

Burgess Business Park – Appeal Inquiry Explainer August 2019

Friends of Burgess park have worked with other local groups (listed below) to firstly oppose the planning application which was refused by the council and then take part in the planning appeal

We have worked with the groups to prepare the papers for the appeal working with Southwark Law Centre.

The appeal begins Wednesday 21st August 10am at 160 Tooley St (Southwark Council offices SE1 2TZ). Anyone can attend and be in the audience at the inquiry.

The proposed timetable for the inquiry is:

Day one (Wednesday 21st):

- Formal presentation of evidence on density/ standard of accommodation

Day two (Thursday 22nd):

- Formal presentation of evidence on employment land

Day three (Friday 23rd):

- Formal presentation of evidence on accessibility

Day four (Tuesday 27th):

- Round table discussion on design/ character and appearance
- Accompanied site visit

Day five (Wednesday 28th)

- Round table discussion on living conditions
- Round table discussion on housing land supply/ affordable housing
- Round table discussion on conditions and Planning Obligation (if there is time)

Days six and seven (Thursday 29th and Friday 30th):

- Formal presentation of evidence on planning policy and the planning balance
- Round table discussion on conditions and Planning Obligations (if not dealt with or completed on day five)
- Closing submissions

We (a group of organisations listed below) have obtained Rule 6 (i.e. interested party) status on behalf of a number of local groups in relation to the planning inquiry to be held into the appeal against the Council's decision late last year to refuse planning permission for redevelopment of Burgess Business Park, in Camberwell.

The appeal has been recovered to be determined by the Secretary of State because, in his words, it “involves proposals for residential development of over 150 units... which would significantly impact on the Government's objective to secure a better balance between housing demand and supply...”. This means the planning inspector, hearing the appeal, will write a letter of recommendation, but it remains for the Secretary of State to decide the matter as he chooses. Of the approximately 12,000 planning appeals per year, only 40-60 will be recovered for the Secretary of State's own determination. It is therefore a rare case. I don't have detailed information but it is at least 10 years, possibly significantly longer, since the Secretary of State recovered an appeal against refusal of planning permission in Southwark.

We have crowdfunded close to £6,000 on crowdjustice.com. This will pay for our barrister and the expert witnesses we have instructed. On 24th July we submitted six proofs of evidence to the planning inspector, and served these on the two main parties. We are currently making our way through the thicket of evidence from the appellant (well over 1000 pages) and that of the Council.

The reason the community were so keen to be involved is that although the Council are defending the decision to refuse planning permission, they are only doing so on a narrow basis: they are only defending the decision on the basis of (1) density and design issues, and (2) the loss of employment land. As a result of our involvement, the following other issues have been added to the agenda:

- (3) Townscape (including ecology impacts on Burgess Park);
- (4) Transport and accessibility;
- (5) Local amenity (including daylight/sunlight);

Our case on issue (2) is different to that of the council because we focus on the fact that the employment land that would be lost is *industrial* employment land.

The organisations who are members of the Rule 6 party:

- Wells Way Triangle Residents Association
- Friends of Burgess Park
- VitalOKR
- 35% Campaign
- The Camberwell Society
- Brunswick Park TRA

Southwark Law Centre is acting pro bono.