

Planning Committee

Tuesday 4 December 2018

6.30 pm

Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Martin Seaton (Chair)
Councillor Lorraine Lauder MBE (Vice-Chair)
Councillor James McAsh
Councillor Hamish McCallum
Councillor Adele Morris
Councillor Jason Ochere
Councillor Cleo Soanes
Councillor Kath Whittam

Reserves

Councillor James Coldwell
Councillor Tom Flynn
Councillor Renata Hamvas
Councillor Darren Merrill
Councillor Jane Salmon

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

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

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Virginia Wynn-Jones on 020 7525 7055 or email: virginia.wynn-jones@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 26 November 2018



Planning Committee

Tuesday 4 December 2018

6.30 pm

Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
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PART A - OPEN BUSINESS

PROCEDURE NOTE

1. APOLOGIES

To receive any apologies for absence.

2. CONFIRMATION OF VOTING MEMBERS

A representative of each political group will confirm the voting members of the committee.

3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

5. DEVELOPMENT MANAGEMENT

3 - 7

5.1. 78-94 ORMSIDE STREET, LONDON SE15 1TF

8 - 71

ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

EXCLUSION OF PRESS AND PUBLIC

The following motion should be moved, seconded and approved if the committee 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 exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

PART B - CLOSED BUSINESS

ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 26 November 2018



Planning Committee

Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site).
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) The members of the committee will then debate the application and consider the recommendation.

Note: Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

The arrangements at the meeting may be varied at the discretion of the chair.

Contacts: General Enquiries
Planning Section, Chief Executive's Department
Tel: 020 7525 5403

Planning Committee Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 5485

Item No. 5.	Classification: Open	Date: 4 December 2018	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

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 Part 3F which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
 - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
 - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are 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. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
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 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 budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning 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 director of planning 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 planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning 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 director of law and democracy, and which is satisfactory to the director of planning. 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 director of law and democracy. 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. 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) Planning and Compulsory Purchase Act 2004).

15. 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, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the 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) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation 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.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Virginia Wynn-Jones 020 7525 7055
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	The named case officer as listed or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services		
Report Author	Virginia Wynn-Jones, Principal Constitutional Officer Jon Gorst, Head of Regeneration and Development (Legal Services)		
Version	Final		
Dated	26 November 2018		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Director of Law and Democracy	Yes	Yes	
Director of Planning	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		26 November 2018	

ITEMS ON AGENDA OF THE PLANNING COMMITTEE
on Tuesday 4 December 2018

Appl. Type Full Planning Application
Site 78-94 ORMSIDE STREET, LONDON SE15 1TF

Reg. No. 18-AP-1049
TP No. TP/2407-94
Ward Old Kent Road
Officer Patrick Cronin

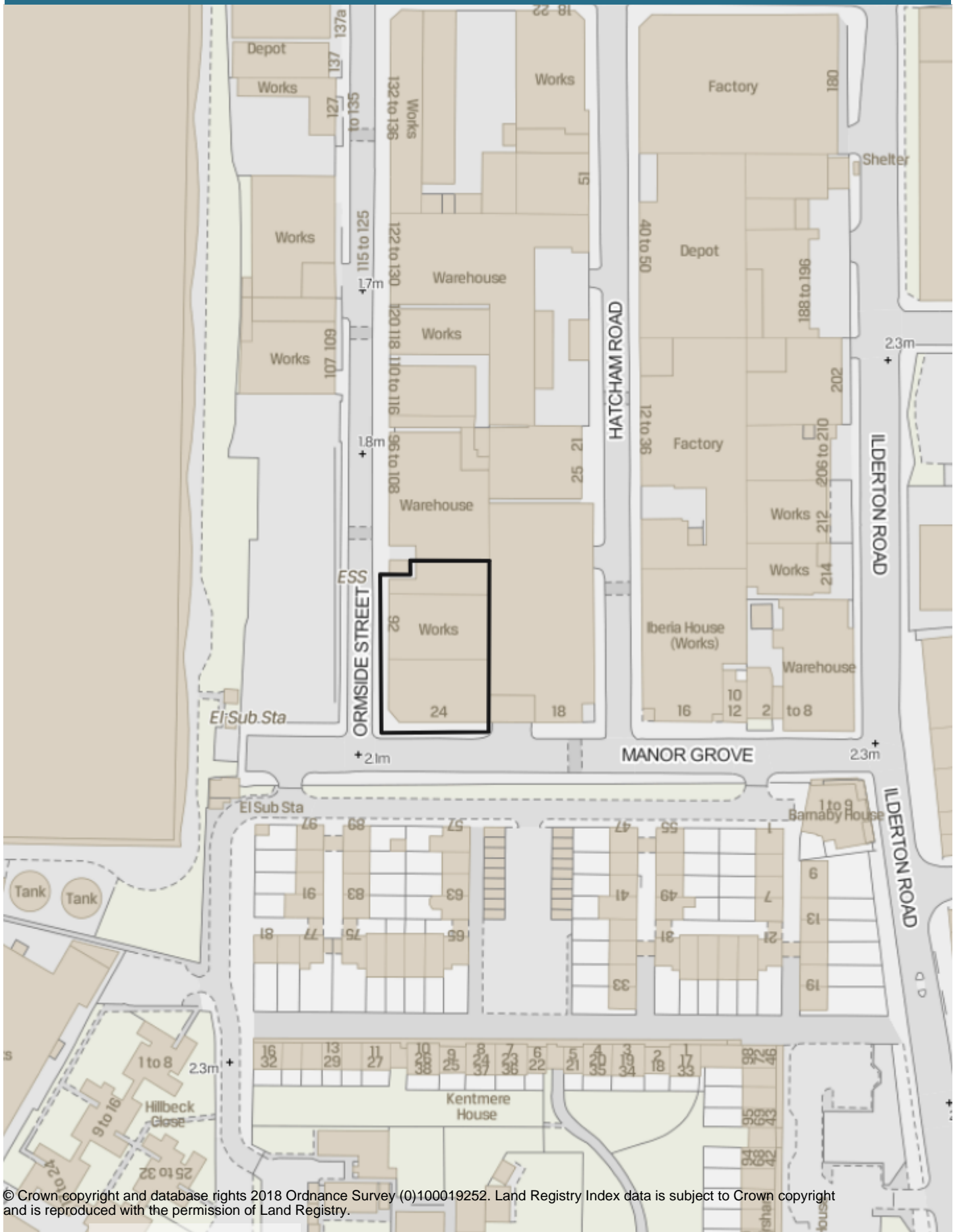
Recommendation GRANT SUBJECT TO LEGAL AGREEMENT

Item 5.1

Proposal

Redevelopment of the site, involving the demolition of existing buildings and structures, to deliver a mixed use building of up to nine storeys (ten storeys including the mezzanine at entrance level) plus rooftop plant. The building will comprise 2058 square metres of new and replacement commercial floor space (Class B1) together with 56 residential units (Class C3) and will include the creation of a new basement, hard and soft landscaping, reconfigured servicing arrangements and other associated works.

(This application represents a departure from Strategic Policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).



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50m

Scale = 1250

22-Nov-2018

Item No. 5.1	Classification: Open	Date: 4 December 2018	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 18/AP/1049 for: Full Planning Application Address: 78-94 ORMSIDE STREET, LONDON SE15 1TF Proposal: Redevelopment of the site, involving the demolition of existing buildings and structures, to deliver a mixed use building of up to nine storeys (ten storeys including the mezzanine at entrance level) plus rooftop plant. The building will comprise 2058 square metres of new and replacement commercial floor space (Class B1) together with 56 residential units (Class C3) and will include the creation of a new basement, hard and soft landscaping, reconfigured servicing arrangements and other associated works. (This application represents a departure from Strategic Policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 06/04/2018		Application Expiry Date 06/07/2018	
Earliest Decision Date 20/06/2018		Committee Date 04/12/2018	

RECOMMENDATIONS

1. That full planning permission be granted for 18/AP/1049, subject to conditions and the applicant entering into a satisfactory legal agreement.
2. That in the event that the legal agreement is not entered into by 4 April 2019 the Director of Planning be authorised to refuse planning permission for 18/AP/1049, if appropriate, for the reasons set out in paragraph 192 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site is a rectangular-shaped plot of land comprising a two-storey flat-roofed vacant warehouse building with a small single-storey element to the rear. The last lawful use of the building was a print works with ancillary office (Class B1). Of post-war utilitarian character, the concrete framed-building has two frontages, one on Manor Grove and one on Ormside Street. The site also contains a narrow strip of tarmacadam forecourt which stretches the full length of the building's two frontages and is used for informal off-street parking.



Figure 1: The existing warehouse building, at the junction of Ormside Street and Manor Grove.

4. The site is bounded along its northern edge by no. 96-108 Ormside Street, a part single-storey, part-two-storey warehouse building (Class B1) with a small single-storey substation that abuts the application site. Currently occupied by a cooperative, no. 96-108 Ormside Street is used as a creative and social centre offering meeting facilities and spaces for screenings and talks.
5. The application site is bounded along its eastern edge by no. 18 Manor Grove, a two-storey industrial building with ancillary office (Class B1) currently occupied by a powder coatings service provider. The building fronts Manor Grove to the south and Hatcham Road to the east.
6. To the west, the application site is bounded by the highway of Ormside Street, on the opposite side of which is a fenced yard from which the Hi-Lo Scaffolding company operates. Aside from two stacked portakabins, the yard contains no buildings or structures.

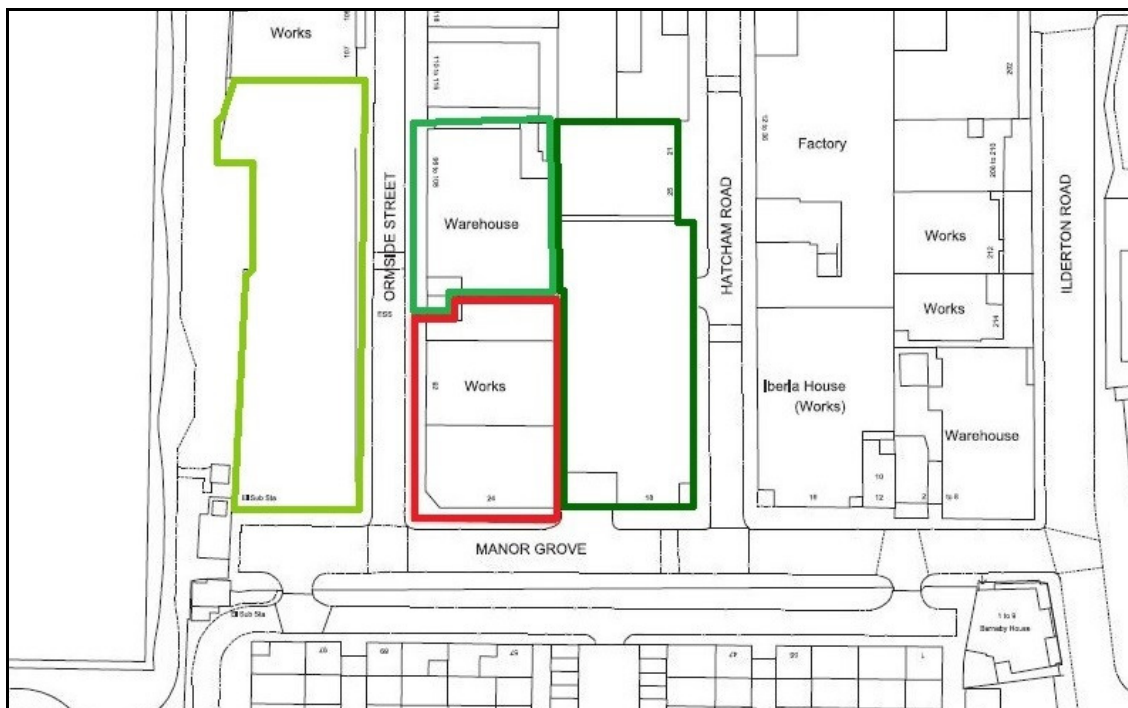


Figure 2: Plan showing the site edged in red. Edged in dark green is no.18 Manor Grove; in mid-green is no. 96-108 Ormside Street; in light green is the site of the Hi-Lo Scaffolding Co.

7. To the south, the application site is bounded by the highway of Manor Grove, beyond which are nos. 1-97 Manor Grove, a group of two-storey rowhouses arranged around and accessed off a series of pedestrianised lanes.
8. The Hatcham Road industrial estate, comprising mainly commercial and light industrial uses within a range of yards and low rise buildings, forms the site's wider context to the north, east and west. Within the industrial estate there are also a number of artists' studios and creative workspaces, as well as two lawful places of worship (one temporary and one permanent). The wider context includes the Southwark Integrated Waste Management Facility to the east, the Tustin Estate and Pilgrim's Way Primary school to the south, and Ilderton Road to the west with its numerous commercial and residential premises.
9. The site is located within the:
 - Urban Density Zone;
 - Old Kent Road Opportunity Area;
 - Old Kent Road Preferred Industrial Location;
 - Bermondsey Lake Archaeological Priority Zone;
 - Air Quality Management Area;
 - CIL Charging Zone 2;
 - Flood Zone 3 (area benefitting from flood defences), and;
 - East Southwark Critical Drainage Area.
10. The site is located neither within nor close to a conservation area. The nearest listed building is the Grade II Gasholder at the Old Kent Road former gasworks, situated approximately 250 metres to the east of the application site.
11. The site is located neither within any of the London View Management Framework's protected vistas nor within any of the borough views set out in the Proposed Submission Version of the New Southwark Plan.
12. Immediately to the south of the application site are two category B trees on the Manor Grove footway.
13. The site has a PTAL level of 2, indicating poor public accessibility to transport. The nearest mainline railway station is to the north at South Bermondsey, which is approximately 14 minutes on foot, while Queen's Road Peckham is the nearest Overground Station, being a 16-minute walk to the south. Regular bus services are available from nearby Ilderton Road and Old Kent Road. There are no Santander docking stations nearby, but the site is relatively close to Quietway 1 which provides a good quality cycle link to Waterloo.
14. The site is located approximately 200 metres to the east of the designated major hazard site at the Old Kent Road Gasholder Station and lies within the 'Outer' HSE consultation zone.

Details of proposal

15. Full planning permission is sought for the demolition of the existing warehouse and the construction of a mixed use (Class B1 and C3) building. The proposed building would comprise three main volumes, the tallest of which would rise to nine storeys (29.7 metres above ground level); the other two volumes would be seven and five storeys in height. There would also be a podium at second floor level on the inner part of the site. A mezzanine floor would be incorporated within the double-height entrance level and there would be one further storey of accommodation at basement level.



Figure 3: A visualisation of the proposed building, as seen from the southwest.

16. The elevations would feature numerous panelled window openings arranged in a broadly regular pattern, together with a range of projecting balconies and a small number of 'carved out' terraces on the nine-storey block. The materials for the proposed building would comprise sandy-coloured brick, white reconstituted masonry, a range of profiled and textured aluminium panels, grey aluminium-framed windows and doors, and a mixture of metal railings and glazed screens to balconies.
17. The internal arrangement of accommodation would comprise commercial (Class B1) floorspace on the basement, ground and mezzanine levels only, with the eight upper floors to be exclusively in residential (Class C3) use. Details of the commercial and residential elements follow below:

Commercial floorspace

18. In total, the proposal would deliver 2,058 square metres GEA (1,778 square metres GIA) of commercial floorspace. This represents an uplift of approximately 5% on the existing building. The Class B1 nature of the floorspace would allow for occupation by businesses falling within any of the (a) (b) (c) sub-classes which denote office, research and light industry uses respectively. The table below summarises this:

Use Class	Existing (sq.m)	Proposed (sq.m)	Difference (sq.m)
B1	1,697 (GIA)	1,778 (GIA)	+ 81

19. All three floors would be largely column-free, allowing the space to be used in open-plan format or partitioned as necessary for occupation by multiple tenants. The basement floorspace would be served by 'strip' lightwells along the building's two

frontages, as well as a single large lightwell situated towards the northeastern corner of the plot. The two upper levels of floorspace, some of which would be double-height, would have glazed frontages onto Manor Grove and Ormside Street. Access to all three floors would be via a single ground floor entrance off Manor Grove.

20. A dedicated commercial bin store would be located at ground floor level on the southern side of the building, allowing for servicing from a new bay to be created on Manor Grove. There would also be a dedicated cycle store at basement level, accessible from the entrance level via an internal lift.

Residential floorspace

21. The fifty-six proposed dwellings have been arranged in two self-contained blocks, each accessed via a stair/lift core opening onto Ormside Street. The northern core would contain 18 flats, and the southern core would incorporate 38. In total, the scheme would comprise 17 one-bedroomed flats, 25 two-bedroom flats and 14 three-bedroom flats.
22. Of the 56 flats proposed, 20 would be affordable. When calculated by habitable rooms, this equates to exactly 35%. The tenure split of these twenty affordable dwellings would be 70% social rent to 30% intermediate. Overall, 26.7% of the habitable rooms would be for social rent and 8.3% would be of intermediate tenure.
23. In addition to each dwelling having access to a private balcony or terrace, residents would benefit from access to two communal outdoor spaces, one on the second floor podium and the other at roof level on the five-storey part of the building. Each of these communal outdoor spaces would offer a combination of hard- and soft-landscaped gardens and children's play facilities.
24. The proposal would be car free except for two accessible blue badge bays located within a small on-site gated covered yard. The proposal would incorporate two separate plant rooms, one at basement and one at ground floor level, with access to both being from the gated covered yard.

