

Committee	PLANNING COMMITTEE C	
Report Title	ADDENDUM REPORT - THE ARCHES, CHILDERS STREET, LONDON, SE8 5PL	
Ward	EVELYN	
Contributors	Russell Brown	
Class	PART 1	29 th March 2018

<u>Reg. Nos.</u>	DC/17/103827
<u>Application dated</u>	28.09.2017
<u>Applicant</u>	Evelyn Court LLP
<u>Proposal</u>	The alteration and conversion of six vacant commercial units (Use Class B1a) into 1 x one bedroom, 6 x two bedroom and 1 x three bedroom self-contained flats, together with the provision of 4 car parking and 17 cycle spaces
<u>Applicant's Plan Nos.</u>	<p>TP/100 Rev B; TP/104 Rev B; TP/105 Rev A; TP/107 Rev E; TP/109 Rev D; TP/110 Rev E; TP/112; TP/113 Rev A; TP/115 Rev A; TP/116 Rev A; TP/117 Rev A; TP/121 Rev C; Site Location Plan; Acoustic Assessment; Design & Access Statement rev. v. 6; Flood Risk Assessment; Revised Daylighting Report; Revised Sustainability & Energy Statement; Transport Statement Received 28th September 2017</p> <p>TP/118 Rev D; TP/119 Rev D; TP/120 Rev D; Schedule of External Facing Materials Received 16th January 2018</p> <p>TP/106 Rev F; TP/123 Rev A; TP/124; TP/125; TP/126 Received 1st February 2018</p> <p>TP/103 Rev L Received 2nd February 2018</p> <p>Marketing Report & Appraisal (with Appendices) Received 1st March 2018</p>
<u>Background Papers</u>	<p>(1) Case File DE/134/D/TP</p> <p>(2) Core Strategy (June 2011)</p> <p>(3) Development Management Local Plan (November 2014)</p> <p>(4) London Plan (March 2016)</p>
<u>Designation</u>	None
<u>Screening</u>	N/A

1.0 Introduction

- 1.1 On Thursday 22nd February 2018 the current application was presented to Planning Committee B with an Officer's recommendation for approval. As part of the deliberation of the application by Members the extent and quality of the marketing of the units for commercial B1 purposes was a main area of discussion. Objections received in writing during the application and verbally in the committee by Deptford Folk further questioned the quality of the marketing and the findings of the marketing report. Following discussion Members resolved to approve the application and grant planning permission for the change of use to residential.
- 1.2 Following the committee meeting Deptford Folk wrote to Council Officers and Members to explain that the marketing appraisal as referenced in the committee meeting was not available to view on the Council's website. Once alerted to this Officer's confirmed that due to a technical issue the report had not been visible for the public to view.
- 1.3 Planning Officers took the view, following legal advice, that given the recommendation of Officers was based on a document that the public and Members had been unable to review that no formal decision should be issued. It was therefore decided to carry out reconsultation with local residents so they could have the time to view and comment of the submitted marketing information document before taking the application back to Committee B for formal determination.
- 1.4 This addendum report addresses further consultation responses following the publication of the marketing information.

2.0 Consultation

- 2.1 On Friday the 23rd February, the date after the original committee meeting, the marketing appraisal was made public, on the 1st March 2018, the marketing appraisal and appendices were made available on the Council's website for the public to view and consultation letters were resent to local residents giving 21 days for comment. The marketing appraisal and appendices is same document that was submitted for the previously withdrawn application (DC/16/096613).
- 2.2 Two further objections have been received to the application raising issues around the proposed standard of accommodation, principally outlook and also about the demand for commercial units given tenants have been found for nearby units. The objections question the effort that has been made to market the units and raises concern about how lettable they are in their current condition. It is also stated that the negligible benefit of new homes would be outweighed by the economic effect of providing new workspaces, which would improve the visual amenity and vibrancy of Childers Street.
- 2.3 The consultation period extends until the 22nd March, which is after this report goes to print; therefore any further comments will be reported to Members at the committee meeting both verbally and through a further addendum to the main report.

