

## Planning Committee

Monday 17 June 2019

6.30 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Martin Seaton (Chair)  
Councillor Kath Whittam (Vice-Chair)  
Councillor Barrie Hargrove  
Councillor Adele Morris  
Councillor Margy Newens  
Councillor Damian O'Brien  
Councillor Catherine Rose  
Councillor Cleo Soanes

### Reserves

Councillor Eleanor Kerslake  
Councillor Sarah King  
Councillor Richard Livingstone  
Councillor James McAsh  
Councillor Hamish McCallum  
Councillor Darren Merrill  
Councillor Jason Ochere  
Councillor Jane Salmon

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### 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

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#### Access

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#### Contact

Everton Roberts on 020 7525 7221 or email: [everton.roberts@southwark.gov.uk](mailto:everton.roberts@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 7 June 2019



# Planning Committee

Monday 17 June 2019  
6.30 pm

Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
	<b>PROCEDURE NOTE</b>	
<b>1.</b>	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
<b>2.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
<b>3.</b>	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
<b>4.</b>	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
<b>5.</b>	<b>MINUTES</b>	3 - 14
	To approve as correct records the Minutes of the meetings held on 14 May, 28 May and 3 June 2019.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>6.</b>	<b>DEVELOPMENT MANAGEMENT</b>	15 - 19
	<b>6.1. 6 - 12 VERNEY ROAD, LONDON SE16 3DH</b>	20 - 109
	<b>6.2. 301 - 303 ILBERTON ROAD, LONDON SE15 1NW</b>	110 - 171

**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: 7 June 2019



## 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, Place and Wellbeing Department  
Tel: 020 7525 5403

Planning Committee Clerk, Constitutional Team  
Finance and Governance  
Tel: 020 7525 7221



## Planning Committee

MINUTES of the Planning Committee held on Tuesday 14 May 2019 at 6.30 pm at Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Martin Seaton (Chair)  
Councillor Renata Hamvas (Reserve)  
Councillor James McAsh  
Councillor Hamish McCallum  
Councillor Adele Morris  
Councillor Jason Ochere  
Councillor Cleo Soanes  
Councillor Kath Whittam

**OTHER MEMBERS PRESENT:** Councillor Damian O'Brien

**OFFICER SUPPORT:** Simon Bevan (Director of Planning)  
Jon Gorst (Head of Regeneration and Development Team, Legal Services)  
Colin Wilson (Head of Regeneration Old Kent Road)  
Michael Tsoukaris (Design and Conservation)  
Terence McLellan (Development Management)  
Tom Buttrick (Development Management)  
Pip Howson (Transport Policy)  
Catherine Jeater (Design and Conservation)  
Gerald Gohler (Constitutional Officer)

### 1. APOLOGIES

There were apologies for absence from Councillor Lorraine Lauder MBE. Councillor Renata Hamvas attended as a reserve.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

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

The chair gave notice of the following additional papers which were circulated at the meeting:

- Addendum report relating to items 6, 7.1 and 7.2
- Members' pack relating to items 7.1 and 7.2
- A late submission from the Southwark Law Centre regarding item 7.2.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

### 5. MINUTES

#### RESOLVED:

That the minutes of the meeting held on 2 April 2019 be approved as a correct record and signed by the chair.

### 6. CONSERVATION AREA APPRAISALS: COBOURG ROAD, TRAFALGAR AVENUE AND GLENGALL AVENUE

Report: see pages 7 to 89 of the agenda pack and pages 1 to 5 of the addendum report.

A conservation officer introduced the report and drew the attention of members of the committee to the information contained in the addendum report.

Members of the committee asked questions of the conservation officer.

#### RESOLVED:

1. That the public consultation on the draft conservation area appraisals, management plans, extensions to conservation areas and article 4(1) directions at Appendices 2, 3 and 4 of the report and set out on pages 1 to 5 of the addendum report for the following conservation areas be agreed:
  - Cobourg Road
  - Trafalgar Avenue
  - Glengall Road.
2. That the Equalities Impact Assessment at Appendix 1 of the report be noted.
3. That the designation of Glengall Road conservation area be extended as outline in the addendum report pages 1 to 5.

## 7. DEVELOPMENT MANAGEMENT

### RESOLVED:

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 agenda 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 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.

### ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during this time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

#### 7.1 CAPITAL HOUSE, 42-46 WESTON STREET, LONDON SE1 3QD

##### Planning application reference: 18/AP/0900

Report: see pages 94 to 188 of the agenda pack and pages 5 to 7 of the addendum report.