Additional information submitted during the course of the planning application process

25. During the course of the planning application process, amendments and/or additional information were submitted in respect of outdoor space, the layout and room sizes of the flats, fenestration and elevation treatment, transport measures, and sustainable urban drainage.
26. Additional viability information was submitted to support the delivery of 35% affordable housing. Negotiations have also taken place throughout the course of the planning application process in respect of the obligations to be secured through the Section 106 Agreement.

Planning history

27. The following planning history exists for the application site:

11/AP/2731

Application type: Full Planning Application (FUL)

Construction of a first floor extension above 78 Ormside Street so as to create an office space for consultancy and after-sales services.

Decision date: 11/11/2011

Decision: **Refused (REF)**

Reason(s) for refusal:

1. The construction of the first floor extension to create an office space for consultancy and after-sales services would potentially intensify the unauthorised primary use of the land as a place of worship resulting in continued loss of floor space within a designated Preferred Industrial Location (an area designated by the Southwark Plan and London Plan, as having a concentration of employment uses, such as light industry (Class B1), general industry (Class B2) and warehousing (Class B8) and as such, the proposal would restrict local employment opportunities contrary to saved Policy 1.2 Strategic and Local Preferred Industrial Locations of the Southwark Plan July 2007, Strategic Policy 10 – Jobs & Businesses Southwark Core Strategy April 2011, Policy 2.17 of the London Plan July 2011.
2. The construction of the first floor extension to create an office space for consultancy and after-sales services would potentially intensify the unauthorised primary use of the land as a place of worship resulting in an increased number of visitors to the land than the previous B1/B2 use, which in turn creates a greater number of vehicle movements and demand for parking than would be the case if the land was occupied by a B class use. It is likely by extending this site with a continued unauthorised use would have an adverse impact on parking and traffic congestion in the vicinity of the Land contrary to saved Policies 5.2 and 5.6 of the Southwark Plan July 2007, Strategic Policy 2 – Sustainable Transport Southwark Core Strategy April 2011 and Policies 6.3 Assessing effect of Development on transport capacity and 6.13 Parking of the London Plan July 2011.

Application reference no.: 13/AP/1698

Application type: Full Planning Application (FUL)

Change of use of first floor from commercial (B Class) to a live/work unit (B1/C3).

Decision date: 07/08/2013

Decision: **Refused (REF)**

Reason(s) for refusal:

1. The introduction of a live/work unit within a Preferred Industrial Location would be contrary to saved policy 1.2 of the Southwark Plan Strategic and Local Preferred Industrial Locations' by introducing a residential element which is not a permitted use within these areas, and has the potential to impact upon the operations of the industrial uses by virtue of noise complaints from future occupiers. This would be contrary to saved policy 3.11 'Efficient use of land' of the Southwark Plan and Strategic policy 10 'Jobs and businesses' of the Core Strategy (2011). The location of the site within an industrial area would result in poor standard of accommodation for future occupiers given the potential for noise and disturbance, contrary to saved policies 1.6 'Live/work units' and 4.2 'Quality of accommodation' and strategic policy 13 'High environmental standards' of the Core Strategy (2013).

Application reference no.: 15/AP/5148

Application type: Prior Approval (PRAP)

Notification for Prior Approval for a Proposed Change of Use of a building from Office Use (Class B1 (a)) to a Dwellinghouse (Class C3)

<p>Decision date: 15/02/2016 Decision: Ineligible for Prior Approval Assessment (NONP)</p>
<p>Application reference no.: 05/EN/0437 Enforcement type: Change of use (COU)</p> <p>Change of use to a place of worship</p> <p>Sign-off date 04/01/2017 Sign-off reason: Final closure - breach ceased (FCBC)</p> <p>Appeal decision date: 09/07/2012 Appeal decision: Planning appeal dismissed (DIS)</p>
<p>Application reference no.: 17/EQ/0170 Application type: Pre-Application Enquiry (ENQ)</p> <p><i>Demolition of existing building and construction of a mixed use residential building (up to 10 storeys) comprising B1 space to ground floor and basement with C3 (63 or 65) residential above.</i></p> <p>Decision date: 21/11/2017 Decision: Pre-application enquiry closed (EQC)</p>
<p>Application reference no.: 15/EN/0279 Enforcement type: Breach of condition (BOC)</p> <p><i>Unauthorised change of use of the ground floor from a mixed Use Class B1/B2 use to social/entertainment uses.</i></p> <p>Sign-off date: 23/11/2017 Sign-off reason: Final closure - no continuing complaints (FCNC)</p>
<p>Application reference no.: 18/EQ/0012 Application type: Pre-Application Enquiry (ENQ)</p> <p><i>FOLLOW-UP: Demolition of existing building and construction of a mixed use residential building (up to 10 storeys) comprising B1 space to ground floor and basement with C3 (63 or 65) residential above.</i></p> <p>Decision date: 10/04/2018 Decision: Pre-app enquiry closed (EQC)</p>
<p>Application reference no.: 18/EN/0030 Enforcement type: Change of use (COU)</p> <p><i>Use of property in breach of planning enforcement notice issued on 23rd September 2011 and not in accordance with the sites lawful B Class use.</i></p> <p>Sign-off date: 10/10/2018 Sign-off reason: Final closure - no breach of control (FCNB)</p>

Planning history of adjoining sites

28. Currently pending determination are the following planning applications for the

redevelopment of nearby plots within the Hatcham Road and Penarth Street block:

60A and 62 Hatcham Road and 134-140 Ilderton Road

Application type: Full Planning Permission (FUL)

Application reference no.: 17/AP/3757

Application for full planning permission for mixed use redevelopment comprising: demolition of existing buildings and construction of a building ranging in height from four to nine storeys to provide 1,179 sqm (GIA) of commercial space (use class B1) at ground floor, 86 residential dwellings above (30 x 1 bed, 39 x 2 bed and 17 x 3 bed), with associated amenity areas, cycle and disabled car parking and refuse/recycling stores.

Decision date: Pending

Decision: **Granted, subject to legal agreement (GSLA)**

180 Ilderton Road

Application type: Full Planning Permission (FUL)

Application reference no.: 17/AP/4546

Planning permission granted subject to legal agreement on 21/03/2018 for: Demolition of existing building and erection of a part 5, 8 and 9 storey plus basement mixed-use development (max height 29.98m) comprising 2,351 sqm (gia) of flexible workspace (Use Class B1) and 84 residential apartments (Use Class C3) with associated amenity space and ancillary infrastructure

Decision date: Pending

Decision: **Granted, subject to legal agreement (GSLA)**

Iberia House, 2 Hatcham Road, London, SE15 1TW

Application reference no.: 17/AP/4649

Application type: Full Planning Permission (FUL)

Demolition of existing light industrial building and construction of a building ranging in height from 2 to 10 storeys comprising 915.5sqm of B1 commercial and employment space at ground and first floor levels and 34 residential flats over the second to ninth floor levels, with 3 residential parking spaces accessed from Hatcham Road.

Decision date: Pending

Decision: **Pending (PEN)**

KEY ISSUES FOR CONSIDERATION

Summary of main issues

29. The main issues to be considered in respect of this application are:

- a) Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area;
- b) Environmental impact assessment;
- c) Density;
- d) Tenure mix;
- e) Dwelling mix;

- f) Wheelchair dwellings;
- g) Quality of residential accommodation;
- h) Outdoor amenity space, children's playspace and public open space
- i) Impact on the amenity of neighbouring residential occupiers and the surrounding area;
- j) Design quality;
- k) Quality of commercial floorspace;
- l) Trees, landscaping and biodiversity;
- m) Transport and highway matters, including cycle and refuse storage;
- n) Environmental matters;
- o) Energy and sustainability;
- p) Development viability;
- q) Planning obligations and Community Infrastructure Levy;
- r) Consultation responses: Members of the public;
- s) Consultation responses: Internal and external consultees.

Planning policy

National Planning Policy Framework (the Framework)

- 30. National planning policy is set out in the revised National Planning Policy Framework ('the NPPF'), published on 24 July 2018. The NPPF focuses on a presumption in favour of sustainable development, of which there are three strands: economic, social and environmental. The core planning principles include, amongst others, the requirement to 'drive and support development'.
- 31. Paragraph 48 of the revised NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The council is preparing the New Southwark Plan (NSP) and OKR AAP which are emerging policy documents. The new London Plan is also in draft form. The weight that can be afforded to these emerging documents is discussed in greater detail in later parts of this report.

Chapter 2 - Achieving sustainable development
 Chapter 5 - Delivering a sufficient supply of homes
 Chapter 6 - Building a strong, competitive economy
 Chapter 8 - Promoting healthy and safe communities
 Chapter 9 - Promoting sustainable transport
 Chapter 11 - Making effective use of land
 Chapter 12 - Achieving well-designed places
 Chapter 14 - Meeting the challenge of climate change, flooding and coastal change
 Chapter 15 - Conserving and enhancing the natural environment
 Chapter 16 - Conserving and enhancing the historic environment

The London Plan 2016

- 32. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies are as follows:
 - Policy 1.1 - Delivering the strategic vision and objective of London
 - Policy 2.13 - Opportunity areas and intensification areas
 - Policy 2.17 - Strategic Industrial locations
 - Policy 3.1 - Ensuring equal life chances for all
 - Policy 3.2 - Improving health and assessing health opportunities for all
 - Policy 3.3 - Increasing housing supply
 - Policy 3.4 - Optimising housing potential
 - Policy 3.5 - Quality and design of housing developments

Policy 3.6 - Children and young people's play and informal recreation facilities
 Policy 3.8 - Housing choice
 Policy 3.9 - Mixed and balanced communities
 Policy 3.10 - Definition of affordable housing
 Policy 3.11 - Affordable housing targets
 Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 - Affordable housing thresholds
 Policy 4.3 - Mixed use development and offices
 Policy 4.4 - Managing industrial land and premises
 Policy 5.3 - Sustainable design and construction
 Policy 5.5 - Decentralised energy networks
 Policy 5.6 - Decentralised energy in development proposals
 Policy 5.7 - Renewable energy
 Policy 5.8 - Innovative energy technologies
 Policy 5.9 - Overheating and cooling
 Policy 5.10 - Urban greening
 Policy 5.11 - Green roofs and development site environs
 Policy 5.12 - Flood risk management
 Policy 5.13 - Sustainable drainage
 Policy 5.21 - Contaminated land
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 Policy 6.13 - Parking
 Policy 7.2 - An inclusive environment
 Policy 7.3 - Designing out crime
 Policy 7.4 - Local character
 Policy 7.6 - Architecture
 Policy 7.8 - Heritage assets and archaeology
 Policy 7.14 - Improving air quality
 Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 - Biodiversity and access to nature
 Policy 7.21 - Trees and woodlands
 Policy 8.2 - Planning obligations
 Policy 8.3 - Community infrastructure levy

33. The London Plan 2016 establishes the Old Kent Road as an Opportunity Area with *“significant potential for residential-led development along the Old Kent Road corridor”* and identifies an indicative employment capacity of 1,000 and a minimum of 2,500 new homes. Opportunity areas are described in the London Plan 2016 as London’s major reservoirs of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
34. Policy 2.13 of the London Plan 2016 sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road of 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area’s full growth potential. It goes on to state that the employment and minimum homes figures should be explored further and refined in a planning framework for the area and through a review of the strategic industrial location and capacity to accommodate a phased rationalisation of its functions in the opportunity area or a provision elsewhere.

Relevant supplementary planning documents/Guidance

35. The relevant London-level supplementary planning documents and guidance

documents are as follows:

Mayor of London: Housing (SPG, 2016)
 Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
 Mayor of London: Sustainable Design and Construction (SPG, 2014)
 Mayor of London: Shaping Neighbourhoods - Play and Informal Recreation (SPG, 2012)
 Mayor of London: Homes for Londoners - Affordable Housing and Viability (SPG, 2017)
 Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
 Mayor of London: Social Infrastructure (SPG, 2015)
 Mayor of London: Transport Strategy (2018)
 Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
 Mayor of London: Climate Change Adaptation Strategy (2011)
 Mayor of London: Securing London's Water Future - Water Strategy (2011)
 Mayor of London: Crossrail Funding (SPG, 2016)

Core Strategy 2011

36. Along with the London Plan, the Core Strategy is the main vehicle for decision-making in the borough. The relevant policies are as follows:

Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (July) - saved policies

37. The adopted local plan for Southwark includes the saved policies from the 2007 Southwark Plan in addition to the 2011 Core Strategy including its strategic policies.
38. The council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (Location of retail outside town centres), all Southwark Plan policies are saved. Therefore, due weight should be given to relevant policies in existing plans commensurate to their degree of consistency with the NPPF. The relevant policies are as follows:

1.1 - Access to employment opportunities
 1.2 - Strategic and local preferred industrial locations
 1.5 - Small businesses
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction

- 3.9 - Water
- 3.11 - Efficient use of land
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.15 - Conservation of the historic environment
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 3.19 - Archaeology
- 3.22 - Important local views
- 3.28 - Biodiversity
- 4.1 - Density of development
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.1 - Locating developments
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Relevant Supplementary Planning Documents/Guidance

39. The relevant local-level supplementary planning documents and guidance documents are as follows:

Sustainable Design and Construction (SPD, 2009)
 Sustainable Transport (SPD, 2010)
 Affordable Housing (SPD, 2008)
 Affordable Housing (Draft SPD, 2011)
 Design and Access Statements (SPD, 2007)
 Development Viability (SPD, 2016)
 Section 106 Planning Obligations / Community Infrastructure Levy (SPD, 2015)
 Sustainability Assessment (SPD, 2009)
 2015 Technical Update to the Residential Design Standards (SPD, 2011)

Emerging Policy

Draft New London Plan

40. The draft New London Plan was published on 30 November 2017, with the first and only stage of consultation closing on 2 March 2018. The document is expected to reach examination stage in late 2018/early 2019, but given the stage of preparation it can only be attributed limited weight. The draft New London Plan identified the Old Kent Road as having a minimum capacity for housing of 12,000 and a jobs target of 5,000.

Old Kent Road Area Action Plan (OKR AAP)

41. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for three years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed very limited weight.

42. While acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 16 (previously OKR 19) which covers the Hatcham Road and Ilderton Road area. Requirements for this allocation site include replacement of existing employment floor space and the provision of housing.

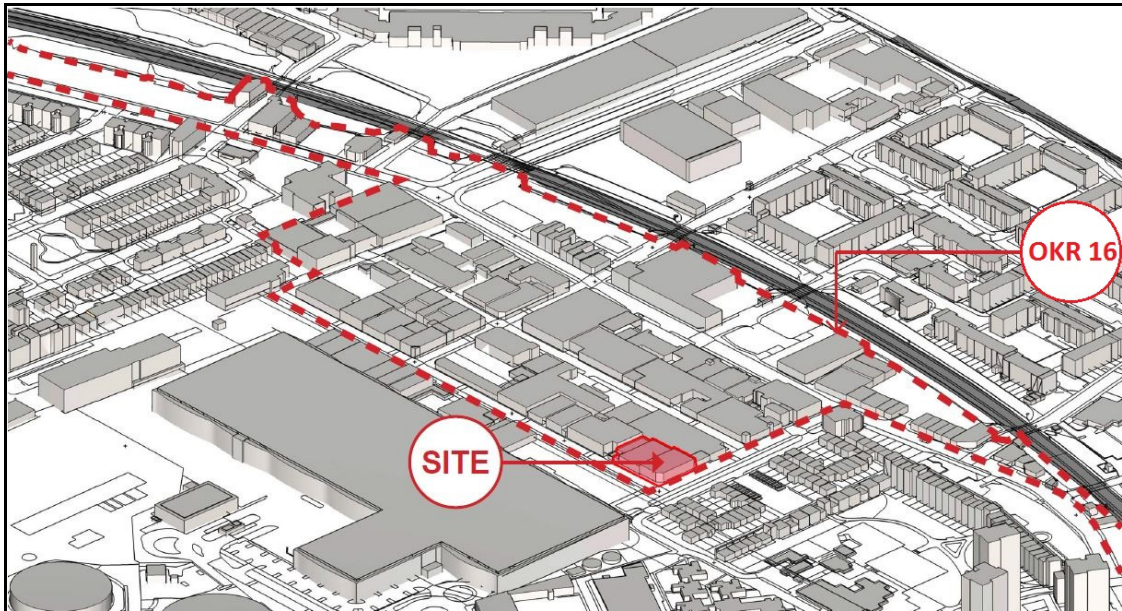


Figure 4: The location of the site in the wider context of the Hatcham Road and Ilderton Road block (known as OKR 16) within Sub Area 4 of the OKR AAP.

New Southwark Plan

43. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight.

Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area

Adopted policy

44. The site is located in the Preferred Industrial Location-Strategic (SPIL) which is an industrial location of strategic importance as identified in the Core Strategy 2011 and the London Plan 2016.
45. Strategic Policy 10 of the Core Strategy 2011 states that the SPIL will be protected for industrial and warehousing uses. The Core Strategy does, however, recognise that structural changes in the economy are resulting in a declining need for industrial land in London. It also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, the Strategy sets out the future vision for the Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP). The London Plan 2015 also designated the Old Kent Road as an Opportunity Area, considering it to be a major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.

46. Saved Policy 1.2 (Strategic and local preferred industrial locations) of the Southwark Plan 2007 states that, within SPILS, the only developments the council will permit are Class B uses and other sui generis uses which are inappropriate in residential areas.
47. Policy 2.17 (Strategic Industrial Locations) of the adopted London Plan 2016 seeks to promote, manage and where appropriate, protect the Strategic Industrial Land as London's main reservoir of industrial and related capacity, which includes general and light industrial uses. It states that developments on Strategic Industrial Land should be refused unless they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area framework or borough development plan document. The policy requires boroughs to identify SILs on proposals maps and develop local policies in relation to protecting their function. Policy 4.4. (Managing Industrial Land and Premises) requires industrial sites to be planned and managed in local circumstances in line with this strategic policy, taking account of borough level groupings for the transfer of industrial land to other uses (part C). Map 4.1 shows Southwark as a limited transfer borough with exceptional planned release. This is reflective of the designation of the Old Kent Road opportunity area, which contains the majority of Southwark's SIL.
48. Part B of adopted London Plan Policy 2.13 states that planning decisions should be made for development proposals that support the strategic policy directions for the opportunity areas set out in Annex 1, and where relevant, in adopted opportunity area planning frameworks (part A). The policy requires planning authorities to seek to optimise residential and non-residential output and densities, providing infrastructure to sustain growth, and where appropriate, contain a mix of uses (part B). The policy also requires authorities to meet or, where appropriate, exceed the minimum guidelines for housing and employment capacity as set out in Annex 1, tested through OAPFs (part C), realising the scope for intensification associated with significant transport improvements (part D) and supporting wider regeneration.
49. The adopted London Plan designates the Old Kent Road as an opportunity area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes. It identifies the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the preparation of a planning framework and a review of the Old Kent Road Strategic Industrial Location.

The draft New London Plan and the Old Kent Road Area Action Plan (OKR AAP)

50. Emerging policy is developing at the regional and local scale to realise the ambitions of the Old Kent Road Opportunity Area set by adopted policy. The draft New London Plan recognises much greater capacity for development within the Old Kent Road and commits to a major new transport improvement in the form of the Bakerloo Line extension. The draft New London Plan increases the minimum target for new homes in the Old Kent Road Opportunity Area from 2,500 in the adopted 2016 London Plan to 12,000. It also increases the jobs target from 1,000 to 5,000. Additionally, the draft New London Plan sets out ways in which industrial land can be managed, including how uses can be mixed within some industrial designations.
51. The emerging AAP for the Old Kent Road contains proposals for an innovative mix of industrial and residential uses in a detailed masterplanning approach across the opportunity area, including phased rationalisation of and proposed new sites for SIL. While the draft new London Plan and OKR AAP currently have limited or very limited weight in planning decisions, it is important to note the future strategic direction envisaged for the Old Kent Road in the adopted London Plan as further policy is being developed in line with the aspirations of Southwark Council and the Mayor for the

designated opportunity area.

52. As such, while the application site is designated as SIL, the adopted London Plan clearly identifies the Old Kent Road as an Opportunity Area where significant transformation is due to take place, necessitating a SIL review. Furthermore, Southwark Council and the GLA have now agreed an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area. Members should, however, note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position. It should also be noted that there have been a number of objections to the proposed release of industrial land from third parties which would need to be considered at the EiP.

The Old Kent Road Area Action Plan (OKR AAP)

53. The emerging OKR AAP seeks to provide for much greater growth than that indicated by the London Plan and sets targets of a total of 20,000 new homes and 10,000 new jobs as well as new infrastructure, including parks and schools. It proposes the release of a substantial part of the preferred industrial location designation to allow for the creation of mixed use neighbourhoods, so that new and existing businesses are designed to co-exist with new homes.
54. The OKR AAP places the site within the proposed action area core, and within proposal site OKR 16 which covers the Hatcham Road and Ilderton Road block.
55. Emerging policy AAP6 of the OKR AAP states that development must:
- retain or increase the amount of Class B floorspace on site;
 - accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area, or provide relocation options for businesses that would be displaced by redevelopment;
 - ensure a specialist provider would manage the workspace;
 - secure an element of affordable workspace, and;
 - result in an increased number of jobs.
56. In determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SPIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would justify a departure from the adopted planning policy. Set out in the following paragraphs are the key benefits arising from the proposal:

Increase in employment floorspace

57. The proposed scheme would deliver an increase of 88 square metres of Class B1 employment floorspace, raising the total provision from 1,697 square metres GIA to 1,785 square metres GIA. The current commercial floorspace is poor quality and is not conducive to modern employment yielding uses. The re-provided and additional floorspace proposed by 18/AP/1049 would provide high-quality, modern and flexible workspace for occupation by one or more small-to-medium sized enterprises, start-up and/or creative businesses.
58. The proposed commercial floorspace falls within Class B1. To meet the policy requirements and to improve the likelihood of Class B1 (c) occupiers leasing the units while maintaining commercial flexibility, the internal fit-out and built specification of the

proposed commercial units would be secured by condition.

Regeneration of an ageing industrial area

59. A borough-wide industrial and warehousing study was carried out by GVA in 2014 on behalf of Southwark Council. The study was commissioned and mostly completed before the Old Kent Road was designated as an Opportunity Area. Across Southwark, it identified that the majority of the industrial and warehousing supply is within purpose built, older premises which is of increasingly poor quality. The buildings along Ilderton Road were assessed as part of the study, and deemed to comprise predominantly older stock (pre-war to 1970s) in poor or very poor condition as reflected in the high levels of vacancy or underutilisation observed. It was considered that this area would benefit from investment and intensification.
60. In its conclusion, the GVA study identified the need for the borough to balance the protection and enhancement of industrial sites with the delivery of other aspirations and requirements, including increasing housing provision. It also identified that the two need not be mutually exclusive and that changes in occupier types increasingly lend themselves to improved integration within a wider mix of uses.
61. Based on the poor quality of the existing premises for commercial purposes, it is considered that the delivery of new workspace, all designed to modern Class B1 (c) specifications is a positive aspect of the proposed development.

Job creation

62. Owing to the premises currently being vacant, the existing FTE employment levels on the site come to zero. The number of jobs generated within the proposed development has been calculated by applying the average job / floorspace ratio to the 2,058 square metres of floorspace proposed. This indicates that the development would create between 44 and 172 direct jobs (FTE) allowing for a mix of Class B1 (a), (b) and (c) uses. This figure is calculated by applying the 'Managed Workspace' range set out in the latest Employment Density Matrix published by the HCA. As such, the scheme will generate a significant uplift in employment provision on site.
63. In addition to the direct operational employment, the retail, leisure and other expenditure of the residents of the proposed 56 dwelling units will support additional jobs in shops, restaurants and other services within the Old Kent Road area.
64. As the existing building is unoccupied, the application raises no issues in respect of business relocation and retention.

Affordable workspace

65. Emerging policy in the revised draft Old Kent Road AAP requires schemes of this scale or larger to provide an element of affordable workspace. The applicant has agreed to provide 10% of the floorspace as affordable workspace, and this will be secured through the Section 106 Agreement.

Specialist workspace provider

66. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. The applicant has committed to secure a specialist workspace provider, the details of which are to be set out in a Commercial Units Management Plan (CUMP). The specialist workspace provider will also be tasked with marketing and managing the affordable workspace. The CUMP will be secured through a section 106 planning obligation.

Provision of housing, including affordable housing

67. The scheme would provide fifty-six new residential units, including a mix of social rented and intermediate tenures compliant with affordable housing policy. There is a pressing need for housing in the borough. Policy 3.3 of the London Plan supports the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision.

Impact of the proposed residential use

68. Concern has been raised from an adjoining business that the introduction of housing in this location could restrict and prejudice the operation of existing businesses in the area. The type of businesses that operate in this part of the Old Kent Road is changing and many of the historical manufacturing businesses have moved out. The area today increasingly comprises start-up businesses, artists and small-scale makers. The neighbouring sites immediately to the north are currently developing a similar mixed use scheme. Given their changing nature, it is not considered that these businesses would be prejudiced by the proposed development; on the contrary, these existing uses could continue to operate and co-exist with the new dwellings. Conditions are recommended in relation to noise and sound insulation within the building.

Conclusion on land use

69. To conclude on land use matters, the proposed development would be contrary to Strategic Policy 10 of the Core Strategy because it would introduce residential (Class C3) floorspace within the SPIL, departing in so doing from the adopted development plan.
70. This must, therefore, be weighed against the benefits of the scheme which include:
- an increase in employment floorspace;
 - the provision of good quality, flexible commercial space.
 - job creation;
 - the delivery of affordable workspace within the Old Kent Road Opportunity Area, and;
 - the provision of housing, of which 35% would be affordable.
71. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. In light of this, officers consider that the principle of the proposed development in land use terms should be supported.

Environmental impact assessment

72. The applicant did not make a screening request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme. The proposed development would not constitute EIA development and accordingly does not need to

be supported by an Environmental Statement.

Density

73. Policy 3.4 (Optimising Housing Potential) of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range. It also requires local context, design principles and public transport capacity to be taken into account. Strategic Policy 5 (Providing New Homes) of the Core Strategy 2011 sets out the density ranges that residential and mixed use developments are expected to meet. As the application site is located within the Urban Zone, the proposed development would be expected to fall within a density range of 200 to 700 habitable rooms per hectare. This policy also clearly states, however, that within opportunity areas and action area cores, the maximum densities may be exceeded when developments are of an exemplary standard of design. Criteria for exceptional design are set out in section 2.2 of the Residential Design Standards SPD (2015).
74. The site occupies an area of 0.11 hectares. The residential component of the proposed development would comprise 180 habitable rooms and the commercial component would deliver the equivalent of 65 habitable rooms. This results in a density of 2,227 habitable rooms per hectare.
75. This is clearly significantly higher than the upper limit set by Strategic Policy 5 for the Urban Density Zone, so it is necessary to assess the proposal against the exception made for opportunity areas. There is a pressing need to optimise the use of land in London, particularly in opportunity areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD met. This is summarised in the table below:

Exemplary residential design criteria from Southwark Resi Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed apartments would have built-in storage broadly in compliance with the Residential Design Standards SPD. There would also be scope, through innovative/flexible design, for the cycle store rooms within each core to accommodate larger items such as pushchairs, the details of which will be resolved at the condition stage in collaboration with Southwark Council's Transport Planning team.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded.
Good sunlight and daylight standards	Good sunlight and daylight standards would be achieved.
Exceed minimum ceiling heights of 2.3 metres	All rooms within all proposed dwellings would have floor-to-ceiling heights of 2.50 metres.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in a subsequent part of this report. Although there would be a small shortfall, this would be

	compensated by a financial contribution in line with the requirements of Southwark's Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD 2015.
Secure by Design certification	The scheme would be capable of achieving Secure by Design accreditation. Conditions to require this are recommended.
No more than 5% studio flats	None of the proposed units would be studio flats.
Maximise the potential of the site	The potential of the site would be maximised, delivering additional and improved commercial floorspace, new dwellings achieving an exemplary standard of design and including a large proportion of family-sized units, outdoor space and play space, all without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	Over 10% of the proposed units would be suitable for wheelchair users.
Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The environmental performance would be fully policy compliant, taking into account a contribution to the Carbon Offset Fund. The potential to connect to SELCHP is designed-in.
Minimised noise nuisance between flats through vertical stacking of similar room types	The proposed development achieves very good stacking, with only one instance of a bedroom being beneath a lounge (Unit 4 on fourth floor would contain a bedroom beneath the living room of Unit 6 on fifth floor). Plant rooms have been located in the basement, two storeys beneath the nearest residential units and thus sufficiently far away not to create undue noise disturbance.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace, investment in local transport and public space.
Include a predominance of dual aspect units	60% (34 units) would be dual or corner aspect.
Have natural light and ventilation in all kitchens and bathrooms	This would not be achieved because almost all bathrooms would be internal. However, this is considered permissible in the interests of achieving a rational and efficient building layout. All kitchens would form part of larger open-plan

	kitchen/living/dining spaces which themselves would benefit from natural light and natural ventilation.
At least 60% of units contain two or more bedrooms	70% of the total number of units across all tenures would have two or more bedrooms.
Significantly exceed the minimum floor space standards	All units would meet the space standards, and many would exceed them, some to a significant degree.
Minimise corridor lengths by having additional cores	The cores have been efficiently designed so that corridor lengths are minimal.

76. For the reasons detailed in the above table, the higher density proposed would not compromise the quality of accommodation and the impacts of the development would be acceptable. It is therefore considered that the exceedance of the density threshold would not warrant withholding permission.

Tenure mix

77. Strategic Policy 6 of the Core Strategy (Homes for People on Different Incomes) requires at least 35% of the residential units within new developments to be affordable. For developments of 15 or more units, affordable housing is calculated as a percentage of the habitable rooms and further information on this can be found in the council's draft Affordable Housing SPD (2011). All of the affordable units should be provided on-site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.
78. Saved Policy 4.4 of the Southwark Plan requires that, of the 35% of the residential units that are to be affordable, the tenure split should be 70% social rented to 30% intermediate housing. This is reiterated in the draft OKR AAP.
79. In total, 180 habitable rooms would be provided in the development. The development would provide a total of 63 affordable habitable rooms which would equate to an overall provision of exactly 35%. The level of provision is, therefore, policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
80. With respect to the affordable units only, the number and percentage of units within each tenure would be as follows:

Unit size	Social rent	Intermediate (shared ownership)	Total
1-bedroom	6	3	9 (45%)
2-bedroom	2	3	5 (25%)
3-bedroom	6	0	6 (30%)
All units	14	6	20 (100%)

81. Overall, the proposal would provide a total of 20 affordable units in a mix of unit sizes, including a larger number social rented family sized units, which is a positive aspect of the scheme. It is recommended that the Section 106 Agreement includes a schedule securing the delivery of these affordable units, including a clause preventing more than 50% of the private dwellings from being occupied until the affordable units have been completed.

Dwelling mix

82. With respect to dwelling mix, Strategic Policy 7 of the Core Strategy 2011 prioritises the development of family homes. New developments of 10 or more units in the Urban Density Zone must provide at least 60% of units with two or more bedrooms, and at least 20% of units with between three and five bedrooms.
83. 17 one-bedroomed flats, 24 two-bedroom flats and 15 three-bedroom flats are proposed. The dwelling mix would be as follows:

Unit size	Open market	Social rent	Intermediate (shared ownership)	Total
1-bedroom	8 (22% of all O.M)	6 (43% of all S.R)	3 (50% of all Sh.O)	17 (30%)
2-bedroom	19 (53% of all O.M)	2 (14% of all S.R)	3 (50% of all Sh.O)	24 (43%)
3-bedroom	9 (25% of all O.M)	6 (43% of all S.R)	0 (N/A)	15 (27%)
All units	36	14	6	56 (100%)

84. As the table shows, 70% of the units would have two or more bedrooms and 27% of the units would contain three bedrooms. This exceeds the requirements of Strategic Policy 7 and will contribute to the delivery of family homes within the borough.

Wheelchair dwellings

85. Saved Policy 4.3 of the Southwark Plan requires at least 10% of all major new residential developments to be suitable for wheelchair users and London Plan Policy 3.8 requires 90% of new housing meets building regulations requirement M4 (2) 'accessible and adaptable' and 10% to meet building regulations requirement M4 (3) 'wheelchair user dwellings'. This is reiterated in emerging policy in the draft OKR AAP and the NSP.
86. Six wheelchair units (11%) would be delivered. Wheelchair fit-out would be provided in the social and intermediate and private tenures across a range one- and two-bedroom units. The number of wheelchair dwellings meets the policy requirements and the spread across the two affordable tenures is considered acceptable. The units would be required to be fully fitted for first occupation.

Quality of residential accommodation

87. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the 2015 Technical Update to the Residential Design Standards SPD 2011; this document sets out overlooking standards and a

requirement for developments to achieve a predominance of dual aspect accommodation.

Aspect and outlook

88. 60% of the proposed units would be dual or corner aspect. Of the single aspect units, none would be north facing. All of the three bedroom units would also have a dual aspect. Moreover, all habitable rooms within all dwellings would be served by one or more clear-glazed apertures of a surface area adequate to the size of the room. As such, the scheme would deliver an acceptable outlook for all dwellings.
89. Defensible space has been incorporated in front of those dwellings which face onto the communal outdoor spaces at podium and sixth floor level; this will ensure that views from habitable rooms would not be directly onto the communal outdoor space, protecting residents' outlook and safeguarding their privacy.

