

Case ref: 09-AP-2081 33 Nutbrook Street, SE15 4JU

I am writing to give my comments and register my formal objection to the planning application for change of use to multi-purpose community centre including place of worship (Class D1) for the reasons set out in this letter.

The site is accessed through 33 Nutbrook Street and between houses 18 and 20 Howden Street. My house is near the entrance in Nutbrook Street on the opposite side of the street. I have lived here since 1973 and am familiar therefore through personal experience with the planning history of this site since then. I have drawn on that experience in my comments.

The site

The site is locked in between peoples' houses and back gardens and has only two narrow congested entrances and exits under the bedrooms and next to the living rooms of 4 houses, two in each street:

- It adjoins the back gardens of about 60 houses. Since some of those houses are divided into flats this site affects directly even more households. There are two factory buildings one on each half of the site, with a small courtyard between them. The one at the western half was built at the same time as the houses in about 1880. The other on the eastern half was built in the 1980s. There is a walkway round the newer building between the back gardens and the factory, and there is at least one exit door from the building into that walkway. The western older building has windows that open out in to back garden space.
- It is unimaginable that such a set of industrial buildings would now be allowed in such proximity to residential housing. It is an inherited situation from the Victorian era that we have to live with. It has a history of causing problems for residents for a long time, but there was a significant improvement in the last 10 years.

The neighbourhood

This is a quiet residential area:

- The small generally 3 bedrooms terraced houses were built in the 1880s on what had been market gardens. The street pattern remains that laid out then. There was some bomb damage during the second world war. The gaps have been filled with modern houses of the same scale, except for a few small blocks built by the Council.
- Housing tenure is very mixed with owner occupiers, social housing, and private tenants. There are very long term residents and everything in between to recent ones, with overall a steady and gradual turnover down the years, and some privately rented houses with short tenancies and more rapid turnover.
- There is light traffic except at rush hours when traffic going north and south sweeps through.
- There is constant pressure on car parking spaces throughout the whole Bellenden neighbourhood. The streets affected by this proposal are on the edge of the town centre CPZ. An extension to the CPZ was locally overwhelmingly rejected a few years ago as the problem is not confined to day time but occurs throughout the day and evening and at weekends.
- The area was the subject of a ten year Housing Renewal programme through the Council's Bellenden Renewal Scheme which ended in 2007. Extensive work was done in the streets that are directly affected by this planning application.
- Our mixed locality contains residents who need reasonable peace and quiet at all times. As well as those who commute elsewhere to work and come home to rest, there are families with small children, and retired people, who are at home during the day. A number of local residents work from home, as I and some of my neighbours do, so are here during the day as well as the evenings. Others are shift workers, all can need peace and quiet at any time of the day and night.

Planning History of the industrial site at 33 Nutbrook Street

For at least the last 36 years this industrial site has caused disruptive problems for the local neighbourhood because of its location, though in the last 10 years the business process changed and the disruption was much reduced. This is explained in the attached table summarizing the planning and use history of this site. The information in the table is relevant to my following comments. The unauthorised use in April to July 2009, by the current applicant for some of the proposed uses, caused significant

problems. These were worse than those caused by the industrial use because of their very different nature.

Main reasons for objecting to the proposed change of use from B1 to D1

- * The activities and services proposed in the change of use application are in themselves worthy, but they are inappropriate in this location because the site is cramped into a quiet residential area as described above.
- * The change of use from B1 to D1 would change it from a private work space operating mainly in working hours, to a public access community social space operating in and significantly outside working hours. This change in the nature of the activities from managed work to social activities would exacerbate significantly the kinds of problems there have always been with this site, as indeed we experienced last year from April to July.
- * These problems can't be avoided with such a tight location of the whole site between some 60 residential houses, and the only two access/exit places running underneath bedrooms as well as between 4 residential houses. It is possible, as we have experienced, to manage the issues for residents arising from an industrial use. But the nature of using it as a public community social space creates management requirements which are impossible to fulfill.
- * Such a change of use would cause a significant loss of residents' amenity through increased noise, reduced security, increased traffic and pressure on parking.
- * there are already a significant number of public venues in the immediate area and no room for any more.
- * The benefits to the neighbourhood of the proposed activities appear to be low and would be far outweighed by the loss of residents' amenities.
- * There are alternative uses for the site that are less disruptive and more beneficial for the area.
- * It is premature to change the use of this site losing industrial land while these matters are being considered in the preparation of the PNAAP.