### PROPOSAL

*Redevelopment of the site to include the demolition of Capital House and the erection of a 39-storey building (3 basement levels and ground with mezzanine and 38 storeys) of a maximum height of 137.9m (AOD) to provide up to 905 student accommodation units (Sui Generis use), flexible retail/café/office floorspace (Class A1/A3/B1), cycle parking, servicing, refuse and plant areas, public realm improvements and other associated works incidental to the development. The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*

The committee heard the officers' introduction to the report and that further to those outlined in the addendum report, an additional objection had been received regarding cycle parking. Members of the committee asked questions of the officers.

Representatives of the objectors addressed the meeting, and answered questions posed by members of the committee.

The applicant and their agents addressed the committee, and answered questions posed by the committee.

At this point, the chair proposed a motion to defer item 7.2 to a future meeting, because the current item would still take some time to hear. The motion was seconded, put to the

vote and declared carried.

**RESOLVED:**

That item 7.2 "Southernwood Retail Park, 2 Humphrey Street, London SE1 5JJ" be deferred to an additional meeting to be held on 28 May 2019.

The meeting then returned to hearing item 7.1.

There were no supporters who lived within 100 metres of the development site present at the meeting who wished to speak.

Councillor Damian O'Brien addressed the committee in his capacity as a ward councillor and answered questions posed by the committee.

The committee put further questions to the officers, as well as to the objectors and the applicant and their agents. The committee then discussed the application.

A motion to refuse planning permission was moved, seconded, put to the vote and declared to have fallen.

A motion to grant planning permission was moved, seconded, put to the vote and declared to have been carried.

**RESOLVED:**

1. That planning permission be granted subject to conditions as set out in the report and addendum report, the applicant entering into an appropriate legal agreement and referral to the Mayor of London.
2. That, should planning permission be granted, it be confirmed that the environmental information has been taken into account as required by Regulation 3 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017.
3. That following issue of the decision, it be confirmed that the director of planning shall place a statement on the Statutory Register pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations and for the purposes of Regulation 30(1) (d) the main reasons and considerations on which the Local Planning Authority's decision is based shall be set out as in the report and addendum report.
4. That in the event that the requirements of paragraph 1 above are not met by 30 November 2019, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 232 of the report.

## **7.2 SOUTHERNWOOD RETAIL PARK, 2 HUMPHREY STREET, LONDON SE1 5JJ**

**Planning application reference: 18/AP/3551**

Report: see pages 189 to 373 of the agenda pack and pages 7 to 22 of the addendum report.

## PROPOSAL

*(Revised)*

*Hybrid planning application for detailed permission for Phase 1 and outline planning permission for Phase 2 comprising:*

*Application for full planning permission for 'Phase 1' comprising demolition of existing buildings and the erection of a part 9, part 14, part 15, part 48 storey development (plus basement) up to 161.25m AOD, with 940 sqm GIA of (Class A1) retail use, 541 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use, 8671 sqm GIA (Class C1) hotel; 541 (class C3) residential units (51,757 sqm GIA); landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.*

*Application for outline planning permission (with details of internal layouts and external appearance reserved) for 'Phase 2' comprising demolition of existing buildings and the erection of a part 9, part 12, storey development (plus basement) up to 42.80m AOD, with 1049 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use; 183 (Class C3) residential units (17,847sqm GIA), 1141 sqm GIA (Class D2) cinema and the creation of a 475 sqm GIA (Class C1) hotel service area at basement level; landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.*

*The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.*

See also item 7.1.

## RESOLVED:

That this item be deferred to an additional meeting to take place on 28 May 2019.

The meeting ended at 10.20 pm.

**CHAIR:**

**DATED:**



## Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Tuesday 28 May 2019 at 6.30 pm at 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Martin Seaton (Chair)  
Councillor Kath Whittam (Vice-Chair)  
Councillor Barrie Hargrove  
Councillor Sarah King (Reserve)  
Councillor Adele Morris  
Councillor Damian O'Brien

**OTHER MEMBERS PRESENT:** Councillor Richard Livingstone (ward member capacity)

**OFFICER SUPPORT:** Simon Bevan, Director of Planning  
Tom Buttrick, Old Kent Road Team  
Jon Gorst, Legal Services  
Pip Howson, Transport Policy  
Sarah Parsons, Old Kent Road Team  
Colin Wilson, Head of Regeneration Old Kent Road  
Everton Roberts, Constitutional Team

### 1. APOLOGIES

Apologies for absence were received from Councillors Margy Newens, Catherine Rose and Cleo Soanes.

