



COMMUNITY COUNCILS
A voice for your community



Camberwell Community Council

Planning Agenda

DATE: WEDNESDAY

TIME: 7.00 PM

FEBRUARY 13 2008

**PLACE: COUNCIL CHAMBER, SOUTHWARK TOWN HALL,
31 PECKHAM ROAD, LONDON SE5 8UB**

1. Welcome and introductions
2. Apologies
3. Notification of any items which the Chair deems urgent
4. Disclosure of Members' interests and dispensations
5. Minutes of previous meeting – January 8 2008
6. Development Control Items
7. Closing comments by the Chair

ADDITIONAL INFORMATION

CAMBERWELL COMMUNITY COUNCIL MEMBERSHIP

Councillor Sandra Rhule *Chair*
Councillor John Friary *Vice Chair*
Councillor Dora Dixon-Fyle
Councillor Peter John
Councillor Jenny Jones
Councillor Alison McGovern
Councillor Christopher Page
Councillor Veronica Ward
Councillor Ian Wingfield

MEMBERS ARE REQUESTED TO ATTEND THIS MEETING

DATE OF DISPATCH: Tuesday February 5 2008

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the Community Council wishes to exclude the press and public to deal with reports revealing exempt information.

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of information as defined in paragraphs 1-15, Access to Information Procedure Rules of the Constitution.”

INFORMATION TO MEMBERS OF THE PUBLIC

Access to information

You may request copies of minutes and reports on this agenda.

Carers' Allowances

If you are a resident of the borough and have paid someone to look after your children, and elderly dependant or a dependant with disabilities so that you can attend this meeting, you may claim an allowance from the Council. Please collect a claim form from the clerk at the meeting.

Wheelchair access

Wheelchair access is available.

No smoking

Please note that under the Council Procedure Rule 1.1(i), smoking is not allowed at any meetings of Committees of Sub-Committees of the Council.

Language Needs

If you want information on the Community Councils translated into your language please telephone 020 7525 57187

To inform us of any special needs or requirements, such as transport or signer/interpreter, please telephone 020 752 57187

আপনি যদি আপনার ভাষায় কমিউনিটি কাউন্সিল সম্বন্ধে তথ্য চান তাহলে অনুগ্রহ করে 020 7525 0640 নম্বরে টেলিফোন করুন

কোন বিশেষ প্রয়োজন সম্বন্ধে যদি আমাদের জানাতে চান যেমন ট্রান্সপোর্ট অথবা সংকেত দ্বারা অনুবাদক/ইন্টারপ্রেটার তাহলে 020 7525 0640 নম্বরে টেলিফোন করুন

Bengali

Kendi dilinizde Toplum meclisleri hakkõnda bilgi almak için 020 7525 7514'nolu telefonu arayõnõz.

Özel gereksinimlerinizi bize bildirmek için 020 7525 7514'nolu telefonu çeviriniz.

Turkish

Haddii aad doonayso warbixin ku saabsan qoraalka Kawnsalkada Bulshada oo ku turjuman af Soomaali fadlan tilifoon u dir 020 7525 7514

Si aad noogu sheegto haddii aad leedahay baahi gaar ama wax gooni kuu ah sida gaadiid, af celiyaha dadka indha la' fadlan tilifooni 020 7525 7514

Somali

如果你需要有關社區委員會的訊息翻譯成中文，請致電提出要求，號碼：020 7525 0640

欲想通知我們你有的特別需求或需要，例如接送車輛或手語/傳譯員，請致電通知，號碼：020 7525 0640

Chinese

Se voce quiser informações nos conselhos comunitários traduzidas em sua língua por favor ligue para 020 7525 7514

Para-nos informar de quaisquer necessidades especiais ou requisitos , tipo transporte, linguagem dos sinais/ intérprete, por favor ligue para 020 7525 7514.

Portuguese

Si vous désirez avoir l'information sur les Conseils de la Communauté (Community Councils) traduite en votre langue téléphonez SVP au 020 7525 7514

Pour nous informer de tout besoin ou condition spéciale, telles que le transport ou le signataire / interprète, téléphonez SVP au 020 7525 7514

French

Si precisa información sobre los departamentos sociales (Community Councils) traducida a su idioma, por favor llame al número de teléfono 020 7525 7514

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Spanish

Item No.	Classification: Open	Date:	Meeting Name: Camberwell Community Council
Report title:		Development Control	
Ward(s) or groups affected:		All within Camberwell Community Council	
From:		Strategic Director of Regeneration and Neighbourhoods	

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

4. The Council's powers to consider planning business are detailed in Article 8 which describes the Role and Functions of the Planning Committee and Article 10 which describes the Role and Functions of Community Councils. These were agreed by the Constitutional Meeting of the Council on 23 May 2007. The Matters Reserved to the Planning Committee and Community Councils Exercising Planning Functions are described in Part 3F of the Southwark Council Constitution 2007/08. These functions were delegated to the Planning Committee and Community Councils.

