First Protocol to the Convention, a person is entitled to the right to respect for private and family life, and the peaceful enjoyment of property. However, these rights are qualified in that they must be set against the general interest and the protection of the rights and freedom of others. It is considered that the proposed use outweighs the guardians' right to peaceful enjoyment of the property.

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- 89 This report has outlined the consultation that has been undertaken on the planning application and the opportunities for people to make representations to the Council as Local Planning Authority.
- 90 Members need to satisfy themselves that the potential adverse amenity impacts are acceptable and that any potential interference with the above Convention Rights will be legitimate and justified. Both public and private interests are to be taken into account in the exercise of the Local Planning Authority's powers and duties. Any interference with a Convention right must be necessary and proportionate. Members must therefore, carefully consider the balance to be struck between individual rights and the wider public interest.
- 91 This application has the legitimate aim of providing artist studios and an ancillary community gallery. The rights potentially engaged by this application, including Article 9, Article 8 and Protocol 1, Articles 1 and 2. These have been carefully assessed especially the impact on the occupants' rights, and are not considered to be unlawfully interfered with by this proposal.

10 CONCLUSION

- 92 This application has been considered in the light of policies set out in the development plan and other material considerations.
- 93 The scheme would result in the temporary relocation of artist studios in Deptford to within a vacant school building within a CEZ. The Development Plan supports the principle of such schemes, and in this case, Officers would also support the principle of this development. The impacts arising to the local transport network and neighbours would be minimal and acceptable and would be likely to be less disruptive than the existing permitted use, which could recommence at any time without further planning control.

11 RECOMMENDATION

- 94 That the Committee resolve to **GRANT** temporary planning permission subject to the following conditions and informatives:

CONDITIONS

- 1) **Time Limit**
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) **Temporary Permission**
Following **FIVE YEARS** from the date of occupation for the temporary use hereby approved the building shall be returned to a state similar to as existing with all associated structures removed, so that it is capable of being used as a school.

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Reason: In order that the local planning authority may assess the impact of the use at the end of the limited period hereby permitted, in the light of Paragraph 180 of the National Planning Policy Framework (2023) and DM Policies 26 Noise and Vibration and 33 Development on infill sites, backland sites, back gardens and amenity areas of the Development Management Local Plan (November 2014).

2) **Develop in Accordance with Approved Plans**

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

- Site Location Plan;
- Block A GND (Existing);
- Block A First (Existing);
- Block A Sec (Existing);
- Block A Ground (Proposed) Rev P5;
- Block A First (Proposed) Rev P5;
- Block A Second (Proposed) Rev P5

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) **Cycle Store**

(a) Prior to first occupation the full details of the cycle parking facilities hereby approved shall be submitted to and approved in writing by the local planning authority.

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

Reason: To promote a sustainable mode of travel over the private motor vehicle and to ensure adequate provision for cycle parking to comply with Policy T5 cycling and Table 10.2 of the London Plan (March 2021) and Policy 14: Sustainable movement and transport of the Core Strategy (2011).

4) **Hours of Operation**

The gallery and exhibition space hereby approved shall be open to the public only between the hours of 11am to 5pm on Sunday to Thursday including public holidays, and 11am to 9pm on Friday and Saturdays.

Reason: In order to safeguard the amenities of adjoining occupants at unsociable periods and to comply with Policies 17, 26 and 32 of the Development Management Local Plan (2014).

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INFORMATIVES

- 1) 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, no pre-application advice was sought. However, as the proposal was in accordance with the Development Plan, permission could be granted without any further discussion.

12 BACKGROUND PAPERS

- (1) Submission Papers;
- (2) Submission Technical Reports and Supporting Documents;
- (3) Internal Consultee Responses;
- (4) External Consultee Responses

13 REPORT AUTHOR AND CONTACT

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