### 2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

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

The chair gave notice of the following additional papers which were circulated at the meeting:

- Addendum report relating to item 5.1

- Members' pack relating to item 5.1

#### **4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

There were no disclosures of interests or dispensations.

#### **5. DEVELOPMENT MANAGEMENT**

##### **RESOLVED:**

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 agenda 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 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.

#### **5.1 SOUTHERNWOOD RETAIL PARK, 2 HUMPHREY STREET, LONDON SE1 5JJ**

##### **PROPOSAL:**

Hybrid planning application for detailed permission for Phase 1 and outline planning permission for Phase 2 comprising:

Application for full planning permission for 'Phase 1' comprising demolition of existing buildings and the erection of a part 9, part 14, part 15, part 48 storey development (plus basement) up to 161.25m AOD, with 940 sqm GIA of (Class A1) retail use, 541 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use, 8717sqm GIA (Class C1) hotel; 541 (class C3) residential units (51,757 sqm GIA); landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Application for outline planning permission (with details of internal layouts and external appearance reserved) for 'Phase 2' comprising demolition of existing buildings and the erection of a part 9, part 12, storey development (plus basement) up to 45.80m AOD, with 1049sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use; 183 (Class C3) residential units (17,847sqm GIA), 1141sqm GIA (Class D2) cinema and the creation of a 475sqm GIA (Class C1) hotel service area at basement level; landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

The application is accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The committee heard the officers' introduction to the report. Members of the committee asked questions of the officers.



A number of objectors addressed the committee. Members of the committee asked questions of the objectors.

The applicant's agents addressed the committee, and answered questions by the committee.

There were no supporters who lived within 100 metres of the development site present at the meeting that wished to speak.

Councillor Richard Livingstone addressed the meeting in his capacity as ward councillor and answered questions by the committee.

The committee put further questions to the officers and discussed the application.

**RESOLVED:**

1. That planning permission be granted, subject to conditions and referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an appropriate legal agreement by no later than 28 November 2019. In the event that Transport for London need to be a signatory to the agreement, this may impact on the deadline date.
2. That the environmental information be taken into account as required by Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017.
3. That following issue of the decision it be confirmed that the director of planning shall place a statement on the Statutory Register pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations and that for the purposes of Regulation 30(1)(d) the main reasons and considerations on which the Local Planning Authority's decision is based shall be set out as in the report.
4. That in the event that the requirements of (a) are not met by 28 November 2019, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 611 of the report.

The meeting ended at 9.24 pm

**CHAIR:**

**DATED:**



## Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Monday 3 June 2019 at 6.30 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

**PRESENT:** Councillor Martin Seaton (Chair)  
Councillor Kath Whittam  
Councillor Barrie Hargrove  
Councillor Hamish McCallum (reserve)  
Councillor Margy Newens  
Councillor Damian O'Brien  
Councillor Catherine Rose

**OTHER MEMBERS PRESENT:** Councillor Richard Livingstone

**OFFICER SUPPORT:** Simon Bevan, Director of Planning  
Kiran Chauhan, Planning  
Colin Wilson, Regeneration  
Sarah Parsons, Planning  
Naima Ihsan, Transport  
Jon Gorst, Legal Services  
Virginia Wynn-Jones, Constitutional team

### 1. APOLOGIES

Apologies were received from Councillors Adele Morris and Cleo Soanes. Councillor Hamish McCallum attended as a reserve.

### 2. CONFIRMATION OF VOTING MEMBERS

The members present were confirmed as the voting members.

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

The chair gave notice of the following additional papers which were circulated at the meeting:

- Addendum report relating to item 6.1

- Members' pack relating to item 6.1.

#### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

#### 5. PLANNING SUB-COMMITTEE ARRANGEMENTS FOR 2019-20

##### RESOLVED:

1. That the committee noted the size and composition of the planning committee, as agreed by annual council assembly on 18 May 2019 and the roles and functions of the planning committee and its sub-committees (see Appendix 1 of the report).
2. That the committee establish two planning sub-committees with the size and composition as set out in paragraph 11 of the report.
3. That the committee appoint chairs and vice-chairs of the planning sub-committees as set out below:

##### PLANNING SUB-COMMITTEE A

Chair

Councillor Kath Whittam

Vice-Chair

Councillor Jane Salmon

##### PLANNING SUB-COMMITTEE B

Chair

Councillor Cleo Soanes

Vice-Chair

Councillor Maria Linforth-Hall

#### 6. DEVELOPMENT MANAGEMENT

##### RESOLVED:

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 agenda 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 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.