Internal daylight within the proposed dwellings

90. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or daylit appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
91. There are eight rooms within the proposed development which would not achieve full compliance with the BRE guidelines. However, 165 rooms are proposed in total, and so those that are non-compliant represent a very small proportion amounting to 5%. The non-compliant rooms are located at the inner (southwestern) corner of the courtyard/podium area, the configuration of which inevitably makes it slightly more difficult for natural light to penetrate into internal spaces here. The lower ADF levels are also partly attributable to the positioning of balconies; given the amenity value that balconies provide, a balanced judgement is needed in relation to this. The affected rooms are also principally on the lower floors of the building. Finally, it is important to note that ADF levels of the non-compliant rooms are not untypical for an inner London location.
92. In summary, although there would be some transgressions from the BRE guidance, the number of non-compliant rooms represents a very small proportion of the total. As such, it is considered that the internal daylight and sunlight levels are acceptable for this inner London location.

Flat sizes, room sizes and provision of built-in storage

93. The GIA (Gross Internal Area) of all 56 flats and the floor area of each room would satisfy the minimum floor areas set out in Southwark's 2015 Technical Update to the Residential Design Standards SPD 2011. The layout of each flat is logical and efficient, with practically-shaped rooms and minimised circulation space.
94. The Residential Design Standards also require: all single bedrooms to be at least 2.15 metres wide; the first double/twin bedroom within each flat to be at least 2.75 metres wide, and; any second double/twin bedroom within each flat to be at least 2.55 metres wide. All bedrooms within the proposed development would meet all these spatial requirements. A number of the larger dwellings would also incorporate an en-suite in addition to a main bathroom, which is welcomed given that these units would be occupied by families.

95. Built-in storage space has been provided within each flat, in most cases meeting the minimum floor area requirement set out in the 2015 Technical Update to the Residential Design Standards SPD 2011. In the few cases where the amount of built-in storage space does not meet the Standards, the shortfall is negligible.

Floor-to-ceiling height

96. All flats would achieve a floor-to-ceiling height of 2.5 metres, which is in excess of the 2.3 metre minimum requirement stipulated by the 2015 Technical Update to the Residential Design Standards SPD 2011.

Internal noise levels

97. The site is located within the SPIL, and the proposed residential units would adjoin existing commercial units to the north, east and west. An environmental noise assessment has been undertaken to assess whether the site would be suitable for residential development. The report has been reviewed by the council's environmental protection team and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers. Regulating external noise to a level acceptable for residential occupation should be achievable through the use of acoustic glazing.

Conclusion on quality of residential accommodation

98. The proposed development would provide well lit and well ventilated homes that meet the GIA and room size requirements of the Residential Design Standards. It is considered, therefore, that the good quality of accommodation justifies the high density of the scheme. Section 106 payments have been secured for 5-and-overs play space and for the delivery of or investment in off-site public open space.

Outdoor amenity space, children's play space and public open space

Private amenity space and communal amenity space

99. All new residential development must provide an adequate amount of useable outdoor amenity space. The 2011 Technical Update to the Residential Design Standards SPD 2011 sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens:
- For units containing 3 or more bedrooms, 10 square metres of private amenity space;
 - For units containing 2 bedrooms or less, ideally 10 square metres of private amenity space, with the balance added to the communal space; and
 - 50 square metres of communal amenity space per development.
100. In terms of private amenity space, all flats would have a private balcony. For all three-bedroom dwellings and the majority of the one- and two-bedroom dwellings, the balcony would be ten square metres or more.
101. Where the full recommended provision of ten square metres per residential unit has not been provided, the shortfall has been added to the communal requirement. In this case, a total of 118.5 square metres of communal space would need to be found. Combined with the 50 square metres required for the development, a total of 168.5 square metres of communal amenity space would be required. The non-private roof terrace areas at podium and sixth floor level have a combined surface area of 256.5 square metres. Factoring in the 88 square metres to be designated for children's play

space (discussed in the subsequent section of this Committee Report), these roof terraces would achieve the 50 square metre minimum as well as making up the shortfall in private amenity space. This proposal is, therefore, compliant in respect of private and communal amenity space.

Children's play space

102. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of ten square metres per child bed space (covering a range of age groups).
103. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG, the proposed development would be required to provide 202.9 square metres of children's play space (which breaks down as 91.3 square metres for under-5s, 69.0 for 5-11s, and 42.6 for 12-and-overs). A portion of each of the two proposed rooftop outdoor amenity spaces has been designated as children's play space. Together, these two separate areas of play space come to 88 square metres, which falls negligibly short of meeting the 91.3 square metre requirement for under-5s and is thus considered to satisfy this requirement.
104. As such, the development would not satisfy the need for 112 square metres of on-site play space for young people aged five and over. In respect of 5-and-overs playspace, the Section 106 and CIL SPD allows developers to pay an in-lieu contribution where the development is situated 400 metres or less from an existing public open space. The application site is within 400 metres of Bridgehouse Meadows, and as such it is acceptable for a financial contribution to be paid to offset the under-provision of children's play space. This will be secured through the Section 106 Agreement.
105. An indicative layout has been provided for the under-5s play space zone, further details of which can be secured by condition.

Public open space

106. Policy AAP10 of the emerging OKR AAP requires the provision of five square metres of public open space per dwelling. As it is not feasible to provide this on-site, a financial contribution to be secured through the Section 106 Agreement. Although Policy AAP10 currently has limited weight, the applicant has agreed to make the contribution of £57,400 based on the 56 dwellings proposed (at a cost of £205 per square metre as set out in the Section 106 SPD) to be channelled into off-site delivery.

Conclusion on outdoor amenity space, children's play space and public open space

107. Sufficient outdoor space has been designated for private amenity, communal amenity and under-5s play purposes. Although play space for children aged five and upwards has not been incorporated, this is acceptable given the constraints of the site. Accordingly, an in-lieu financial contribution will be secured through the Section 106 Agreement to ensure that off-site play space is delivered in the local area.
108. In respect of the public open space, and although the applicable policy of the OKR AAP currently has limited weight, the applicant has agreed to make a financial contribution in-lieu of providing such space on-site. As with the contribution for play space for children aged 5 upwards, the public open space contribution will be secured through the Section 106 agreement.

Impact on the amenity of neighbouring residential occupiers and the surrounding area

109. Strategic Policy 13 of the Core Strategy (High Environmental Standards) seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted 2015 Technical Update to the Residential Design Standards SPD 2011 expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Daylight

110. A daylight and sunlight report has been submitted which assesses the scheme based on the Building Research Establishment's (BRE) guidelines.
111. The BRE sets out the rationale for testing the daylight impacts of new development through various tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE have determined that the daylight can be reduced by about 20% of the original value before the loss is noticeable.
112. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
113. The surrounding uses to the north, east and west are all commercial. As such, there are no neighbouring residential units in these directions that have the potential to be impacted by daylight and sunlight losses.
114. To the south of the application site, on the opposite side of Manor Grove, are the rowhouses at nos. 1-97 Manor Grove. The applicant's Daylight and Sunlight report indicates that one window (referred to in the report as "W11 at 57-69 Manor Grove") would experience a VSC loss in excess of 20%. The window in question is the first floor window in the north-facing flank elevation of no. 57 Manor Grove which, as the case officer noted during his site visit, is fitted with obscure glazing and appears to serve a landing. There is, therefore, no requirement to assess the impact of the development on this window. Nevertheless, at 24%, the loss would only be marginally greater than the threshold recommended by the BRE guidance, indicating that there would be little appreciable difference to the daylight levels experienced by the occupants of no. 57 Manor Grove.
115. In summary, there would be no noticeable loss of VSC to any nearby habitable room windows at nearby as a result of the proposed development. Accordingly, no further daylight testing ('No Sky Line' or 'Daylight Distribution') is necessary.

Sunlight

116. The applicant's daylight and sunlight report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guidelines set out that nearby windows must be assessed to determine whether any of the following would be experienced:

- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH), or;
- a reduction in sunlight to less than 5% Winter Annual Probable Sunlight Hours (WAPSH) or;
- both of the above.

117. Where any of the above occurs, if the window's resulting APSH is less than 0.8 times its former value, there may be an appreciable loss of sunlight.
118. The daylight and sunlight report submitted by the applicant indicates that no losses would be experienced at any nearby residential windows of less than 25% APSH and/or less than 5% WASPH. As such, the proposal would preserve an acceptable level of sunlight receipt to all the existing nearby residential properties.

Overlooking

119. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
 - a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.
120. All windows within the proposed development fronting the public highway would be at least 12 metres from the boundary of the nearest sites to the south (the rowhouses at nos. 1-97 Manor Grove) and west (the Hi-Lo Scaffolding company). As such, there is no prospect of overlooking being experienced at any of the existing rowhouses or within any residential accommodation that may be built in the future on the site occupied by the Hi-Lo Scaffolding company (which is in any case retained as SPIL in the draft AAP and consequently would not contain any residential use).
121. All rear windows within the proposed development would face either to the north or east. The minimum distance from all proposed north-facing windows to the nearest opposite site boundary would be 26.9 metres, which is well in excess of the 21-metre separation distance advised by the Residential Design Standards.
122. With respect to the proposed east-facing windows, none would stand any closer than 10.7 metres to the site's eastern boundary. There are currently no habitable room windows within the adjoining building to the east (no. 18 Manor Grove) at risk of undue overlooking from these proposed east-facing apertures. In respect of potential future redevelopment, the adjoining site is identified within the OKR AAP as being appropriate for a mix of uses including residential. In line with the spirit of Saved Policy 3.11 (Efficient Use of Land) of the Southwark Plan 2007, the adjoining site will be expected to incorporate a reciprocated set-back of at least 10.5 metres from the common boundary, so as to achieve a total separation distance of 21 metres between the 'facing' rear windows at these two neighbouring developments. As such, in respect of any future residential development on the land directly the east of the application site, the proposal would play its part in ensuring the 21-metre separation distance recommended by the Residential Design Standards is achieved.
123. The application proposes to include a number of windows within the elevations flanking the 'notch' in the site's northwestern corner where the sub-station stands. These proposed windows would be boundary-edge apertures. In order to protect the development potential of the adjoining land as well as the amenity of any occupiers of residential development that may come forward here in the future, the applicant has agreed that these windows would all be high level (amended drawings have been

submitted showing this), obscure-glazed and fixed shut. As such, it is acceptable in the case of these particular windows for there to be no separation gap with the adjoining plot.

124. In summary, the development would not give rise to any harmful overlooking of existing or proposed residential uses in the surrounding area.

Air quality

125. The site is located in an air quality management area and an air quality assessment has been submitted, which considers the air quality impacts arising from the construction and use of the development.
126. The council's environmental protection team has reviewed the submission and advised that they will require the emissions during the construction phase to be controlled by measures contained within a Construction Management Plan. Such a plan should detail details of continuous monitoring for dust and noise. It is recommended that this plan be requested by condition.

Design quality

127. Strategic Policy 12 of the Southwark Core Strategy (2011) states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
128. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. There are no conservation areas or listed buildings in the vicinity of the application site. Given the height proposed, it is not considered that this proposal would result in any harm to designated London wide or local protected views.

Height, scale and form

129. The height, scale and massing proposed is in line with the emerging policy set out in the draft AAP. At its maximum point, the development would be 29.7 metres high, comprising five storeys on Manor Grove (south), nine storeys at the intersection of Manor Grove and Ormside Street (southwest), and seven storeys along the remaining Ormside Street frontage (west).



Figure 5: A bird's eye view of the proposed building, looking to the northeast, showing the nine-storey corner element booked-ended to one side by the seven-storey volume fronting Ormside Street and to the other side by the five-storey volume fronting Manor Grove.

130. The nine-storey volume would provide a prominent 'corner piece' at the junction of Manor Grove and Ormside Street. With chamfered return elevations recessed corner balconies carved deeply into the block, this element would possess a dynamic and striking form, providing a suitable focal point within westward views along Manor Grove from Ilderton Road. The height and design of this element of the proposal meets the aspirations of the AAP, which advises that *"the majority of buildings around Hatcham Road should be between 5 and 8 storeys, with some additional height on the corners of the perimeter blocks on Manor Grove, Penarth Street and Record Street"*.



Figure 6: A visualisation of the proposed development, as seen from the western end of Manor Grove.

131. The seven-storey element fronting Ormside Street has been articulated as two smaller side-by-side masses, one faced in brick and the other in masonry, with the latter set-back from the front boundary line more so than the former. The distinction is further accentuated by the projecting nature of the balconies on the brick-faced element. The recessed nature of part of the Ormside Street elevation would lend the roofline some variation and reduce the apparent bulk of the seven-storey element when seen from street level.



Figure 7: The proposed west elevation of the building, which would front Ormside Street

132. On Manor Grove, the building frontage would be five storeys high, with all five storeys stepped back adjacent to the taller 'corner piece' to mark the step-down in height. A series of deeply-projecting balconies would break the strongly-ordered façade and lend playfulness to the building form.
133. Overall, it is considered that the building's form is well-conceived and its scale and massing would be proportionate to its context. The arrangement and height of the three volumes has been carefully considered to ensure the podium-level communal amenity space would receive good levels of natural light. The proposal also responds well to potential future development around the site, as illustrated in the draft OKR AAP.

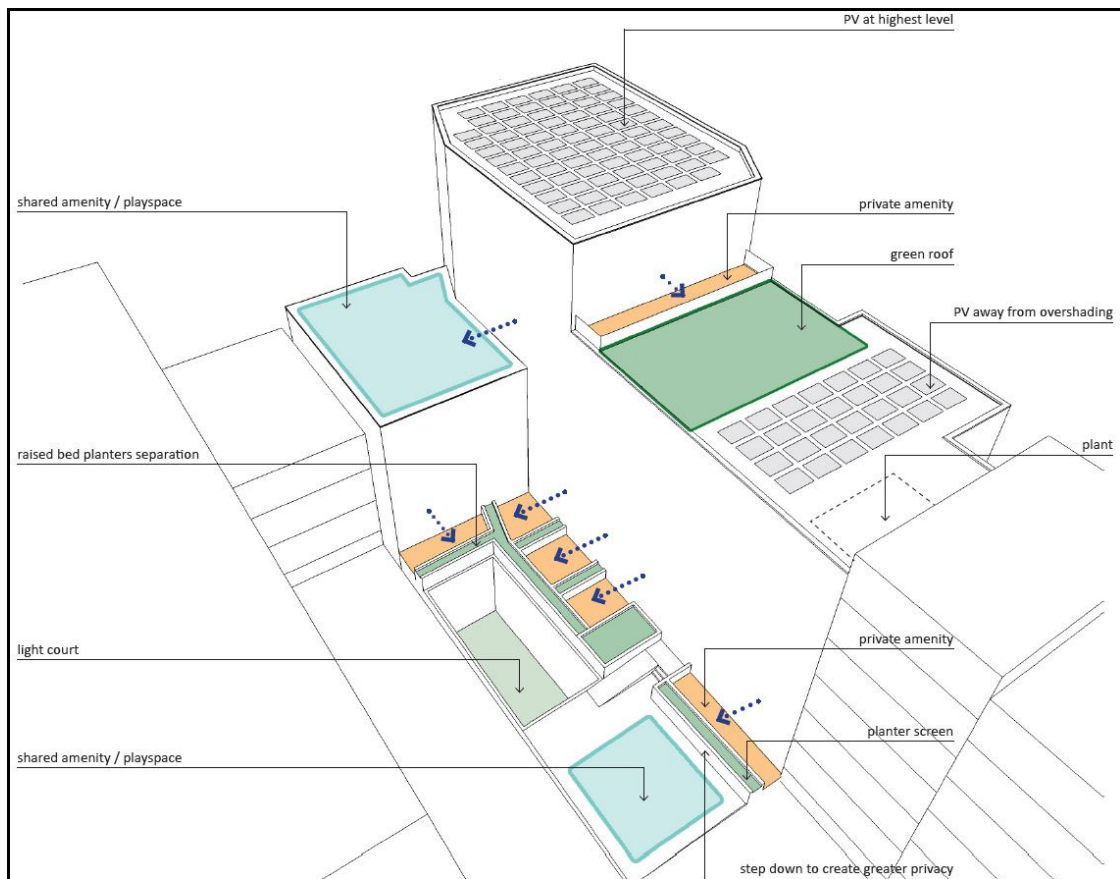


Figure 8: The proposed roof strategy, showing the configuration of the three volumes around the inner podium.

Detailed design, fenestration and materiality

134. Drawing on a number of characteristics from the local context not only in terms of materiality but also visual rhythm, the elevational treatment of the proposed building is well-resolved.
135. The main elevations would be faced in a creamy-yellow streaked brick, which would reference the lighter tones of the traditional London stock brick that can be seen in the wider Old Kent Road area. This brick facing would be broken up by the masonry-effect finish on the recessed parts of the Manor Grove (five-storey) and Ormside Street (seven-storey) elements. At entrance level, an impressive double-height glazed elevation would front Ormside Street and Manor Grove, punctuated only by a few brick-faced columns supporting the residential storeys above. The building would have a clear but subtly differentiated hierarchy of 'base' (i.e. commercial), and 'top' (i.e. residential), ensuring comfortable proportions and a clear articulation of the mix of uses proposed.
136. Reflecting the industrial nature of the wider area, the elevations of the residential storeys have been designed to adhere to a strongly-ordered grid, creating a fenestration of regular rectangular-shaped openings each of which would contain a full-height cladding panel alongside a full-height window. The panels, all to be champagne-coloured, would either have a lightly dappled texture or waved vertical profiling, while the window and door units would be framed in a grey aluminium. The balcony decks would be formed of crisp white masonry, complemented either by dark metal or frameless glazed balustrades, offering a subtle contrast to the textural creamy-yellow brickwork façades.



