

LOCAL PLANNING COMMITTEE 25 March 2025	Agenda Item: 7 Reference No: 24/2652/F Web Link: Web documents
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Applicant: Mr Sokoli
Agent: Kingsbury Plans and Design

Site Address: 108 Woolwich High Street, Woolwich, London, SE18 6DN	Ward: Woolwich Arsenal Application Type: Full Planning Permission
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ADDENDUM

This Addendum Report is to reflect additional consultation response received since the publication of the Committee report, namely the Councils licensing team. This response is included in full below in the report. The relevant changes to the Committee Report and its Appendices are indicated in ~~strike through~~ for deletions and in **bold** for additions, as set out below.

1. Recommendation

1.1 That Full Planning Permission be **GRANTED** for:

“Retrospective application for rear extension with raised height, internal structural alterations, and removal of unlawful seating enclosure to reinstate garden space with outdoor restaurant seating”

1.2 Subject to the conditions set out in Appendix 2.

1.3 To Authorise the Assistant Director (Planning & Building Control) to:

- i. Make any minor changes to the detailed wording of the recommended conditions as set out in this report (Appendix 2), where the Assistant Director (Planning & Building Control) considers it appropriate, before issuing the decision notice.

2. Changes to Section 6 (consultation) of the Committee Report

2.1 Section 6.7 of the Committee Report is amended to now read:

Details of Representation and date received	Summary of Comments	Officers' comments
Conservation:	<p><i>Description of site and proposal</i></p> <p><i>This is a retrospective application for a raised extension with a raised height, internal structural alterations, and removal of unlawful seating enclosure to reinstate garden area with outdoor restaurant seating.</i></p> <p><i>108 Woolwich High Street is in a prominent position within the street scene due to its corner location with its front and side elevation being visually dominant within the three-storey building. The locally listed late Victorian/early Edwardian building includes an early single storey to the rear. In addition, the unauthorised work includes two further single storey extensions adjoining the original rear extension.</i></p> <p><i>The application has no impact from the public domain.</i></p> <p><i>Relevant Legislation, Policies and Guidance</i></p> <p><i>Of particular importance is the Planning (Listed Buildings and Conservation Areas) Act 1990. Para 72(1) requires local</i></p>	<p>The design and heritage impacts of the proposal are assessed within section 10 of the report below.</p>

	<p><i>planning authorities to pay special attention to pay special attention to the desirability of preserving or enhancing the character and appearance of a conservation area.</i></p> <p><i>Policy HCI of the London Plan (2021) states ‘Development proposals affecting assets, and their settings, should conserve their significance, by being sympathetic to the assets’ significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also actively managed.</i></p> <p><i>Development proposals should be avoiding harm and identify enhancement opportunities by integrating heritage considerations early in the design process’.</i></p> <p><i>Policies DH3 and DH(i) of the Royal Greenwich Local Plan: Core Strategy with Detailed Policies (2014) sets out the framework for decision making in planning applications relating to listed buildings.</i></p> <p><i>A core principle of the National Planning Policy Framework 2024 (NPPF) is heritage assets to be conserved in a manner appropriate to their significance. Chapter 16, paragraphs 202 - 221</i></p>	
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	<p><i>set out how potential impacts on heritage assets shall be considered. This assessment takes account of the relevant considerations of these paragraphs, including para 203 of the NPPF which requires the significance of heritage assets to be sustained and enhanced and para 212 of the NPPF requiring great weight to given to the asset's conservation. Also relevant in this instance is para 213 of the NPPF , which requires clear and convincing justification for any harm to, or loss of, the significance of a designated heritage asset and para 215 of the NPPF ,which address harm, specifically where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset , this harm should be weighed against the public benefit of the proposal including, where appropriate, securing its optimum viable use.</i></p> <p><i>Comments on proposed alterations</i></p> <p><i>The unauthorised two structures consume most of the rear space and represent over-development of the site. The proposal includes the removal of the furthest addition and the</i></p>	
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	<p><i>retention of the extension nearest to the host building.</i></p> <p><i>The retrospective application accords with the above legislation and policies. I therefore recommend approval of the application.</i></p> <p><i>Conclusion and Recommendation</i></p> <p><i>The removal of the rear extension is supported and will provide an open space which is appropriate for such a large original garden area. In my view the retention of the extension nearest to the host building will not be detrimental to the character and appearance of the locally listed building or conservation area.</i></p>	
<p>Environmental Health - Noise:</p>	<p><i>With regards to the above case, the only observation would be any potential noise from the outdoor seating area affecting receptors. This should be appropriately managed by a management plan.</i></p>	<p>The noise related impacts are assessed within the impact on neighbour amenity section of the report below within section 11.</p>
<p>Environmental Health - Contaminated Land:</p>	<p><i>On reviewing the information on the RBG Planning Portal – I have no further comment – other than an informative should be applied for the duration of the development:</i></p> <p><i><u>3. Unsuspected Contamination</u></i></p>	<p>Taking in account the retrospective nature of the application, the implementation of the suggested conditions relating to land contamination and a construction management plan is</p>