3.0 Planning Considerations

- 3.1 Full consideration of the application is provided within section 6 of the main report, which is appended to this report. The main report provides full consideration to both the loss of the currently approved B1 commercial use and proposed residential use.
- 3.2 In relation to the further objections received, Officers do not consider that these raise any new planning considerations, which are not covered in the main report. In relation to the standard of accommodation for the proposed units, assessment of this is within paragraphs 6.25- 6.34 of the original report and here it was found to be acceptable. The units would provide all habitable rooms with direct outlook and all units would be dual aspect, therefore Officers still consider that the units would be provided with an acceptable level of outlook.
- 3.3 In respect to the marketing evidence, this is considered within paragraphs 6.2 – 6.16 of the main report. Whilst the appraisal on which this assessment was made was not available to the public, Officers made their assessment in full consideration of the marketing appraisal. Therefore the assessment by Officers remains the same as that detailed in the main report.
- 3.4 The submitted marketing evidence demonstrates that over a number of years measures have been taken to advertise the units for rent at competitive rates without successfully securing a tenant. Whilst concern has been raised regarding the current condition of the units, Officers cannot control this and must look at the evidence provided to the marketing of the units. The submitted marketing appraisal outlines the steps taken to attract prospective tenants and reasons why the units are not suitable for offices.
- 3.5 Although objections received throughout the application process question the quality of the marketing, Officers have no evidence to dispute the information as detailed within the marketing appraisal. Officers are aware that since completion of the units, as part of a wider mixed-use development none of these commercial units have been occupied even though marketed by two different commercial agents. In addition, objections received have suggested that alternative commercial uses for the units could be found, however the application is not to consider alternative uses but to assess the acceptability of the proposed use, which is for residential units.
- 3.6 The consideration by Officers to the proposed change of use remains based on the information submitted in support of the proposal, which has not materially changed since the application was first presented to committee. Therefore, the recommendation to approve the proposed development remains unchanged.
- 3.7 During the committee on 22nd February the Presenting Officer noted that a number of the conditions proposed requested further information be submitted, should the application be approved. However following the printing of the previous report it was determined that further information received satisfied the requirements of the these conditions and therefore the information relating to materials, boundary treatment, ground levels and electric charging points were no longer requested by condition. As such this report has removed these conditions.

3.8

4.0 RECOMMENDATION A: To agree the proposals and authorise Officers to negotiate and complete a legal agreement to secure a financial contribution of £4,240 to mitigate against the loss of employment floorspace.

5.0 RECOMMENDATION B: Subject to the completion of a satisfactory legal agreement, authorise the Head of Planning to GRANT PLANNING PERMISSION subject to the conditions set out in the main committee report and those listed below.

- 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:

TP/100 Rev B; TP/104 Rev B; TP/105 Rev A; TP/107 Rev E; TP/109 Rev D;
TP/110 Rev E; TP/112; TP/113 Rev A; TP/115 Rev A; TP/116 Rev A; TP/117 Rev
A; TP/121 Rev C; Site Location Plan; Acoustic Assessment; Flood Risk
Assessment; Revised Daylighting Report; Revised Sustainability & Energy
Statement; Transport Statement Received 28th September 2017

TP/118 Rev D; TP/119 Rev D; TP/120 Rev D; Schedule of External Facing
Materials Received 16th January 2018

TP/106 Rev F; TP/123 Rev A; TP/124; TP/125; TP/126 Received 1st February
2018

TP/103 Rev L Received 2nd February 2018

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) Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the new side elevation windows for bedroom 2 of Flat 1, bedroom 1 of Flat 5 and bedroom 1 of Flat 6 hereby approved shall be fitted as obscure glazed and retained in perpetuity.

Reason: To avoid the privacy of the new residential units being compromised and to comply with DM Policies 31 Alterations/extensions to existing buildings and 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

- 4) The units shall be designed and fitted out so as to provide sound insulation against external and internal noise and vibration, to achieve levels not exceeding 30dB LAeq (night) and 45dB LAmx (measured with F time weighting) for bedrooms, 35dB LAeq (day) for other habitable rooms, with windows shut and other means of ventilation provided. The evaluation of human exposure to vibration within the

building shall not exceed the Vibration dose values criteria 'Low probability of adverse comment' as defined BS6472.

Reason: To safeguard the amenities of the occupiers of the proposed dwellings and to comply with DM Policies 26 Noise and vibration, 31 Alterations and extensions to existing buildings including residential extensions and 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).

5) (a) A minimum of 15 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) 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 6.9 Cycling of the London Plan (March 2016) and Policy 14 Sustainable movement and transport of the Core Strategy (June 2011).

6) The refuse facilities shall be provided within the development prior to occupation of the development as indicated on the plans hereby approved, and shall thereafter be permanently retained and maintained.

Reason: In order that the Local Planning Authority is satisfied with 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 Policy 13 Addressing Lewisham waste management requirements of the Core Strategy (June 2011) and DM Policy 30 Urban design and local character of the Development Management Local Plan (November 2014).

7) a) The detailed design for each dwelling hereby approved shall meet the required standard of the Approved Document M of the Building Regulations (2015) as specified in the schedule below:

Unit reference number	Approved Document M (2015) Access Requirement	Dwelling type
Unit 6	M4(3)(2)(a)	Wheelchair user (adaptable)
All other units	M4(2)	Accessible and adaptable

b) The development shall be carried out in accordance with drawing no. TP/103 Rev L hereby approved prior to their first occupation of the development.

Reason: To ensure that there is an adequate supply of wheelchair accessible housing in the Borough in accordance with Policies 1 Housing provision, mix and affordability and 15 High quality design for Lewisham of the Core Strategy (June 2011) and DM Policy 32 Housing design, layout and space standards of the Development Management Local Plan (November 2014).