Figure 9: A typical bay study, showing the depth of reveals and the details of the junction between the balcony decks and the elevations.

137. Well-resolved detailing — including deep window reveals, as well as seamless junctions between the elevation and the balcony decks — would achieve a high quality finish that responds to the existing character of the area and the emerging architectural language proposed in the draft OKR AAP.
138. In order to ensure that the depth of architectural expression and the quality and contrast of the materials achieved, a condition is to be imposed requiring materials samples to be presented on-site to and approved by the Local Planning Authority.

Conclusion on design

139. The building would be of an acceptable height and scale, and articulated interestingly as two lower 'slab' elements bookending a taller 'corner piece'. The detailed design — bringing together a strongly-ordered grid façade, lightly-coloured brickwork that references the tones of London Stock, a range of recessed and projecting balconies finished in crisp white masonry, and champagne-coloured aluminium panelling — would secure a high quality finish.

Quality of commercial floorspace

140. A public representation to this planning application raised concerns that the location of the residential cores would compromise the flexibility and adaptability of the

commercial floorspace. It was also asserted that the floor-to-ceiling heights in some areas of the commercial floorplate would limit the attractiveness of the space to a range of potential occupiers. A final point raised by the representation was that the access to the basement would make the space attractive to Class B1 (a) businesses only.

141. Although it is recognised that approximately 69% of the entrance level floorspace would not be double-height due to the mezzanine, the floor-to-ceiling height beneath the mezzanine would still be generous at 3.0 metres. The basement-level floorspace would also have a consistent floor-to-ceiling height of 3.3 metres. The OKR AAP sets out that the application site should be developed as a 'Vertical mix' building typology and land use. This typology and land use should:
 - provide ground floor ceiling heights of a minimum of 4 metres;
 - utilise basement levels for commercial uses, and;
 - be used for Class B1 (a) or Class B1 (c) uses.
142. The other building typologies and land uses described in the OKR AAP are more strongly designated for B1(c) uses than the 'Vertical mix' category. It is accepted that there may be instances where some of the proposed floorspace within a 'Vertical mix' site may not be able to meet the needs of B1 (c) businesses. Therefore, in the case of this particular planning application, and considering that a reasonable proportion of the entrance level floorspace would have a generous floor-to-ceiling height well in excess of 4 metres thereby enabling occupation by B1 (c) businesses, it is considered that sufficient efforts have been made to create flexible workspace on this relatively constrained site.
143. The proposed basement-level accommodation would be well lit by natural light and benefit from outlook onto the perimeter 'strip' lightwell and the large rear lightwell; the floorspace would, therefore, be attractive to a range of occupiers. Being 0.7 metres lower than the 4 metres recommended by the OKR AAP, the floor-to-ceiling height may not be suitable for all B1 (c) but would still be suitable for some B1 (c) businesses. In any case, the basement level would be appropriate for B1 (a) uses.
144. As the public representation notes, the residential cores punctuate the floorspace. This is an inevitability of the upper floors of the building being in residential use together with the need for two cores to be provided. The cores' size has been minimised and their location chosen as carefully as possible such that the flexibility of the commercial space would not be compromised. The vast majority of the floorspace would remain uninterrupted by punctuating features, allowing for flexibility and adaption by the occupiers.
145. In respect of servicing, the AAP proposes to deliver off-street servicing through this site and neighbouring sites as they come forward. The proposed plans would enable this route to be delivered in the longer term and this will be secured through the Section 106 (see paragraph 164). In the interim, servicing will be provided off Manor Grove.
146. In summary, the quality of the commercial floorspace is considered acceptable and in conformity with the overarching aims of the OKR AAP.

Trees and biodiversity

Trees

147. Saved policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals. There are two existing street trees on

the Manor Grove footway directly to the south of the existing building. These two trees are Category B, indicating moderate value.

148. To deliver the proposed basement as well as the improved public realm works comprising a widened footway and dedicated servicing bay, the removal of these two existing trees is proposed. The council's transport planning team is in the process of preparing a streetscape strategy for the Hatcham Road and Penarth Street block which will set out how the vehicular routes within this part of the OKR AAP are to be remodelled (with build-outs, service bays etc.), finished and planted/furnished. In the knowledge of this forthcoming streetscape strategy, the application simply gives indicative details of where two replacement trees *could* be provided within the footway build-out to either side of the proposed servicing bay on Manor Grove.
149. As such, a condition is recommended requiring details of the tree planting to be submitted to and approved by the Local Planning Authority at a later time. Whether tree planting will in fact be feasible as part of the future highways works in this location will be dependent on the Section 278 works, which are agreed and entered into between the applicant and the Highways department as part as an entirely separate process to this planning application. There is, therefore, a possibility that the Highways Authority may decide against the incorporation of street trees on the Manor Grove footway. Therefore, as a precautionary measure, there will be a clause within the Section 106 Agreement requiring the developer to pay an in-lieu sum should it transpire that replacement tree planting is not possible in this location.

Landscaping

150. The landscaping of the two outdoor communal amenity spaces is only shown indicatively on the proposed plans. As such, the council's urban forester has requested the imposition of a condition requiring a landscaping plan to be submitted to and approved by the Local Planning Authority at a later time.

Biodiversity

151. The proposed development would incorporate an area of green roof, offering opportunities for biodiversity net gain, which is welcomed. There is scope, however, to expand the total green roof coverage by also installing it on those parts of the roof where the photovoltaic array is proposed. Research shows that green roof placed beneath photovoltaic panels can in fact improve their performance. Accordingly, should permission be granted, the Council's Ecologist has recommended a condition be imposed requiring green roof to be laid underneath the photovoltaic array.
152. To support biodiversity, a condition will be imposed requiring details to be provided at later stage of 8 internal swift bricks and 4 sparrow terraces.

Transport and highway matters, including cycle and refuse storage

153. Saved Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions. Saved Policy 5.3 requires the needs of pedestrians and cyclists to be considered. Saved Policy 5.6 establishes maximum parking standards. The site has a PTAL (public transport accessibility level) of 2 (poor), although there is a relatively good bus service available within 200 metres from Ilderton Road. The council's Transport Planning and Highways teams have been consulted. Their responses have informed the following paragraphs of this Committee Report.

Walking

154. The proposal has considered pedestrian and cycle connectivity, as well as permeability in relation to the emerging developments at nearby sites. The proposal includes multiple convenient pedestrian access points into the development. In addition, the building has been set back to facilitate the delivery of wider footways on both Ormside Street and Manor Grove.
155. There are two bus stops within the vicinity of the site, the nearest of which is situated 175 metres (2 minutes' walk) south along Ilderton Road. The next nearest stop is 650 metres (8 minutes' walk) further south from the site. These services and their proximity to the site will encourage residents to adopt sustainable modes of travel.

Cycling and cycle parking

156. Three year membership to dockless cycle hire will be available to all future residents, and will be secured through the Section 106 Agreement. This will offer residents access to cycling without requiring them to own a bike.
157. The proposal includes two large cycle stores at basement level, one for each of the two residential cores. The stores would be located adjacent to the lift of each core, access to which would be from Ormside Street. The indicative details of these stores show that 96 residential spaces (which is compliant with the London Plan standards) could be provided in a stacked format. A store accommodating a further 20 cycle spaces would be provided at ground floor level for the exclusive use of the commercial staff. The council's transport team considers that there may be scope for more a flexible storage format, to allow for the storage of bulkier items as well as prams, and as such the detailed design of the storage is to be reserved by condition.
158. Short-stay Sheffield stands are also to be provided in the vicinity as part of the Section 278 works.

Car parking

159. The proposal is to be car free with the exception of on-site provision for two disabled bays. A clause is to be included with the Section 106 Agreement stipulating that, should there be no demand from the occupiers of the wheelchair dwellings for the bays, neither of the bays is to be allocated to a specific non-wheelchair unit. The inclusion of this clause will enable the spaces to be given over to servicing and/or extended cycle parking.
160. Through a clause in the Section 106 Agreement, all new residents will be exempted from parking permit eligibility should a CPZ be imposed in this location in the future.
161. Future residents will be granted 3-year membership of a car club, which will be secured through the Section 106 Agreement.

Trip generation

162. Sufficient information has been provided to demonstrate the development is unlikely to have an effect on the local highway network compared to that of the existing industrial use. The trip generation of the proposed development has been estimated with reference to data from the TRICS database for the residential and commercial land uses assessed using 'worst case' scenario. This analysis demonstrated that circa 26 two-way vehicle trips per day would result from the proposed development.

Servicing and DSP bond

163. The applicant's draft delivery and servicing plan sets out that, when the plots of land to the north of the application site are redeveloped a one way servicing route from Hatcham Road to Ormside Street will be delivered as per the requirements of the OKR AAP, which the proposed development can utilise for its own servicing and delivery purposes. The applicant will be required though the Section 106 Agreement to enable this same service route and access to it to be delivered as neighbouring sites come forward. The proposal has been assessed on the assumption that, in the interim, the site will be serviced using only the one Manor Grove servicing bay.
164. Given the relatively low number of delivery and servicing trips forecasted, the council's transport planning team considers that the Manor Grove bay would adequately accommodate the needs of this development such that there would be no detrimental highway impact. Notwithstanding this, as a precautionary measure to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the applicant has agreed to enter into a delivery service plan bond (DSP Bond) against their baseline figures for daily servicing and delivery trips. This approach has been adopted on all other sites of a similar scale across the Old Kent AAP area. These bonds are calculated on the basis of £100 per residential unit, plus £100 per 500 square metres or part thereof of non-residential floorspace. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development, and;
 - (iii) fairly and reasonably related in scale and kind to the development.
165. The DSP Bond is entered into with the council against the applicant's own baseline of daily trips for the servicing and delivery of the development. It is based on the daily vehicular activity of the site (both commercial and residential), quarterly for a period of 2 years. The monitoring period commences once the development reaches 75% occupancy. If the site meets or betters its own baseline target, the monies will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline, the bonded sum will be reinvested by the council in sustainable transport projects in the ward of the development. The council will retain £1,600 for assessing the quarterly monitoring.
166. For the proposed development, the DSP Bond sum breaks down as follows:

Type of floorspace and chargeable rate	Quantity	Sum
Residential (£100 per unit)	56	£5,600
Non-residential floorspace (£100 per 500 square metres or part thereof)	2058	£300
Total (of which £1600 is non-refundable)		£5,900
Daily servicing/delivery motorised vehicles baseline	26	N/A

167. This mechanism, to be secured through Section 106 Agreement, would ensure the servicing activity associated with the development can be monitored and any impact to the highway network can be mitigated in the unlikely event that such impact arises.

Construction management

168. In order to ensure that increases in traffic, noise and dust associated with the construction phase of the development are minimised, a construction management plan is requested by condition.

Waste storage and collection arrangements

169. Refuse stores associated with the residential component of the development are to be provided at ground floor level. These stores would have double-doors opening directly onto the building frontage to enable kerbside collection on Ormside Street. A separate refuse store is provided for the commercial uses with a door onto a hard paved private area fronting onto Manor Grove. All three stores would be of an adequate size to accommodate the anticipated volumes of residual waste and recycling that the residential and commercial components would generate. The stores have been located so that none is any farther than ten metres from the public highway, enabling refuse and recycling bins to be collected directly from the stores and wheeled to the vehicles. The arrangements are, therefore, considered acceptable.

Environmental matters

Land contamination

170. The application was accompanied by a preliminary Land Contamination Risk Assessment, which the council's environmental protection team has assessed and deemed acceptable. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the council for approval, with further remediation measures to apply if contamination is found to be present.

Flood risk, flood resilience and sustainable urban drainage

171. The application site is located within Flood Zone 3 but is outside the area of residual risk and benefits from the Thames tidal defences. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable.
172. The council's flood risk management team has requested the imposition of conditions requiring a Flood Warning and Evacuation Plan and a Flood Resistance and Resilience Report to be prepared and submitted to the Council for approval.

Archaeology

173. The site is within the 'Bermondsey Lake' Archaeological Priority Zone (APZ), which is designed to protect the palaeoecological environment and prehistoric archaeology recovered from the shoreline and relict fills of the large late glacial Bermondsey Lake and the associated riverine geology and topology.
174. The applicants have submitted an archaeological desk based assessment (DBA) with this application. Due to the existing building covering the entirety of the application site, pre-determination trial trenching would be considerably disruptive and the layout of the existing building would not be conducive to such archaeological investigation.
175. The council's archaeologist has met the applicants on site and assessed the DBA. Deeming the DBA to be acceptable, the Archaeologist has recommended the

imposition of four conditions should planning permission be granted.

Energy and sustainability

Carbon emissions and renewable technologies

176. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. The residential aspect of the proposal would be expected to achieve zero carbon, and the commercial aspect a 40% reduction against Part L of the building regulations. An energy statement and sustainability assessment based on the Mayor's hierarchy have been submitted.
177. The energy statement demonstrates how the targets for carbon dioxide emissions reduction are to be met. Reductions in emissions for the site have been demonstrated via 'Lean', 'Clean', 'Green' measures, in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy (2011) and the Southwark Sustainable Design and Construction SPD.
178. Overall, the energy assessment asserts that the development would achieve a carbon saving of 35.2%, thereby meeting the policy requirement. This has been achieved by proposing:
 - 'Lean' measures such as levels of insulation beyond Building Regulation requirements, low air tightness levels and efficient lighting;
 - 'Clean' measures such as individual high efficiency gas boilers, and;
 - 'Green' measures such as photovoltaic panels and air source heat pumps.
179. For the residential element, a 35.9% carbon reduction would be achieved falling short of the zero carbon requirements as set out in policy 5.2 of the London Plan, amounting to a 42 tonne shortfall per annum, which over 30 years is equivalent to 1,260 tonnes. For the commercial element, a 33.9% reduction in carbon emissions would be achieved, which again falls short of the baseline target, amounting to a 0.4 tonnes per annum, which over 30 years is equivalent to 11.9 tonnes.
180. Recognising that both the residential and commercial aspects fall below the policy requirements in relation to carbon savings, a contribution towards the council's carbon offset fund would be required. Calculated on the basis of £1,800 per tonne, the residential component would generate a contribution of £75,600 and the commercial component a contribution of £720, which in total comes to £76,220. The applicant has agreed to make the contribution of £76,220 to the carbon offset fund, in so doing making this aspect of the scheme fully policy compliant.
181. A clause within the Section 106 Agreement will also ensure that evidence is submitted to and approved by the Local Planning Authority to show that the proposal has been designed to allow for future connection into the district CHP network if/when this becomes feasible. The Council are currently developing a project with the GLA to deliver a local energy network powered by SELCHP.

BREEAM

182. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken (this is contained within the applicant's Sustainability Statement) which demonstrates that an "excellent" standard can be achieved which meets the policy requirement and is

therefore acceptable. A condition to secure this is therefore recommended.

Air Quality

183. The submitted air quality assessment considers the impacts that the proposed development would have both during construction and post-completion. The proposed development has been shown to be air quality neutral with regard to buildings. The development is not air quality neutral with regard to transport emissions, but the council's environmental protection team considers that a comprehensive construction environmental management plan (to be imposed by condition) can adequately address these impacts.

Development viability

184. This application was accompanied by a viability report on submission. Following negotiations, the application was amended to include a policy compliant level of affordable housing. In line with the requirements of the emerging SPD, this revised offer is supported by an updated viability appraisal which explains the basis on which the improved offer can be supported within a scheme which remains deliverable. The updated appraisal supports the applicant's assertion that to deliver the scheme taking into account the costs and potential revenues set out in the summary appraisal would be feasible.
185. Accordingly, it is recommended that permission be granted subject to a Section 106 Agreement, and that the agreement should require that any subsequent renegotiation of affordable housing which represents a net reduction (for instance through an appeal) will be subject to a viability review following substantial implementation.

Community engagement

186. The applicant's statement of community involvement details the consultation undertaken before the full application was submitted. These community engagement efforts included:
- A workshop with other landowners within the Hatcham Road and Penarth Street block;
 - A workshop with the Southern Pensioners;
 - Informal engagement with neighbouring commercial units.
187. Notwithstanding that there are no statutory requirements in relation to Community Involvement, this is considered to be an adequate effort to engage with those affected by the proposals. As part of its statutory requirements, The Local Planning Authority, sent letters to all residents, displayed site notices in the vicinity, and issued a press notice publicising the planning application. Adequate efforts have, therefore, been made to ensure the community has been given the opportunity to participate in the planning process. The responses received are summarised later in this report.

Planning obligations and Community Infrastructure Levy

Mayoral and Southwark CIL

188. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will

provide for infrastructure that supports growth in Southwark.