These and supplementary reasons are explained below.

Noise

- * Noise would be created on the site by church services and social activities inside the eastern building, and community activities inside the western building, affecting the houses adjoining the site all the way round in the 4 streets. The applicant has included in their application an engineer's insulation report for the newer eastern building. But there are concerns as to whether these proposals can be taken as adequate for understanding the noise issues and if they can be resolved.
 - There does not seem to be a costing for the proposals, nor indication as to likely implementation.
 - The experience of residents is that the exit door has always been used for ventilation, in spite of good ventilation equipment. That would interfere with insulation attempts to stop noise escaping from the building.
 - In turn the ventilation equipment necessary, because of the need, I assume, to reduce noise escaping through windows itself, has previously caused significant problems from noise and vibration. This was cured only when the factory came under very professional management which ensured excellent maintenance and renewal of the equipment.
 - The author of the Acoustics Survey is not an accredited Member of the Institution of Acoustics <http://www.ioa.org.uk/> which I understand is the industry body recognised by professionals in acoustic environmental analysis.
- * There is no insulation report for the other older building on the western half of the site. Yet there are noise issues from those uses too and residents report from the time of the factory experience that noise travels through the walls. In some places residents say that noise also travels through windows, which clearly are needed for ventilation and cannot be kept closed.
- * Adults & children congregating on the site will naturally socialize informally in the open air in the courtyard & the alleyway entrances, and in the streets where the entrances and exits are. But this creates noise nuisance:
 - The sounds from this impact directly on residents because the site is embedded in the domestic residential surroundings, Also this kind of sound from inside the site carries clearly and loudly out into the street into the public highways as I know because I could hear it inside my own house a few doors away on the other side of the street from the 33 Nutbrook St exit, last year when the church was operating.
 - To control these open air noises the applicants propose an event management programme which is not yet complete and which seems to be more appropriate to a public events activity in a town centre but not to a site

squashed behind people's houses and back gardens and in narrow quiet residential streets. It is an indication of the inappropriateness of this use in this location to have to employ such management methods. And there is no certainty, even if they were desirable, that they could be successful given the domestic and residential setting.

- The extent of the proposed detailed management indicates that significant problems are recognised, but how realistic is it to try to control people socialising outside buildings? Moreover it is likely to create significant continuing scope for conflict reported to the Council, which would have little obvious practical remedy.

Reduced security

* *intrusive overlooking of gardens & back rooms:* This was a very severe problem last year when the church was operating.

* *access for burglars :* As a well managed industrial site the gates were kept locked, and the site was private and not public space. To change this into a site where the public has access and the gates are not permanently and continuously monitored will reduce the security of all the houses that back onto the site, especially those on the eastern half of the site where there is a walkway around the building. Although they say the gates will be locked, how realistic is this? They were often open during the operations last year, and the nature of the activities on offer to the public seems to require the gates to be open.

* *fire safety :* With public access to the site and lots of children, and only two congested exits in the middle of the large site, this seems to require a professional fire risk assessment This is not included in the application papers. But if they were successfully to be kept locked as is proposed, and required for security, then this seems to create a real fire hazard, putting at risk not only all the people in the facility at any time but all the residential houses adjacent to it. As previous applications for change of use have been refused on fire risk grounds this seems a significant reason for this being an inappropriate change of use.

Traffic, Parking & Travel Plans

* On some occasions there was disruption of traffic in Nutbrook Street as cars and people arriving greeted each other in the street. I attach some photos of one such occasion with traffic backed up on both sides of the entrance along Nutbrook Street.

* There would be increased numbers of cars needing to park at any time of day and evening 7 days a week, but it is not clear quite what these numbers are likely to be. There are said to be 50 church members though difficult to see how this number could be restricted at that level, and monitored by the Council. There appear to be no clear estimates of people travelling to the site for all the other activities which are flexible and not predictable enough because of the wide range of activities mentioned and the wide remit of a 'multi-purpose community centre'. These include the offer of 'large halls for functions' which together with the church services would result in large influxes of traffic and parking at particular times.

* The application described the area as 'not heavily parked'. This is totally contrary to the experience of residents and visitors who have to search for parking places during the day and evening, and weekends. This is a problem shared throughout the Bellenden neighbourhood as we all know. Pressure in one street can quickly have knock on pressure on neighbouring streets. This is particularly so in these streets which already have two churches on them - one on the corner of Waghorn and Nutbrook Street, and the other on the corner of Waghorn Street and McDermott Read. Another church so close competing for parking spaces would be intolerable.