#### 6.1 MALT STREET REGENERATION SITE, LAND BOUNDED BY BIANCA ROAD, LATONA ROAD, HAYMERLE ROAD, FRENTHAM STREET AND MALT STREET, LONDON SE1

##### PROPOSAL:

Hybrid application comprising a full planning application for Phase 1 (the "Detailed

Component”) and outline planning permission (the “Outline Component”) for Phases 2 & 3:

Detailed Component (Phase 1):

Full planning permission for the demolition of existing buildings and structures and redevelopment of the central area for the erection of a total of 4 buildings, two at 7 storeys (Buildings B9&B12), one at 15 storeys (Building B10), and one at 44 storeys (Building B4) (max height 147.12m AOD) to provide 420 homes, 1,197 sqm GEA of Class B1(c) floorspace and 785 sqm GEA of non-residential floor space within classes A1-A4 (retail), Class B1 (business) and Class D1 (public services) and D2 (entertainment and leisure) use, an energy centre (750 sqm) and new public open space and public realm with on street and basement car parking spaces and cycle spaces.

Outline Component (Phase 2 & 3):

Outline planning permission (scale, layout, landscaping, access and appearance reserved) for the demolition of existing buildings and structures and the erection of a seven buildings (B1, B2, B3, B5, B6, B7, B11) ranging in height from 5 to 39 storeys (max height 132.9m AOD) to provide up to 88,052sqm floorspace GEA, comprising up to 880 residential units, up to 3,316 sqm GEA of Class B1(c) floorspace and up to 1,702sqm GEA of non-residential floor space within Classes A1-A4 (retail), Class B1 (business), Class D1 (public services) and D2 (entertainment and leisure) use and car parking spaces at ground level and cycle spaces, with associated new open space, public realm, car parking and associated works.

Totals: Up to 1,300 homes and up to 7,000sqm commercial floorspace.

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.

The committee heard the officers' introduction to the report. Members of the committee asked questions of the officers.

Objectors to the application addressed the committee, and answered questions from the committee.

The applicant's agents addressed the committee, and answered questions from the committee.

A supporter who lives within 100m of the application site addressed the committee, and answered questions from the committee.

Councillor Richard Livingstone, a ward councillor for Old Kent Road ward, addressed the committee, and answered questions from the committee.

The committee put further questions to the officers and discussed the application.

**RESOLVED:**

1. That planning permission be granted, subject to conditions and referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an

appropriate legal agreement by no later than 3 December 2019.

2. That the environmental information be taken into account as required by Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017.
3. That following issue of the decision it be confirmed that the Director of Planning shall place a statement on the Statutory Register pursuant to Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations and that for the purposes of Regulation 30(1)(d) the main reasons and considerations on which the Local Planning Authority's decision is based shall be set out as in the report.
4. In the event that the requirements of (a) are not met by 3 December 2019 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 480 of the report.

Meeting ended at 10.20 pm

**CHAIR:**

**DATED:**

<b>Item No.</b> 6.	<b>Classification:</b> Open	<b>Date:</b> 17 June 2019	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		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 Housing, 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 planning practice guidance (PPGs) and planning policy statements (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	Planning Department 020 7525 5403

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services		
<b>Report Author</b>	Everton Roberts, Principal Constitutional Officer Jonathan Gorst, Head of Regeneration and Development		
<b>Version</b>	Final		
<b>Dated</b>	7 June 2019		
<b>Key Decision?</b>	No		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>			
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>	
Director of Law and Democracy	Yes	Yes	
Director of Planning	No	No	
<b>Cabinet Member</b>	No	No	
<b>Date final report sent to Constitutional Team</b>		7 June 2019	