189. The Mayoral and Southwark Community Infrastructure Levies will be £256,189.79 and £221,070.31 respectively. These figures are pre-relief and subject to indexation. The draft liability notice will be attached to the Decision Notice.

Section 106

190. Saved Policy 2.5 'Planning Obligations' advises that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 is reinforced by the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD, which sets out in detail the type of development that qualifies for planning obligations.
191. In accordance with Southwark's Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD, the following contributions have been agreed with the applicant, in order to mitigate the impacts of the development:

Planning obligation	Mitigation	Applicant's position
Local Economy and Workspace		
LOCAL ECONOMY: CONSTRUCTION PHASE JOB/CONTRIBUTIONS	Development to: <ul style="list-style-type: none"> • Deliver 14 sustained jobs to unemployed Southwark residents, • Deliver 14 short courses, and; • Take on 3 construction industry apprentices during the construction phase. Or make the pro-rata Employment and Training Contribution which, at maximum, would be £66,800 (indexed): <ul style="list-style-type: none"> • £60,200 against sustained jobs; • £2,100 against short courses, and; • £4,500 against construction industry apprenticeships. 	Agreed
LOCAL ECONOMY: CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	The Plan would be expected to detail: <ul style="list-style-type: none"> • Methodology of training, skills, support etc. • Targets for construction skills and employment outputs • Methodology for delivering apprenticeships • Local supply chain activity methodology 	Agreed
AFFORDABLE WORKSPACE	10% of the commercial floorspace is to be for affordable workspace at a rate of £12 per square foot over a 15-year period.	Agreed
COMMERCIAL UNITS MANAGEMENT PLAN	Strategy to be submitted to and approved by the Council setting out: <ul style="list-style-type: none"> • how a Specialist Workspace Provider will be appointed; 	To be agreed

	<ul style="list-style-type: none"> the methodology for supporting SMEs; the marketing strategy, and; the strategy for managing the units. 	
Housing, Viability and Amenity Space		
AFFORDABLE (SOCIAL RENT AND INTERMEDIATE) HOUSING PROVISION	<p>Provision and retention in perpetuity (except where viability is reviewed) of 20 affordable units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> 14 units (6 x one-bedroom flats, 2 x two-bedroom flats, 6 x three-bedroom flats) to be social rent tenure 6 units (3 x one-bedroom flats, 3 x two-bedroom flats) to be intermediate rent tenure units. <p>Income thresholds and eligibility criteria for the tenures would be included.</p> <p>Restrictions on occupancy to ensure foregrounded delivery of affordable housing units.</p> <p>Suitable marketing of the Intermediate Housing Units for the duration of the Intermediate Housing Pre-Completion Marketing Period and the Intermediate Housing Marketing Period</p> <p>Disposal of any of the Intermediate Housing units permitted only if at the end of the Marketing Period there has not been uptake. In these circumstances, disposal to those an incomes up to £90,000 will be permitted who meet the eligibility criteria. Evidence to be supplied to the Council before this will be permitted.</p> <p>The payment of £2,647 towards the costs of an Affordable Housing Evaluation Report.</p>	Agreed
VIABILITY	<p>Viability Review Update to be submitted should the agreed affordable housing offer not be complied with.</p> <p>Standard paragraphs pertaining to validation of the Viability Review Update and its subsequent review: (receipt of Review Update within 10 days; provision of additional info within 10 days; Review to be carried out by external agents on behalf of the council, with costs to be met by the developer; confirmation to be given by Council within 3 months; referral to specialist if Update not accepted etc.)</p>	Agreed

	<p>Provisions in respect of the payment of the Deferred Affordable Housing Payment, the expiry of the Viability Review Update, and the Viability Actual Value Review.</p> <p>Restriction on occupation of 50% if a Viability Review Update is required.</p>	
WHEELCHAIR HOUSING PROVISION	<p>Provision of six housing units (three social rent and three intermediate) as wheelchair housing units.</p> <p>Suitable marketing of the three Intermediate Housing Units designated as Wheelchair Accessible Units for the duration of the Marketing Period for Wheelchair Accessible Dwellings</p> <p>No disposal of any of the Intermediate Housing Units designated as a Wheelchair Accessible Unit to those not in need of wheelchair housing until marketing exercise at end of marketing period.</p>	Agreed
PLAYSPACE	<p>Payment of £16,850 (indexed) to address the 111.6 square metre total shortfall of on-site play space for children aged over 5 years old.</p> <p>To maintain the play space and provide residents with free access to it throughout the year for the duration of the development.</p>	Agreed
OUTDOOR AMENITY SPACE	<p>Not to occupy the development or any part of it until the communal amenity space has been completed to satisfaction of Council.</p> <p>To maintain the communal amenity space and provide residents with free access to it throughout the year for the duration of the development.</p>	Agreed
PUBLIC OPEN SPACE	<p>Payment of £57,400 (indexed) to secure improvements to existing parks and open spaces within the Old Kent Road Opportunity Area.</p>	Agreed
Transport and Highways		
HIGHWAY WORKS	<p>Prior to implementation, the Developer is to submit for approval the s278 specification and estimated costs.</p> <p>Prior to commencement of highway works, the</p>	Agreed

	<p>Developer is to enter into a Highway Agreement for the purposes authorising the works etc.</p> <p>Prior to construction, the following is to be submitted for consideration by the Structures Team:</p> <ul style="list-style-type: none"> An AIP (because the proposed basement adjoins a public highway). <p>The works, as listed below, are to be completed in accordance with the Highway agreement:</p> <ul style="list-style-type: none"> Repave the footway including new kerbing fronting the development on Manor Grove and Ormside Street using materials in accordance with Southwark's Streetscape Design Manual. Reconstruct the vehicle crossover on Ormside Street using materials in accordance with Southwark's Streetscape Design Manual. Construct an inset bay using materials in accordance with Southwark's Streetscape Design Manual. Provide access arrangements for refuse collection such as a dropped kerb construction to SSDM standards. 	
DELIVERY SERVICE PLAN BOND	<p>For a period of two years from 75% occupancy the daily vehicular activity of the site (for both the commercial and residential elements of the development) are to be monitored and returns made on a quarterly basis. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development.</p> <p>The Delivery Service Plan Bond will be £5,900, which breaks down as follows:</p> <ul style="list-style-type: none"> Resi units (£100/unit): £5600 Non-resi floorspace (£100 per each 500 square metres or part thereof): £300 <p>The Bond is to be paid to the Council prior to occupation of any part of the development.</p> <p>The council will retain £1,600 of the £5,900 Bond for assessing the quarterly monitoring.</p>	Agreed
CYCLE CLUB SCHEME	<p>Membership of a dockless cycle hire scheme licenced by the highway authority for a period of</p>	Agreed

	3 years from the date of first occupation will be available for free to all residents.	
CAR CLUB SCHEME	Membership of a Car Club Operator scheme (to be one of the Council's approved car club partners) for a period of 3 years from the date of first occupation will be available to all eligible residents.	Agreed
RESTRICTION ON THE RELEASE OF THE WHEELCHAIR PARKING SPACES	In no circumstances are either of the two wheelchair parking spaces to be released for exclusive use by any non-disabled residents of the development.	Agreed
PARKING PERMIT RESTRICTION	All future residents, with the exception of blue badge holders, are to be exempted from parking permit eligibility in the event that Ormside Street and/or Manor Grove become part of a Controlled Parking Zone in the future.	To be agreed
Energy, Sustainability and the Environment		
FUTUREPROOFING FOR CONNECTION TO DISTRICT CHP	Prior to occupation, a CHP Energy Strategy must be approved setting out how the development will be designed and built so that it will be capable of connecting to the District CHP in the future.	Agreed
CARBON OFFSET FUND	<p>Payment on or before implementation of £76,320 (indexed) based on the shortfall of 42 tonnes of carbon per year over a 30 year period for the residential element and 0.4 tonnes of carbon per year over a 30 year period for the non-domestic element, which breaks down as follows:</p> <ul style="list-style-type: none"> • Resi element: £75,600 • Non-domestic element: £720 <p>Development as built is to achieve the 33.9% carbon reduction for the domestic element and 35.9% carbon reduction for the residential element, as set out in the submitted Energy Strategy.</p>	Agreed
PRECAUTIONARY TREE LOSS OFFSET	<p>Should it transpire that two new street trees cannot be provided on the Manor Grove footway (in place of the two existing trees), the following offset sum(s) shall be paid by the developer:</p> <ul style="list-style-type: none"> • £4,739 for the T1 Alder, and/or; • £7,405 for the T2 Alder; <p>as calculated in line with the Capital Asset Valuation of Amenity Trees matrix.</p>	Agreed

ARCHAEOLOGY	Payment of £6,778 (indexed) to cover the costs of archaeology monitoring/supervising.	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

192. These obligations are necessary to make the development acceptable in planning terms, mitigating for its adverse impacts. In the event that a satisfactory legal agreement has not been entered into by 4 April 2019 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Section 106 agreement, fails to ensure adequate provision of mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 ‘Planning obligations’ of the Southwark Plan (2007), strategic policy 14 ‘Delivery and implementation’ of the Core Strategy (2011), policy 8.2 ‘Planning obligations’ of the London Plan (2016), and Southwark Council’s Planning Obligations and Community Infrastructure Levy SPD (2015).”

Consultation responses: members of the public

193. Four representations were received in respect of this planning application, of which three were in objection. Appendix 1 provides further details. In summary, the material planning considerations raised by these representations are as follows:

Local economic and social impact:

- Harmful impact on local communities because they would be priced-out through gentrification and would lack the financial means to acquire any of the proposed dwellings.

Land use and principle of development:

- The proposal would result in the loss of industrial land which is protected by the SIL designation;
- The existing diversity of uses and activities in this area will be diminished;
- The proposal is premature given that the OKR AAP and New Southwark Plan have not yet been adopted, and;
- The proposal is contrary to adopted planning policy.

Quality of the commercial floorspace:

- The flexibility/adaptability of the commercial floorspace is compromised by the residential cores;
- Some of the commercial floorspace would have relatively low floor-to-ceiling heights, making the space inflexible and only suited to Class B1 (a) use, and;
- The basement-level commercial floorspace would be poorly accessed and would only be appropriate for Class B1 (a) use.

Quality and affordability of proposed housing:

- The majority of the housing would not be affordable, and;
- The communal amenity space offered by the proposal is not generous.

Transport, highways and public realm:

- The proposals do not include parking, as a result of which there will be harmful impacts on the local highways network which is already at capacity;
- The proposal offers little in the way of public realm;
- There is no agreement for the proposed development to have access to any proposed east-west servicing route that may be delivered within the parent block in the future, and as such the off-site (i.e. bay-dependent) servicing strategy should be treated as the long-term servicing strategy for this site. Such a strategy would give rise to congestion and is not in line with the aims of the OKR AAP.

194. All of these material planning considerations are comprehensively addressed in the main body of this committee report.

Consultation responses: Internal and external consultees

195. Set out below are the responses received from external consultees in respect of this planning application. The views of internal consultees are summarised within the main body of this committee report. Appendix 1 provides further details.

Environment Agency

196. No objections. Instructed the LPA to proceed with determination of the applications as seen fit.

Transport for London

197. Comments; neither in objection nor in support. In summary, the matters raised by TfL's response are:
- the on-site cycle storage is not London Plan compliant;
 - mitigation is required for the impact that will be experienced by local bus network between the occupation of the development and the delivery of the Bakerloo Line Extension;
 - funding should be secured for new Legible London signage to make walking/wayfinding easier in the local area;
 - funding should be secured for local cycle hire schemes and cycle facilities, and;
 - future occupiers should be exempted from parking permit eligibility.
198. Response from LPA to the representation:
- The council's transport planning team has taken TfL's comments into account. However, because the proposal would comply with local and London Plan policies on a number of transport issues — including car free development, commercial and residential cycle storage, car club membership, cycle hire membership, and a DSP Bond — to request all of the additional payments sought by TfL would not be reasonable.
 - With respect to cycle storage, the detailed design will be resolved at the conditions stage in liaison with the transport planning team.
 - The need for future occupiers to be exempted from parking permit eligibility is noted and will be secured through the Section 106 Agreement.

Natural England

199. No comment.

Historic England

200. No objections. Instructed the LPA to proceed with determination of the applications as seen fit.

Metropolitan Police

201. No objections. This consultee requested that Secured by Design accreditation be required by condition.

Community impact statement / Equalities Assessment

202. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three “needs” which are central to the aims of the Act:

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.

203. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

204. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.

205. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. It is not considered that this proposal would give rise to any equalities issues in respect of persons sharing the relevant characteristics set out above.

Human rights implications

206. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term ‘engage’ simply means that human rights may be affected or relevant.

207. This application has the legitimate aim of providing a mixed use (Classes B1 and C3) redevelopment of an existing but vacant commercial (Class B1) building. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

Conclusion

208. The proposed development would deliver new high-quality and flexible B class floorspace representing uplift on the existing quantum, in so doing increasing the number of jobs for local people, and would include an affordable element. Although the proposal would also introduce residential floorspace within the SPIL, thereby representing a departure from the adopted development plan, the draft New Southwark Plan and Old Kent Road Area Action Plan provide an indication of the direction of travel for planning policy in this location, including an intention to release this site from its SPIL designation. This emerging policy content also set outs a vision for developing mixed-use neighbourhoods and delivering significant levels of new housing. The proposed development would deliver 56 new high-quality flats, including a policy compliant level of affordable housing and a good mix of dwelling sizes.
209. The proposal would not result in any undue loss of daylight, sunlight, privacy or outlook to nearby existing or future residential occupiers. Conditions are also recommended to ensure the future occupiers of the fifty-six proposed dwellings are protected against undue noise disturbance from the nearby existing and proposed commercial premises, the double benefit of which is that the continued successful functioning of these businesses will be safeguarded.
210. The height, scale and massing of the proposed building is in line with the emerging policy set out in the draft OKR AAP. Fusing contextually-appropriate materials with a well-considered fenestration and strong detailing, the proposal would achieve a high quality finish responsive to the existing character of the area and in accordance with the emerging architectural language proposed by the AAP.
211. The trip generation, servicing and refuse arrangements are all acceptable, while detailed cycle storage design and construction management impacts will be resolved at the conditions stage. The existing trees on the Manor Grove footway are to be replaced but, should this prove not to be feasible once the Section 278 works are resolved, there is a mechanism in place for securing a financial contribution from the developer to fund investment in tree planting in the vicinity.
212. Other conditions are imposed in respect of matters such as archaeology, ecology and energy. Additionally, mitigation will be sought through a Section 106 Agreement, the terms of which have been agreed with the developer, and upon the successful resolution of which planning permission will be dependent.
213. In line with the requirements of the NPPF, the Council has applied the presumption in favour of sustainable development. The proposed development would accord with sustainable principles and would make efficient use of the land to deliver a high quality development that is in accordance with the Council's aspirations for the area. It is therefore recommended that Members grant permission, subject to conditions as set out in the attached draft decision notice and the applicant entering into a Section 106 agreement.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2407-94 Application file: 18/AP/1049 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5535 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Patrick Cronin, Planning Officer		
Version	Final		
Dated	21 November 2018		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Strategic Director of Finance and Governance	No	No	
Strategic Director of Environment and Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team		23 November 2018	

APPENDIX 1

Consultation undertaken

Site notice date: 02/05/2018

Press notice date: 03/05/2018

Case officer site visit date: 02/05/2018

Neighbour consultation letters sent: 30/04/2018

Internal services consulted:

Ecology Officer
Economic Development Team
Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
Flood and Drainage Team
Highway Licencing
Highway Development Management
Highways Development Management - CMPs
Housing Regeneration Initiatives
Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy
Environment Agency
Historic England
London Fire & Emergency Planning Authority
London Underground Limited
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region
Network Rail (Planning)
Southern Gas Networks, Walton Park
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Flat 18 Kentmere House Tustin Estate SE15 1EG
Flat 17 Kentmere House Tustin Estate SE15 1EG
Flat 20 Kentmere House Tustin Estate SE15 1EG
Flat 19 Kentmere House Tustin Estate SE15 1EG
Flat 16 Kentmere House Tustin Estate SE15 1EG
Flat 13 Kentmere House Tustin Estate SE15 1EG
Flat 12 Kentmere House Tustin Estate SE15 1EG
Flat 15 Kentmere House Tustin Estate SE15 1EG
Flat 14 Kentmere House Tustin Estate SE15 1EG
Flat 21 Kentmere House Tustin Estate SE15 1EG
Flat 28 Kentmere House Tustin Estate SE15 1EG
Flat 27 Kentmere House Tustin Estate SE15 1EG
Flat 30 Kentmere House Tustin Estate SE15 1EG
Flat 29 Kentmere House Tustin Estate SE15 1EG
Flat 26 Kentmere House Tustin Estate SE15 1EG
Flat 23 Kentmere House Tustin Estate SE15 1EG