	<p><i>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.</i></p> <p><i>Reason: to ensure that environmental and health risks have been satisfactorily managed so that the site is deemed suitable for use; in accordance with the aims of the National Planning Policy Framework (NPPF); and with Policies (E) of the Royal Borough of Greenwich Local Plan: Core Strategy with Detailed Policies (2014); and the Mayor's London Plan (2016) Policies 5.21 Contaminated Land and 5.22 Hazardous substances.</i></p> <p><i>I would also advise that RBG Building Control are contacted for any S. 81 Notice requirements prior to demolition e.g. for matters attaining to potential asbestos</i></p>	<p>considered onerous in this instance.</p>
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	<p><i>in buildings - asbestos survey and removal by qualified persons; and in addition, structural/foundation aspects. Please note I have included my colleague Mark Edwards on this email, who may wish to comment on acoustics and other aspects pertaining to the CMP.</i></p> <p><i>Please note, the above is subject to any provisions RBG Planning/Building Control, or the Environment Agency may have attaining to this site and other conditions.</i></p>	
<p>Licensing (summarised):</p>	<p><i>Osiris was granted its premises licence on 13 June 2023 and opened 1st July 2023.</i></p> <p><i>It has previously operated as ‘The Courtyard’ under different management and had been troublesome, both in terms of playing loud amplified music and with regards to planning issues in respect of its rear terrace structure.</i></p> <p><i>Prior to that, the premises had been known as ‘Oasis Restaurant’, until November 2020 when the operator surrendered its licence.</i></p>	<p>These comments are noted and are addressed within section 3 of the addendum report below.</p>

	<p><i>There are four conditions attached to the Osiris licence that are pertinent to the rear or 'lower' terrace.</i></p> <p><i>These are to be found in Annex 2 at Conditions 18, 19, 20 and 24, which essentially prohibit the terrace's use after 21:00 daily and allow for background music only.</i></p> <p><i>Following the grant of the premises current licence, officers visited Osiris on a total of 12 night-time occasions between July and December 2023.</i></p> <p><i>There were no issues observed during any of those visits, with (for example) the rear terrace always being found closed-off and empty. I have not had occasion to revisit.</i></p> <p><i>Complaints have been received from nearby residents which principally relate to loud and intrusive music.</i></p> <p><i>These complaints were also received when the premises was used as 'The Courtyard'. However, the complaints received during this time were justified.</i></p>	
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	<p><i>However, in terms of the current licensee, no such music was witnessed at any of the licencing visits.</i></p> <p><i>The background volume measured at nearby owner/occupiers during these visits was barely audible.</i></p> <p><i>Community Protection have also been called out during this time and I am aware that perceived noise nuisance assessments have been made from inside nearby properties.</i></p> <p><i>In each case, it was determined by CPT officers that there was no statutory nuisance pursuant to the Environmental Protection Act 1990, nor was music even audible within the property.</i></p> <p><i>Officers have reminded the licensee of their responsibilities after my CPT colleagues advised that music was “slightly” above background, although far from being loud.</i></p> <p><i>To the absolute best of my current knowledge, only</i></p>	
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	<p>one nearby owner/occupier has made noise complaints.</p> <p>The current licensee has mentioned from the outset that he intended to soundproof the rear ('lower') terrace.</p> <p>The Licensing Team have no objection to his planning application 24/2652/F but would support the three conditions that I have highlighted in bold text below.</p>	
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3. Changes to Section 11 (Impact on neighbour) of the Committee Report to include assessment of the comments received by the Councils licensing team

3.1 The Councils assessment within the main committee report concludes that the proposed development would not have excessive noise impacts on adjacent occupiers. This position is supported by the comments received by the Councils licensing team as outlined above.

3.2 The licensing team confirm that under previous ownership when the premises was called 'The Courtyard', there had been several issues relating to the playing of amplified music from the site. Several objections also raised issue with historic noise nuisance operation from the site from the previous ownership. The licensing team have confirmed that noise complaints from the time the site was operated by the previous ownership were justified.

3.3 Since operation of the site under the current name of 'Osiris' by the applicant, the licensing team have conducted 12 night-time visits between July and December 2023 with no issues being observed during any of these visits.

- 3.4 Whilst noise complaints have continued during the tenure of the current occupier, the licensing team have confirmed that none of these complaints have been justified to date with no music that would be excessively audible from the complainants premises being found.
- 3.5 On other occasions, the Community Protection Team have been called out to the premises and noise nuisance assessments have been carried out on at least four separate occasions and each time no statutory nuisance pursuant to the Environmental Protection Act 1990 was observed. It was also confirmed that the complaints have largely been made from one address as opposed to a number of addresses from adjoining owner/occupiers
- 3.6 The response from the licensing teams confirms that the existing occupiers of the site and the applicant are operating the premises in a neighbourly way.
- 3.7 As emphasised within the main committee report, this application allows the Council to have far more control over the current unregulated area to the rear of the site and through the conditions relating to noise control and hours of operation would further ensure that the site continues to operate in a way that would not result in an unacceptable impact on the amenity of adjoining owner/occupiers.
- 3.8 The licensing team conclude they have no objection to the proposed development and support the conditions imposed relating to the hours of use for the outdoor restaurant seating area, the prohibiting of any outdoor sounds or live music and the requirement for the retained extension to be soundproofed.
- 3.9 It is noted that the current licence for the premises allows the use of the rear courtyard area to be used until 21.00 each day. Whilst this is in excess of the current recommended condition (no.6) which only allows the use of this area up until 19.00 each day, it is considered that the current condition recommended is suitable for the application site given the close proximity of adjoining owner/occupiers to the application site.

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