**ITEMS ON AGENDA OF THE PLANNING COMMITTEE**  
**on Monday 17 June 2019**

**Appl. Type** Full Planning Application  
**Site** 6-12 VERNEY ROAD, LONDON, SE16 3DH

**Reg. No.** 17-AP-4508  
**TP No.** TP/2354-9  
**Ward** Old Kent Road  
**Officer** Sarah Parsons

**Recommendation** GRANT SUBJECT TO GLA DIRECTION

## *Item 6/1*

**Proposal**

Redevelopment of the site for a mixed use development comprising three buildings (Building 1: basement, ground, ground mezzanine plus 17 storeys (AOD 66.975m); Building 2: basement, ground, ground mezzanine plus 22 storeys (AOD 81.975m); Building 3: basement, ground, ground mezzanine plus 16 storeys (AOD 62.675m) to accommodate 338 residential unit, 5,234 Sqm GEA of flexible commercial floor space (Class B1 / B1c), associated cycle and car parking, servicing, refuse and recycling, landscaping including contribution towards the new Surrey Canal linear park, and private and communal residential amenity space and children's playspace. (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).

**Appl. Type** Full Planning Application  
**Site** 301-303 ILDETON ROAD, LONDON, SE15 1NW

**Reg. No.** 18-AP-2761  
**TP No.** TP/2327-301  
**Ward** Old Kent Road  
**Officer** Wing Lau

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT AND GLA

## *Item 6/2*

**Proposal**

Demolition of existing buildings and construction of part 13 / part 14 storey building (plus basement) comprising 48 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.

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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50 m

Scale = 1250

15-Feb-2019

<b>Item No.</b> 6.1	<b>Classification:</b> Open	<b>Date:</b> 17 June 2019	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/4508 for: Full Planning Application  <b>Address:</b> 6-12 VERNEY ROAD, LONDON, SE16 3DH  <b>Proposal:</b> Redevelopment of the site for a mixed use development comprising three buildings (Building 1: basement, ground, ground mezzanine plus 17 storeys (AOD 66.975m); Building 2: basemviabient, ground, ground mezzanine plus 22 storeys (AOD 81.975m); Building 3: basement, ground, ground mezzanine plus 16 storeys (AOD 62.675m) to accommodate 338 residential units, B1 and B1c office use/workspace (5234.15sqm GEA), associated cycle and car parking, servicing, refuse and recycling, landscaping including contribution towards the new Surrey Canal linear park, and private and communal residential amenity space and children's playspace. (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).		
<b>Ward(s) or groups affected:</b>	Old Kent Road		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 06/12/2017		<b>Application Expiry Date</b> 07/03/2018	
<b>Earliest Decision Date</b> 11/02/2018			

## RECOMMENDATION

- That the Planning Committee grant planning permission, subject to:
  - The recommended planning conditions;
  - The applicant entering into an appropriate legal agreement by no later than 17 January 2020
  - Referral to the Mayor of London;
- In the event that the s106 agreement is not completed by 17 January 2020 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 258 of this report.

## EXECUTIVE SUMMARY

- This major application seeks to redevelop an existing light industrial and distribution site on the southern side of Verney Road to provide a mixed-use commercial and residential development of 338 residential units, 5234.15sqm GEA of B1 and B1(c)

office use/workspace, associated disabled car parking, cycle parking, public open space including a contribution towards a new linear park, landscaping, children's playspace and servicing and refuse storage.

4. The proposal would consist of three buildings of 18, 19 and 24 storeys in height, would be of a high quality of design and would deliver the master-planning and aspirations of the draft Old Kent Road Area Action Plan. A policy compliant mix of dwellings and wheelchair housing would be provided, together with a good standard of residential accommodation.
5. The applicant has committed to providing 338 new residential units with 35.36% affordable housing by habitable rooms that equates to 112 affordable units in total: 79 Social Rented units (71.58% by habitable room) and 33 Shared Ownership/Intermediate units (28.42% by habitable room).
6. There would be the potential for a significant uplift in jobs on the site through the provision of good quality, flexible commercial space that has been specifically designed for B1 and B1(c) Uses that would comprise units of varying sizes, including double height spaces. 10% affordable workspace is proposed that would equate to 523sqm.
7. The proposal would be car free apart from four accessible on-site parking spaces (with the potential for an additional six should there be a demand) and future occupiers would be prevented from obtaining parking permits on the surrounding streets. A s106 contribution would be required to improve local bus capacity.
8. The scheme has undergone a number of revisions in consultation with officers, the general public and neighbouring sites in relation to land use, design and noise. Following an objection and subsequent discussions with the neighbouring industrial site at 20 Verney Road, William Say, revisions to the eastern building (Building 3) have been agreed by the applicant comprising the conversion of all the proposed balconies on the north, south and east elevations to fully enclosed winter gardens with enhanced glazing to mitigate any potential noise disruption to residential amenity and limit potential noise complaints from the existing industrial use. These minor revisions are subject to a reconsultation that will be reported on in the Committee Report Addendum.
9. It is considered that the level of harm to the significance of the Grade II listed Canal Grove cottages would be less than substantial in terms of the NPPF and not would warrant refusal of the application or outweigh the clear wider regeneration benefits of the scheme. The daylight and sunlight impacts are noted, but it is considered that there would only be limited harm caused to existing residential amenity as a consequence of the development.
10. The proposal would incorporate measures to reduce its carbon dioxide emissions and a contribution to the Council's Carbon Off-set Green Fund would be secured through a s106 agreement. The proposal would be air quality neutral and conditions are recommended to ensure that ground contamination, surface water drainage, archaeology and ecology would be adequately dealt with.
11. Overall, the clear benefits of the proposal are considered to outweigh the limited harm caused and it is recommended that planning permission be granted, subject to