Unit 3 And 4 96-108 Ormside Street SE15 1TF
Unit 1 And 2 96-108 Ormside Street SE15 1TF
9 Barnaby House Manor Grove SE15 1AN
6 Barnaby House Manor Grove SE15 1AN
5 Barnaby House Manor Grove SE15 1AN
8 Barnaby House Manor Grove SE15 1AN
7 Barnaby House Manor Grove SE15 1AN
Unit 20 Daisy Business Park SE15 1PD
4 Hillbeck Close London SE15 1EE
3 Hillbeck Close London SE15 1EE
6 Hillbeck Close London SE15 1EE
5 Hillbeck Close London SE15 1EE
2 Hillbeck Close London SE15 1EE
115-125 Ormside Street London SE15 1TB
67-105 Ormside Street London SE15 1TF
1 Hillbeck Close London SE15 1EE

Flat 22 Kentmere House Tustin Estate SE15 1EG
 Flat 25 Kentmere House Tustin Estate SE15 1EG
 Flat 24 Kentmere House Tustin Estate SE15 1EG
 Flat 11 Kentmere House Tustin Estate SE15 1EG
 182-196 Ilderton Road London SE15 1NT
 River Of Life Pentecostal Church 12-38 Hatcham Road SE15 1TW
 224 Ilderton Road London SE15 1NT
 206-210 Ilderton Road London SE15 1NT
 24 Manor Grove London SE15 1SX
 9 Manor Grove London SE15 1EQ
 7 Manor Grove London SE15 1EQ
 214 Ilderton Road London SE15 1NT
 180 Ilderton Road London SE15 1NT
 Flat 1 Kentmere House Tustin Estate SE15 1EG
 Flat 8 Kentmere House Tustin Estate SE15 1EG
 Flat 7 Kentmere House Tustin Estate SE15 1EG
 Flat 10 Kentmere House Tustin Estate SE15 1EG
 Flat 9 Kentmere House Tustin Estate SE15 1EG
 Flat 6 Kentmere House Tustin Estate SE15 1EG
 Flat 3 Kentmere House Tustin Estate SE15 1EG
 Flat 2 Kentmere House Tustin Estate SE15 1EG
 Flat 5 Kentmere House Tustin Estate SE15 1EG
 Flat 4 Kentmere House Tustin Estate SE15 1EG
 Flat 31 Kentmere House Tustin Estate SE15 1EG
 97 Manor Grove London SE15 1EH
 95 Manor Grove London SE15 1EH
 14-38 Hatcham Road London SE15 1TW
 93 Manor Grove London SE15 1EH
 87 Manor Grove London SE15 1EH
 85 Manor Grove London SE15 1EH
 91 Manor Grove London SE15 1EH
 89 Manor Grove London SE15 1EH
 Iberia House Manor Grove SE15 1EQ
 Unit 5 Ground Floor Daisy Business Park SE15 1PD
 Units 1 And 2 Daisy Business Park SE15 1PD
 Unit 5 First Floor Daisy Business Park SE15 1PD
 Penarth Works Penarth Street SE15 1TR
 Part First Floor 78-94 Ormside Street SE15 1TF
 Ground Floor 78-94 Ormside Street SE15 1TF
 118-120 Ormside Street London SE15 1TF
 113 Ormside Street London SE15 1TF
 83 Manor Grove London SE15 1EH
 Flat 38 Kentmere House Tustin Estate SE15 1EG
 Flat 37 Kentmere House Tustin Estate SE15 1EG
 Southwark Integrated Waste Management Facility 43 Devon Street SE15 1AL
 Flat 36 Kentmere House Tustin Estate SE15 1EG
 Flat 33 Kentmere House Tustin Estate SE15 1EG
 Flat 32 Kentmere House Tustin Estate SE15 1EG
 Flat 35 Kentmere House Tustin Estate SE15 1EG
 Flat 34 Kentmere House Tustin Estate SE15 1EG
 18 Manor Grove London SE15 1SX
 110-116 Ormside Street London SE15 1TF
 127-135 Ormside Street London SE15 1TF
 107-113 Ormside Street London SE15 1TF
 212 Ilderton Road London SE15 1NT
 132-136 Ormside Street London SE15 1TF
 202 Ilderton Road London SE15 1NT
 5 Manor Grove London SE15 1EQ
 Unit 21 Daisy Business Park SE15 1PD
 First Floor 96-108 Ormside Street SE15 1TF
 18-22 Penarth Street London SE15 1TX
 4 Barnaby House Manor Grove SE15 1AN
 First Floor 78-94 Ormside Street SE15 1TF
 21 Hatcham Road London SE15 1TW
 25 Hatcham Road London SE15 1TW
 12 Manor Grove London SE15 1SX
 10 Manor Grove London SE15 1SX
 8 Manor Grove London SE15 1SX
 Ground Floor 180 Ilderton Road SE15 1NT
 1 Barnaby House Manor Grove SE15 1AN
 3 Barnaby House Manor Grove SE15 1AN
 2 Barnaby House Manor Grove SE15 1AN
 24b Manor Grove London SE15 1SX
 First Floor Rear 180 Ilderton Road SE15 1NT
 Part First Floor Front 180 Ilderton Road SE15 1NT
 24a Manor Grove London SE15 1SX
 Living Accommodation 224 Ilderton Road SE15 1NT
 7 Hillbeck Close London SE15 1EE
 25 Manor Grove London SE15 1EQ
 23 Manor Grove London SE15 1EQ
 29 Manor Grove London SE15 1EQ
 27 Manor Grove London SE15 1EQ
 21 Manor Grove London SE15 1EQ
 15 Manor Grove London SE15 1EQ
 13 Manor Grove London SE15 1EQ
 19 Manor Grove London SE15 1EQ
 17 Manor Grove London SE15 1EQ
 3 Manor Grove London SE15 1EQ
 43 Manor Grove London SE15 1EQ
 41 Manor Grove London SE15 1EQ
 47 Manor Grove London SE15 1EQ
 45 Manor Grove London SE15 1EQ
 39 Manor Grove London SE15 1EQ
 33 Manor Grove London SE15 1EQ
 31 Manor Grove London SE15 1EQ
 Effingham House Arundel Street WC2
 35 Manor Grove London SE15 1EQ
 11 Manor Grove London SE15 1EQ
 59 Manor Grove London SE15 1EH
 57 Manor Grove London SE15 1EH
 63 Manor Grove London SE15 1EH
 61 Manor Grove London SE15 1EH
 55 Manor Grove London SE15 1EH
 49 Manor Grove London SE15 1EH
 8 Hillbeck Close London SE15 1EE
 53 Manor Grove London SE15 1EH
 51 Manor Grove London SE15 1EH
 65 Manor Grove London SE15 1EH
 79 Manor Grove London SE15 1EH
 77 Manor Grove London SE15 1EH
 1 Manor Grove London SE15 1EQ
 81 Manor Grove London SE15 1EH
 75 Manor Grove London SE15 1EH
 69 Manor Grove London SE15 1EH
 67 Manor Grove London SE15 1EH
 73 Manor Grove London SE15 1EH
 71 Manor Grove London SE15 1EH
 By Email
 96-108 Ormside St London SE15 1TF
 5a Lewisham Way New Cross SE14 6PP
 155 Commercial Street Spitalfields E1 6BJ

Re-consultation: n/a

APPENDIX 2**Consultation responses received****Internal services**

Ecology Officer
 Economic Development Team
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
 Flood and Drainage Team
 Highway Licencing
 Highway Development Management
 Highways Development Management - CMPs
 Waste Management

Statutory and non-statutory organisations

Environment Agency
 Metropolitan Police Service (Designing out Crime)
 Natural England - London Region & South East Region
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Email representation
 155 Commercial Street, Spitalfields, E1 6BJ
 5a Lewisham Way, New Cross, SE14 6PP
 96-108 Ormside Street, London, SE15 1TF

RECOMMENDATION

This document shows the case officer's recommended decision for the application referred to below.
This document is not a decision notice for this application.

Applicant	Musco (Clapham Ltd)	Reg. Number	18/AP/1049
Application Type	Full Planning Application	Case Number	TP/2407-94
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Planning Permission was **GRANTED** for the following development:

Redevelopment of the site, involving the demolition of existing buildings and structures, to deliver a mixed use building of up to nine storeys (ten storeys including the mezzanine at entrance level) plus rooftop plant. The building will comprise 2058 square metres of new and replacement commercial floor space (Class B1) together with 56 residential units (Class C3) and will include the creation of a new basement, hard and soft landscaping, reconfigured servicing arrangements and other associated works.

(This application represents a departure from Strategic Policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).

At: 78-94 ORMSIDE STREET, LONDON SE15 1TF

In accordance with application received on 30/03/2018 08:01:17

and Applicant's Drawing Nos.

Existing plans

- 4487/PA/001 - 'Site Location'
- 4487/PA/100 - 'Existing Floor Plans'
- 4487/PA/110 - 'Existing Elevations'

Proposed plans, elevations and sections

- 4487/PA/240b - Rev B - 'Proposed Sections'
- 4487/PA/222 - 'Elevation Details'
- 4487/PA/221 - 'Detailed Bay Study 2 – South Elevation'
- 4487/PA/220a - 'Detailed Bay Study 1'
- 4487/PA/215c - Rev C - 'Proposed East Elevation'
- 4487/PA/214c - Rev C - 'Proposed West Elevation'
- 4487/PA/213 B - Rev B - 'Proposed South Elevation'
- 4487/PA/212 B - Rev B - 'Proposed North Elevation'
- 4487/PA/209a - Rev A - 'Seventh & Eight Floor With Anticipated Future Development'
- 4487/PA/208a - Rev A - 'Fourth Floor - Sixth Floor With Anticipated Future Development'
- 4487/PA/207a - Rev A - 'First Floor - Third Floor With Anticipated Future Development'
- 4487/PA/206a - Rev A - 'Basement Floor - Mezzanine With Anticipated Future Development'
- 4487/PA/205b - Rev B - 'Eight Floor & Roof Proposed Plans'
- 4487/PA/204a - Rev A - 'Sixth Floor & Seventh Floor Proposed Plans'
- 4487/PA/203a - Rev A - 'Fourth Floor & Fifth Floor Proposed Plans'
- 4487/PA/202a - Rev A - 'Second Floor & Third Floor Proposed Plans'
- 4487/PA/201a - Rev A - 'Mezzanine Floor & First Floor Proposed Plans'
- 4487/PA/200a - Rev A - 'Basement Floor & Ground Floor Proposed Plans'

Other existing and proposed photographs and visualisations

- 4487/PA/120 - 'Site Photos 1'
- 4487/PA/121 - 'Site Photos 2'

- 4487/PA/300 - 'Manor Grove With Existing Context'
- 4487/PA/301 - 'Manor Grove With Illustrative CGL Context'
- 4487/PA/302 - 'Hatcham Road With Existing Context'
- 4487/PA/303 - 'Hatcham Road With Illustrative CGL Context'
- 4487/PA/304a - Rev A - 'Ormside Street With Illustrative CGL Context'
- 4487/PA/305 - 'View from South West With Illustrative CGL Context'
- 4487/SK/136 - 'Corner Study 3 - OPTION 2'
- 4487/SK/135 - 'Corner Study 2 - OPTION 2'

Design, heritage, trees, landscaping and archaeological documentation

- 'Design and Access Statement' [dated March 2018, produced by GML Architects]
- 'Historic Environment Assessment' [dated March 2018, produced by MOLA, reference NGR 535126 177689]
- 'Arboricultural Impact Assessment' [dated 29.03.2018, produced by PJC Consultancy, reference 4811/18-02]
- 'Arboricultural Method Assessment' [dated 29.03.2018, produced by PJC Consultancy, reference 4811/18-02]

Environmental and sustainability information

- 'Daylight & Sunlight to Neighbouring Residential Properties & Proposed Accommodation' [dated April 2018, produced by Brooke Vincent & Partners]
- 'Energy Statement' - Version 02 [dated March 2018, produced by XCO2]
- 'Sustainability Statement' - Version 03 [dated April 2018, produced by XCO2]
- 'Preliminary Risk Assessment' [dated March 2018, produced by RSK, reference 29791 R01 (01)]
- 'Air Quality Assessment' [dated 29.03.2018, produced by Air Quality Assessments]
- 'Noise Impact Assessment Report' [dated 21.03.2018, produced by KP Acoustics, reference 17207.NIA.01]
- 'Structural Engineer's Report: Basement Impact Assessment' [dated March 2018, produced by ADS Consultancy, reference 18032/R_001/A/AZ]

Flood risk and drainage documentation

- 'Flood Risk and Drainage Statement' - Rev A [undated, produced by M Design, reference MD1140/rep/001]
- 'Sustainable Drainage Strategy' - Rev P1 [dated 26.06.2018, produced by ADS Consultancy, reference 18032/SUDs_R01/RS]

Transport documentation

- 'Transport Assessment' [dated May 2018, produced by Entran]
- 'Delivery and Servicing Plan' [dated May 2018, produced by Entran]
- 'Construction Logistics Plan' [dated March 2018, produced by RSK, reference 661835]
- SK101 - Rev A - 'Swept Path Analysis - Large Car'
- SK102 - Rev A - 'Swept Path Analysis - 10.3m Rigid'
- SK103 - Rev A - 'Visibility Review'
- 'Product Specification Josta 2-tier High capacity Rack'
- 'Southwark Cycle Routes - Committed and Future'
- 'TRICS 7.4.3 301017 B18.05' [dated 28.03.2018, produced by Entran]

Other documentation

- 'Ormside Street Accommodation Schedule 21/06/2018 Amended'
- 'Planning Statement' [dated 28.03.2018, produced by Rolfe Judd Planning, reference P6406]
- 'Affordable Housing Viability Assessment Report' - Rev 6QA [dated 12.08.2018, produced by Argent Blighton Associates]
- 'Executive Summary To Affordable Housing Viability Assessment Report' - Rev 6QA [dated 12.08.2018, produced by Argent Blighton Associates]

Subject to the following thirty-seven conditions:

Time limit for implementing this permission and the approved plans

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason:

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following

approved plans:

- 4487/PA/240b - Rev B - 'Proposed Sections'
- 4487/PA/222 - 'Elevation Details'
- 4487/PA/221 - 'Detailed Bay Study 2 & South Elevation'
- 4487/PA/220a - 'Detailed Bay Study 1'
- 4487/PA/215c - Rev C - 'Proposed East Elevation'
- 4487/PA/214c - Rev C - 'Proposed West Elevation'
- 4487/PA/213 B - Rev B - 'Proposed South Elevation'
- 4487/PA/212 B - Rev B - 'Proposed North Elevation'
- 4487/PA/209a - Rev A - 'Seventh & Eight Floor With Anticipated Future Development'
- 4487/PA/208a - Rev A - 'Fourth Floor - Sixth Floor With Anticipated Future Development'
- 4487/PA/207a - Rev A - 'First Floor - Third Floor With Anticipated Future Development'
- 4487/PA/206a - Rev A - 'Basement Floor - Mezzanine With Anticipated Future Development'
- 4487/PA/205b - Rev B - 'Eight Floor & Roof Proposed Plans'
- 4487/PA/204a - Rev A - 'Sixth Floor & Seventh Floor Proposed Plans'
- 4487/PA/203a - Rev A - 'Fourth Floor & Fifth Floor Proposed Plans'
- 4487/PA/202a - Rev A - 'Second Floor & Third Floor Proposed Plans'
- 4487/PA/201a - Rev A - 'Mezzanine Floor & First Floor Proposed Plans'
- 4487/PA/200a - Rev A - 'Basement Floor & Ground Floor Proposed Plans'

Reason:

For the avoidance of doubt and in the interests of proper planning.

Pre-commencement condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

3 ARCHAEOLOGICAL FOUNDATION DESIGN

Before any work hereby authorised begins, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.19 (Archaeology) of the Southwark Plan 2007.

4 ARCHAEOLOGICAL EVALUATION

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.19 (Archaeology) of the Southwark Plan 2007.

5 ARCHAEOLOGICAL MITIGATION

Before any work hereby authorised begins, the applicant shall secure the implementation of a programme of archaeological mitigation works in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.19 (Archaeology) of the Southwark Plan 2007.

6 DEMOLITION ENVIRONMENTAL MANAGEMENT PLAN (DEMP)

No works including demolition shall take place until a DEMP has been submitted to and approved in writing by the Local Planning Authority. The DEMP shall oblige the applicant, or developer and their contractor/s to commit to current best practice with regard to site management and use all best endeavours to minimise disturbances including, but not limited to, noise, vibration, dust, smoke and plant emissions emanating from the site during any demolition works. The DEMP will include the following:

- A detailed specification of demolition works including consideration of environmental impacts (noise, dust, emissions to air, lighting, waste) and the proposed remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate specific environmental impacts (e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.)
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement the ICE Demolition Protocol and Southwark's Considerate Contractor Scheme;
- To follow all current best practice with regard to the management of outputs regarding noise and emission to air;
- Site traffic (routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.), and;
- Site waste Management (accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations etc.).

To follow current best practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>;
- S61 of Control of Pollution Act 1974;
- The London Mayor's Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites';
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration;
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting';
- Relevant EURO emission standards to comply with the London Mayor's Supplementary Planning Guidance relating to Non-Road Mobile Machinery (NRMM) and site registration (<http://nrmm.london/>);
- Relevant CIRIA practice notes, and;
- BRE practice notes.