* The travel plans seem to encourage car traveling by assuming cars could be easily parked in the nearby streets or in the local car parks. This does not seem to be compatible with the Councils' policies on sustainable travel.

Impact of the saturation of the neighbourhood with public venues

* This very small area of our local Bellenden neighbourhood already has a significant number of venues attracting the public from wide areas into our local residential streets.

Within one to three minutes walk from the entrances to the factory site there are:

- Church at the Nutbrook St junction with Waghorn Street,
- Church at the other end of Waghorn Street at the junction with McDermott Road,
- Primary school at the end of Waghorn Street
- Muslim Women's' Association centre at the old Bellenden School, at the Maxted Road/Bellenden Road junction
- Other educational and youth services in the same building.
- Faith Chapel at the same junction.

- Church in Amott Road just behind Nutbrook Street.

About 5 minutes walk away there are:

- the Choumert Grove mosque & Peckham Islamic Centre,
- the Thomas Calton educational and community Centre in Alpha St,
- the Copleston Centre which houses three different churches with different services, and a community centre
- St John's Primary school on Adys Road
- St John's church at Goose Green
- Goose Green Community Centre
- All Saints church at Blenheim Grove,
- The UCKG church being built on the Bellenden side of Rye Lane which we are told will house a 600 congregation.

* All of these venues bring people, activity, traffic and more parking from outside the neighbourhood into the local streets right in front of our windows and in some cases our back gardens. There is no more room for any additional public venues.

Is there a local need for the offered services?

* There is no clear description of the services to be offered, how they will be managed and developed, and how they relate together. The information seems to be:

- a table of 'Programme of activities' on page 8 of the Transport Statement.
- a list of activities in a statement that last summer residents were asked to sign to show they wanted those services, and 9 of which have been submitted with the planning application as 'Statements of support for proposed use of space at 33 Nutbrook Street'.
- A list of activities on a large notice board that was placed on the pavement outside the Nutbrook Street open entrance last year when they operated without planning permission. I attach a photograph showing the location, and a close up showing the list. This includes 'large halls for functions'.

* There is no indication that there has been any research into what is currently available locally and what the demand is for such services locally. The only material offered in support of the need seems to be the nine forms in the document Statements of Support. When visiting local residents about the planning application I found that, of these nine, two were writing letters of objection, one was opposed to some of the activities and thinking of writing objecting, two were short term tenants (18 Howden St) who have now left the area, two were not available, one was rethinking it now that there were planning issues to consider, one supported. The problem is that this kind of material is not adequate to demonstrate need and benefits.

- The proposed uses give the impression more of being what in the abstract can be added on to using the premises for a church, rather than what is needed. For example it proposes an after school club for Bellenden primary school. But local parents and governors of the school who are directly affected by this planning application have said in their submitted comments on it that they know nothing of it and that it is not needed as the school has a very good after school club.

* As the list above of local public venues in the immediate vicinity shows, there are many and a variety of community facilities available in the immediate vicinity. The provision of more needs careful local research and analysis. The Bellenden school example shows that this has not been done.

* The offer of 'large halls for functions' is completely incompatible with the residential nature of the location, and addresses a wide public need and not one for these streets. It does not appear in the list of programmed activities as it is not a programmed activity. But it features in the applicant's intentions. Even if this use was disallowed by imposed conditions it wouldn't be possible for the Council to monitor all the social uses to ensure that any restrictive conditions were enforced.

Peckham & Nunhead Area Action Plan (PNAAP)

The PNAAP is now being prepared, and includes within its boundaries this site and surrounding streets.

- Throughout the UDP consultations I and others locally have suggested that the PNAAP should provide for the industrial backlands such as this site to be encouraged to be retained as industrial. We have always been told that this would be considered in the preparation of the PNAAP.
- I understand that the Peckham Area Action Plan SPG, para 2.6.1, says that because there are so many churches in Peckham town centre it is unlikely that new churches will be permitted.

Given these matters, it is premature to decide this change of use now.