KEY ISSUES FOR CONSIDERATION

5. Members are asked to determine the attached applications in respect of site(s) within the borough.
6. Each of the following items is preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. The draft decision notice will detail the reasons for any approval or refusal.
7. Applicants have the right to appeal to the First Secretary of State against a refusal of planning permission and against any condition imposed as part of permission. If the appeal is dealt with by public inquiry then fees may be incurred through employing Counsel to present the Council's case.
8. The sanctioning of enforcement action can also involve costs such as process serving, Court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal involving a public inquiry or informal hearing the inspector can make an award of costs against the offending party.
10. All legal/Counsel fees and costs as well as awards of costs against the Council are borne by the Regeneration and Neighbourhoods budget.

EFFECT OF PROPOSED CHANGES ON THOSE AFFECTED

11. Equal opportunities considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Legal and Democratic Services

12. A resolution to grant planning permission shall mean that the Head of Development Control is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the Committee and issued under the signature of the Head of Development Control shall constitute a planning permission. Any additional conditions required by the Committee will be recorded in the Minutes and the final planning permission issued will reflect the requirements of the Community Council.
13. A resolution to grant planning permission subject to legal agreement shall mean that the Head of Development Control is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the Strategic Director of Legal and Democratic Services, and which is satisfactory to the Head of Development Control. Developers meet the Council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the Strategic Director of Legal and Democratic Services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the Council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan and the determination shall be made in accordance with the plan unless material considerations indicate otherwise.
15. The development plan is the Southwark Plan (UDP) 2007 adopted by the council on July 28 2007 and the London Plan adopted by the Mayor of London in February 2004. The enlarged definition of "development plan" arises from s38(2) of the Planning and Compulsory Purchase Act 2004. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) of the Planning and Compulsory Purchase Act 2004).
16. Section 106 of the Town and Country Planning Act 1990 introduced the concept of planning obligations. Planning obligations may take the form of planning agreements or unilateral undertakings and may be entered into by any person who has an interest in land in the area of a local planning authority. Planning obligations may only:
 1. restrict the development or use of the land;
 2. require operations or activities to be carried out in, on, under or over the land;
 3. require the land to be used in any specified way; or
 4. require payments to be made to the local planning authority on a specified date or dates or periodically.

Planning obligations are enforceable by the planning authority against the person who gives the original obligation and/or their successor/s.

17. Government policy on planning obligations is contained in the Office of the Deputy Prime Minister Circular 05/2005. Provisions of legal agreements must fairly and reasonably relate to the provisions of the development plan and to planning considerations affecting the land. The obligations must also be such as a reasonable planning authority, duly appreciating its statutory duties, can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement Members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council Assembly Agenda 23 May 2007	Constitutional Support Services, Southwark Town Hall, Peckham Road SE5 8UB	[relevant Community Council officer] 020 7525 ----
Each application has a separate planning case file	Council Offices Chiltern Portland Street London SE27 3ES	The named case Officer as listed or Gary Rice 020 7525 5447

APPENDIX 1

Audit Trail

<u>Lead Officer</u>	Deborah Collins, Strategic Director of Legal & Democratic Services	
Report Author	Ellen FitzGerald, Principal Planning Lawyer (NZ Qualified) [relevant officer], Constitutional Support Officer	
Version	Final	
<u>Dated</u>	August 1 2007	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
<i>Officer Title</i>	Comments Sought	Comments included
Deborah Collins, Strategic Director of Legal and Democratic Services	Yes	Yes
Paul Evans, Strategic Director of Regeneration and Neighbourhoods	No	No
Gary Rice, Head of Development Control	Yes	Yes

MEMBERS & EXTERNAL DISTRIBUTION LIST**MUNICIPAL YEAR 2007/08****COUNCIL: CAMBERWELL COMMUNITY COUNCIL**

NOTE: Original held by Community Councils Unit; amendments to Tim Murtagh (Tel: 020 7525 7187)

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Councillor Peter John	1		
Councillor Jenny Jones	1		
Councillor Alison McGovern	1	TRADE UNIONS	
Councillor Christopher Page	1	Euan Cameron, UNISON Southwark Branch	1
Councillor Veronica Ward	1	Roy Fielding, GMB/APEX	1
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