All demolition work shall then be undertaken in strict accordance with the approved DEMP, unless otherwise agreed in advance, in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

7 LAND CONTAMINATION

- a) Prior to the commencement of any development, a phase 2 intrusive site investigation and associated risk assessment shall be completed in order to assess the nature and extent of any contamination on the site, whether or not it originates on the site.
- b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The approved remediation scheme (if required) shall be carried out in accordance with its terms prior to the commencement of development, other than works required to carry out remediation and demolition works, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.
- c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report shall be submitted to the Local Planning Authority providing evidence that all works required by the remediation strategy have been completed.

d) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with (a)-(c) above.

Reason:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

8 BAT AND BIRD NESTING FEATURES

Details of eight internal swift bricks and four sparrow terraces to be incorporated into the building design shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the Class B1 and Class C3 premises hereby granted permission.

A total of no less than eight internal swift bricks and four sparrow terraces shall be provided and the details shall include the exact location, specification and design of the habitats. The bricks and terraces shall be installed within the development prior to the first occupation of the development and strictly in accordance with the details so approved.

The swift bricks and sparrow terraces shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies 5.10 (Urban Greening) and 7.19 (Biodiversity and Access to Nature) of the London Plan 2016; Strategic Policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

9 TREE PLANTING

Prior to works commencing, full details of all proposed planting of two trees on Manor Grove shall be submitted to and approved in writing by the Local Planning Authority. The details will include: tree pit cross sections; planting and maintenance specifications; use of guards or other protective measures, and; confirmation of location, species, sizes, nursery stock type, supplier and defect period.

All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes in the opinion of the local planning authority seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season, unless the local planning authority gives its written consent to any variation.

Reason:

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with: The National Planning Policy Framework 2018: Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and Conservation) and 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), Policy 3.13 (Urban Design) and 3.28 (Biodiversity) of The Southwark Plan 2007.

10 FLOOD RESISTANCE AND RESILIENCE REPORT

No works except for demolition works shall commence until a Flood Resistance and Resilience Report has been submitted to and approved by the Local Planning Authority.

The details and recommended solutions contained within the Report should be proportionate and risk-based in terms of predicted flood risks to the planned development (including predicted levels for the years provided in EA Product 4).

Construction shall be carried out in line with the recommendations of the report.

Reason:

To minimise potential damage to property from flood events from the sources of flood risk to the site and provide more time for occupants to get to safety in a flood event, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011; Saved Policy 3.9 (Water) of the Southwark Plan 2007, and; the Southwark Strategic Flood Risk Assessment (2017).

Commencement of works above grade - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

11 CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (CEMP)

No above grade works shall take place (excluding demolition) until a CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, or developer and their contractor/s to commit to current best practice with regard to site management and use all best endeavours to minimise disturbances including, but not limited to, noise, vibration, dust, smoke and plant emissions emanating from the site during construction. The CEMP will include the following:

- A detailed specification of construction works including consideration of environmental impacts (noise, dust, emissions to air, lighting, waste) and the proposed remedial measures;
- Site perimeter continuous automated noise, dust and vibration monitoring;
- Engineering measures to eliminate or mitigate identified environmental impacts (e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site);
- Arrangements for a direct and responsive site management contact for nearby occupiers during construction (signage on hoardings, newsletters, residents liaison meetings, etc.);
- A commitment to adopt and implement of the Considerate Contractor Scheme;
- Site traffic (routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.), and;
- Site waste Management (accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations etc.).

To follow current best construction practice, including the following:

- Southwark Council's Technical Guide for Demolition & Construction at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>;
- S61 of Control of Pollution Act 1974;
- The London Mayor's Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition';
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites';
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites';
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground-borne vibration;
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting';
- Relevant EURO emission standards to comply with the London Mayor's Supplementary Planning Guidance relating to Non-Road Mobile Machinery (NRMM) and site registration (<http://nrmm.london/>);
- Relevant CIRIA practice notes, and;
- BRE practice notes.

All construction work shall then be undertaken in strict accordance with the approved CEMP and other relevant codes of practice, unless otherwise agreed in advance, in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of pollution and nuisance, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

12 BIODIVERSITY ROOFS

Before any above grade work hereby authorised begins (excluding demolition) details of the biodiversity roof(s), including a plan showing the full extent of the biodiversity roof to include areas of biodiversity roof beneath the photovoltaic array on the nine-storey and seven storey elements of the development, shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity green roof(s) shall be: biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with agreed plans; and

planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).

The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

The biodiversity roof(s) shall be carried out strictly in accordance with the details and specification so approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Strategic Policy 11 (Open Spaces and Wildlife) of the Core Strategy 2011; Policies 2.18 (Green Infrastructure), 5.3 (Sustainable Design and Construction), 5.10 (Urban Greening), and 5.11 (Green Roofs and Development Site Environs) of the London Plan 2016, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan.

13 HARD AND SOFT LANDSCAPING

Before any above grade work hereby authorised begins (excluding demolition), detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason:

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: the National Planning Policy Framework 2018 (in particular Chapters 8, 12, 15 & 16); Strategic Policies 11 (Open spaces and Wildlife) and 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

14 YOUNG PEOPLE'S PLAY SPACE

Before any above grade work (excluding demolition) hereby authorised begins on any of part of the development (excluding public realm works on Manor Grove or Ormside Street), the applicant shall submit details of all the play spaces proposed, including 1:50 scale detailed drawings for approval by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given and thereafter the space shall be retained for play purposes.

No later than 6 months prior to the occupation of any of the residential units within the development hereby approved, details of the play equipment to be installed on the site shall be submitted to and approved in writing by the Local Planning Authority. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of any of the residential units within the development hereby approved. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

Reason:

In order that the Council may be satisfied with the details of the play strategy, in accordance with: the National Planning Policy Framework 2018 (in particular Chapters 5, 8, and 12); Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2016; Strategic Policies 11 (Open Spaces and Wildlife) and 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design) and 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007.

15 CYCLE STORAGE DETAILED DESIGN

Before any above grade work hereby authorised begins (excluding demolition) 1:50 scale drawings of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval

given.

Reason:

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 2 (Sustainable Transport) of the Core Strategy, and; Saved Policy 5.3 (Walking and Cycling) of the Southwark Plan 2007.

16 SECURED BY DESIGN

Before any above grade work hereby authorised begins (excluding demolition), details of security measures for the development shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention, in accordance with: The National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.14 (Designing Out Crime) of the Southwark Plan 2007.

17 MATERIALS SAMPLES

Before any above grade works commence (excluding demolition), sample panels of all and external facing materials and surface finishes at the ground floor to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing, are suitable in context and consistent with the consented scheme in accordance with: the National Planning Policy Framework 2018, Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of the Southwark Plan 2007.

18 BREEAM CERTIFICATION

Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing: performance in each category; overall score; BREEAM rating, and; a BREEAM certificate of building performance) to achieve a minimum 'excellent' rating shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given;

Before the first occupation of the building hereby permitted, a certified Post Construction Review (or other verification process agreed with the local planning authority) shall be submitted to and approved in writing by the Local Planning Authority, confirming that the agreed standards at (a) have been met.

Reason:

To ensure the proposal complies with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.3 (Sustainability) and 3.4 (Energy Efficiency) of the Southwark Plan 2007.

19 FIT-OUT OF THE COMMERCIAL PREMISES FOR CLASS B1 (C) USE

Before any work above grade hereby approved begins (excluding demolition), full particulars and details of a scheme for the fit-out of the premises to an appropriate level for B1 (c) use shall be submitted to and approved by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any approval given. This should include details of the mechanical and electrical fit-out of the units, showing heating and cooling provision, and the provision of kitchen and toilet facilities.

The development shall not be carried out otherwise than in accordance with any approval given.

Reason:

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case, as well as the need to ensure the commercial floorspace is attractive to and suitable for a range of businesses, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 1.2 (Strategic and Local

Preferred Industrial Locations) of The Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

Pre-occupation condition(s) - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

20 FIT-OUT OF THE COMMERCIAL PREMISES FOR CLASS B1 (C) USE: TO BE COMPLETED PRIOR TO OCCUPATION OF ANY DWELLING

None of the dwellings hereby approved shall be occupied until practical completion of the B1(c) fit-out of the commercial floorspace [the details of which are to be submitted to and approved by the Local Planning Authority, as required by a separate condition on this Decision Notice], unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring residential properties do not suffer a loss of amenity by reason of noise nuisance from fit-out works after the residential accommodation has been occupied, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

21 FLOOD EMERGENCY AND EVACUATION PLAN

As the site is at a number of sources of flood risk, a stand alone Flood Warning and Emergency Evacuation Plan shall be submitted to the Local Planning Authority for their approval (in consultation with Southwark's Emergency Planning department) before first occupation of the development hereby permitted. The plan shall state how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services, and of the plan itself. The plan shall provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood.

The flood emergency and evacuation plan shall be implemented on first occupation and carried out in accordance with the approved details.

Reason:

To ensure future occupiers are made aware of the flood risk to this site within flood zone 3, and to ensure that occupants have a better opportunity to respond to flood events in the interests of saving valuable time should an event occur, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.9 (Water) of the Southwark Plan 2007.

22 PROVISION AND RETENTION OF THE REFUSE STORAGE FACILITIES

Before the first occupation of the commercial premises hereby permitted, the refuse storage arrangements for the commercial premises shown on the approved drawings shall be provided and made available for use by the occupiers of the commercial premises. These refuse storage facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Before the first occupation of any of the residential dwellings hereby permitted, the refuse storage arrangements for all residential premises shown on the approved drawings shall be provided and made available for use by the occupiers of the residential premises. These refuse storage facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason:

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with: The National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and Policy 3.7 (Waste Reduction) of The Southwark Plan 2007.

Compliance condition(s) - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

23 NOISE LIMITATIONS ON THE PLANT AND ANY ASSOCIATED DUCTING

The rating level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the plant Specific sound level shall be 10dB(A) or more below the background sound level at this location. For the purposes of this condition the Background, Rating and Specific sound levels shall be calculated in full accordance with the methodology of BS4142:2014. This shall apply to future uses made of the developed site as well as plant used in connection with

the residential use.

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

24 NOISE LEVELS: ACOUSTIC ENVIRONMENT WITHIN THE DWELLINGS DIRECTLY ABOVE THE COMMERCIAL PREMISES

The habitable rooms within the development sharing a party ceiling/floor element with the commercial premises shall be designed and constructed to provide reasonable resistance to the transmission of sound sufficient to ensure that noise due to the commercial premises does not exceed NR20 when measured as an L10 across any 5 minute period.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

25 MAXIMUM INTERNAL NOISE LEVELS FROM ENVIRONMENTAL NOISE

The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T#, 30 dB LAeq T*, 45dB LAFmax T *

Living rooms- 35dB LAeq T #

Dining room - 40 dB LAeq T #

* - Night-time 8 hours between 23:00-07:00

- Daytime 16 hours between 07:00-23:00.

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007.

26 SERVICING HOURS

Any deliveries, unloading and loading to the commercial (Class B1) premises shall only take place between the following hours: 08:00 and 20:00 Monday to Friday, and; 10:00 and 16:00 on Saturdays, Sundays and Bank Holidays.

Reason:

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with: The National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of The Southwark Plan 2007.

27 SPECIFICATION OF DOMESTIC GAS BOILERS

Any domestic gas boilers shall meet 'ultra-low NOx' criteria such that the dry NOx emission rate does not exceed 40mg/kWh.

Reason:

To minimise the impact of the development on local air quality within the designated Air Quality Management Area in accordance with Policy 7.14 (Improving Air Quality) of the London Plan.

28 RESTRICTION ON THE INSTATEMENT OF APPURTENANCES

No meter boxes, flues, vents or pipes [other than rainwater pipes] or other appurtenances not shown on the approved drawings shall be fixed or installed on the elevations of the development hereby permitted.

Reason:

To ensure such works do not detract from the appearance of the buildings in accordance with: The National

Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of The Core Strategy 2011, and; Saved Policies 3.12 (Quality in Design) and 3.13 (Urban Design) of The Southwark Plan 2007.

29 RESTRICTION ON THE INSTATEMENT OF ROOF PLANT AND OTHER ROOF STRUCTURES

No roof plant, equipment or other structures, except for those shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building as shown on the approved drawings or shall be permitted to extend outside of the roof plant enclosures hereby permitted.

Reason:

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area, in accordance with: The National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 3.13 (Urban Design) of the Southwark Plan 2007.

30 RESTRICTION ON THE INSTATEMENT OF TELECOMMUNICATIONS EQUIPMENT

Notwithstanding the provisions of Parts 24 and 25 The Town & Country Planning [General Permitted Development] Order 1995 [as amended or re-enacted] no external telecommunications equipment or structures shall be placed on the roof or any other part of a building hereby permitted.

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with: The National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 3.13 (Urban Design) of the Southwark Plan 2007.

31 WINDOWS TO BE OBSCURE-GLAZED AND FIXED SHUT

The following windows shall be obscure-glazed and fixed shut, and shall not be replaced or repaired otherwise than with obscure glazing:

- the six high-level horizontal slit windows on the north elevation of the seven-storey element of the development (i.e. the windows which look directly onto the air space above the existing sub-station) which fronts no. 96-108 Ormside Street;
- the six high-level horizontal slit windows on the west elevation of the seven-storey element of the development (i.e. the windows which look directly onto the air space above the existing sub-station) which fronts Ormside Street, and;
- the four high-level vertical slit windows on the east elevation of the five-storey element of the development (i.e. the windows which enclose the eastern edge of the easternmost balconies on the first, second, third and fourth floors of the development) which fronts no. 18 Manor Grove;

Reason:

In order to protect the development potential of adjoining land as well as to protect the privacy of occupiers of existing adjoining properties and occupiers of potential future adjoining developments, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policies 3.11 (Efficient Use of Land) and 3.2 (Protection of Amenity) of the Southwark Plan 2007.

32 COMPLIANCE WITH ENERGY STATEMENT

The development hereby permitted shall be carried out in accordance with the 'Energy Statement' [dated March 2018, produced by XCO2], unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To reduce carbon dioxide emissions as required by: the National Planning Policy Framework 2018; Policy 5.15 (Minimising Carbon Dioxide Emissions) of the London Plan 2016; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.3 (Sustainability and Energy Efficiency) of the Southwark Plan.

33 COMPLIANCE WITH DRAINAGE STRATEGY

The development hereby approved shall be carried out in accordance with the 'Sustainable Drainage Strategy' [dated 26 June 2018, produced by ADS Consultancy, with reference 18032/SUDs_R01/RS], unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure the development is designed safely in reference to flood risk and sustainable urban drainage in accordance with: The National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.9 (Water) of the Southwark Plan 2007.

34 COMPLIANCE WITH NOISE IMPACT ASSESSMENT

The development hereby permitted shall be carried out in accordance with the 'Noise Impact Assessment Report' [dated 21 March 2018, produced by KP Acoustics, reference 17207.NIA.01], and the mitigation measures it recommends, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from nearby activities, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

35 COMPLIANCE WITH AIR QUALITY ASSESSMENT

The development hereby permitted shall be carried out in accordance with the 'Air Quality Assessment' [dated 29 March 2018, produced by Air Quality Assessments, reference J0192/1/F1], and the mitigation measures it recommends, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from nearby activities, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.2 (Protection of Amenity) of the Southwark Plan 2007.

Other condition(s) - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

36 EXTERNAL LIGHTING

Any external lighting system installed at the development shall comply with the Institute of Lighting Professionals (ILE) Guidance for the Reduction of Obtrusive Light (January 2012).

Details of any external lighting (including design, power and position of luminaries, and light intensity contours) of all affected external areas (including areas beyond the boundary of the development) shall be submitted to and approved by the Local Planning Authority in writing before any such lighting is installed. The development shall not be carried out otherwise in accordance with any such approval given.

Prior to the external lighting being commissioned for use a validation report shall be submitted to the LPA for approval in writing.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with: The National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) and Strategic Policy 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity) and 3.14 (Designing Out Crime) of the Southwark Plan 2007.

37 ARCHAEOLOGY REPORTING SITE WORK

Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record, in accordance with: the National Planning Policy Framework 2018; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.19 (Archaeology) of the Southwark Plan 2007.

Statement of positive and proactive action in dealing with the application

The Council has published its development plan and core strategy on its website together with advice about how

applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The pre-application service was used for this application and the advice given was followed.

The application was validated promptly.

The application was subject to a planning performance agreement.

The applicant was advised of amendments needed to make the proposed development, in the view of officers, acceptable. The applicant made the requested amendments.

Informatives

- 1 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Thames Water would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.
- 2 Thames Water requests that the Applicant incorporate within their proposal protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 The proposed development is located within 15 metres of Thames Waters underground assets. As such, the development could cause the assets to fail if appropriate measures are not taken. Please read the guide 'working near our assets' to ensure the workings are in line with the necessary processes that need to be followed if the developer is considering working above or near Thames Water's pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should the developer require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.

OPEN**COMMITTEE:****PLANNING COMMITTEE****MUNICIPAL YEAR 2018-19****NOTE:**

Original held in Constitutional Team; all amendments/queries to Virginia Wynn-Jones/Everton Roberts, Constitutional Team, Tel: 020 7525 7055

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