Alternative uses for the site

There are several alternative uses that local residents have been discussing for many years. If the development company that bought the land had been willing to respond to our requests for discussions, we would have been able to explore these in detail with them. These alternatives include:

*** Industrial:**

- **Managed work units.** Conversion, and management by an appropriate organisation either employed by the current owners or by a different developer or company specialising in converting and managing such work places. Anecdotally there is much evidence that small work units - studios, offices, workshops - are in increasing demand in Peckham and adjacent areas. This fits well with what has been said in the PNAAP to preserve these kinds of industrial and employment sites in the residential areas, and to help in the regeneration of Peckham.
- **Archival warehouse.** Suitable for storing business or academic or museum archives. Minimal industrial activity would make this compatible with residential area.
- **Secure premises** for a business with valuable products or products that are socially and environmentally valuable but currently need secure but less expensive storage.

* **Development Trust** for community ownership of the site to sell off over time to adjacent property owners for extending their property. This is probably the most preferred outcome but the economics and financial feasibility need to be explored.

* **Housing.** This may be ruled out because of inability to get fire engines on site.

If this planning application is refused, we would like to ask the Council that they work with us to encourage the development company that owns the site to discuss with the Council and with us the future uses of this site. The aim would be to define the uses that would be compatible with the residential nature of the area and its particular difficult location embedded amongst the houses, and how we could encourage such a suitable use to be found.

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Attachments:

Planning History of the industrial site at 33 Nutbrook Street

6 photos of The Redeemed Assemblies activities in Nutbrook Street

Planning History of the industrial site at 33 Nutbrook Street

* **From c1880** when the houses were built we understand the site was used as a laundry. I do not know when that use ceased - possibly during the war. At some stage it began to be used by a builders' plant hire firm.

* **Pre-1973 - c1980/81** When I came to live here in 1973 the site was used by Campbell Gray, a company hiring out builders' heavy equipment including mobile caravans, cement mixers and fork lift vehicles. There were serious noise and traffic problems on the site and in the streets. Cars parked in the street were damaged by delivery trucks, including my own car. The whole experience was unbearable to us all and the owner sold the site and buildings to a printing company Trademasters Ltd sometime in 1980/81

* **1980/81 - 2007** The use of the site evolved during this time, when it was occupied by Trademasters which became known as TM Ltd.

* **early 1980s** In the first few years, the new owners obtained planning permission against residents' objections to erect a new additional building on the eastern half of the site. That had been an open space until then where the plant hire firm had cleaned and stored its machinery, causing severe disturbance to the adjoining houses. Conditions were imposed on the use of the new building to control the disturbance to residents.

* **up to sometime in 1990s:** There were several problems in subsequent years which showed that such planning conditions do not necessarily work in controlling loss of amenity.

- the ventilation equipment installed on the building caused for many years severe noise disturbance to the adjacent houses. It was eventually, but not for a long time, brought into a bearable situation.
- the older original building on the western part of the site was hired out to two other companies. TM their landlords were unable to control the behaviour of those companies and their workers who for many years caused severe problems with noise and conflict with residents because of noise from the site and their access and exit through 33 Nutbrook St, and between 18 & 20 Howden St, into the street.

* **during the 1990s** TM became more successful and took over the western building themselves and the business expanded into the whole site.

- As a more successful company they were hiring more professional managers, and the management of the business, the site and its interaction with residents improved, though there continued to be some noise and disturbance problems from time through the use of both buildings and the access and exit activities.
- TM applied for planning permission to build a second floor on the new building but this was refused.
- The owner applied more than once for permission to replace the factory with housing. This was refused because of fire & safety risks from the small access and exits.

* **towards the end of the 1990s** The company was moving into digital printing and removed all the heavy printing machinery and the site became much more like an office administrative activity where the work was designing and digital printing covers and flyers for the entertainment industry. The disruptive effect of the factory on local residents reduced after this.

* **c2002** The owner who had started the business sold the land and no 31 Nutbrook St (residential house) to Chartlodge Limited, a development company, and sold the business and the lease to the by then professional managers of the company TM Ltd (a management buyout). I personally tried to make contact with Chartlodge, the new development company owners, to try to establish good relations with them on behalf of local residents, but they were uncooperative.

* **c2004/5** The TM business was bought by a global corporate company

* **2007** The lease came to an end and the new TM owners moved the business to merge with one of their other sites. Again I tried to contact Chartlodge the development company owners through the agents and they were still uncooperative. The site remained unoccupied until April 2009.

* **2009 April.** The Redeemed Assemblies took the lease of the site and immediately started their activities for which they had no planning permission. From these activities residents suffered serious problems from noise, activity, disturbance, traffic and car parking. The Council issued an Enforcement Notice and Stop Notice which took effect in July 2009.