conditions, a s106 agreement and referral to the GLA.

## BACKGROUND INFORMATION

### Site location and description

12. The application site is roughly rectangular in shape and the combined area measures approximately 0.75 hectares. The site is comprised of two plots containing a mix of low-rise, predominantly brick and metal warehouses with gable end frontages.



Figure 1: Site location aerial photo.

13. The site is bounded along its northern edge by Verney Road and the 6 and 19 storey 'Bermondsey Works' scheme at 399 Rotherhithe New Road scheme. This building contains the John Keats Primary Free School and the City of London sixth college at its western end. Silverbrook Medical Centre is located adjacent to the primary school. A school coach parking bay and 'Keep Clear' zone for the primary school is located on the northern side of Verney Road opposite Building 2 within the proposal.





Figure 2a. Photograph of site along Verney Road looking west, 12 Verney Road to left.



Figure 2b. Photograph of site along Verney Road looking west. 6-8 Verney Road to left

14. To the west, the application site is bounded by electricity substation and the large warehouse buildings of 4 Verney Road occupied by Constantine Ltd.



Figure 3. Photograph of site along Verney Road looking east

15. The application site is bounded along its eastern edge by a high boundary wall, and an access road to the industrial units to the east and south. The 13m wide access road separates the application site to 20-26 Verney Road, occupied by William Say and Co Ltd.



Figures 4a and 4b. Photograph of the access road separating the application site to 20-26 Verney Road and photograph of the main William Say site from Verney Road.

16. To the south, the application site is bounded by the low rise industrial/commercial buildings of 14-16 Verney Road accessible from Verney Road, and 1-3 Wevco Wharf accessible from Sandgate Street.





Figure 5. Commercial properties to the south of the application site.

17. The surrounding area comprises a mixture of buildings used for industrial, commercial purposes, residential and educational purposes.



Figure 6: Site plan

18. The site is not located within or close to a conservation area.
19. In terms of listed buildings, the application site does not benefit from statutory listing. The Grade II listed Canal Grove Cottages are located approximately 75m to the south of the application site.

20. The site is not located beneath a proposed landmark viewing corridor and wider assessment area of a draft New Southwark Plan protected borough view.
21. The site falls beyond the Protected Vista extensions 3A. I (Kenwood viewing gazebo to St Paul's Cathedral) and 2A.I (Parliament Hill summit to St Paul's Cathedral).view protected by the London Views Management Framework, however it does not fall within the actual geometry of the view.
22. The site has a PTAL rating of 4 which is good. It is well served by buses that provide regular connections along Rotherhithe New Road and the Old Kent Road.

### Details of proposal



Figure 7. CGI view of proposed scheme (building 2 (left) and building 3 (right)) from the proposed linear park looking north towards Verney Road

23. The proposal consists of a series of three tall buildings of mixed-use development, comprising:
24. Building 1: A maximum of 19 storeys (66.975m AOD) located at the western end of the site.
  - Basement: residential cycle parking area, office cycle parking area, plant rooms, residential bin store, office bin store.
  - Ground: B1 use and access to lifts and stairs
  - Ground Floor and Mezzanine floors: B1 use, toilets and lift and stair access.
  - Floors 1-2: B1 use with access to balconies, lift and stair access
  - Floors 3-17: residential use with access to balconies and terraces, lift and stair

access.

25. Building 2: A building of part 8, part 24 storeys (81.975m AOD) located at the centre of the site.
  - Basement: residential cycle parking area, Cycle parking area, residential bin store, office bin store, lobby area, plant rooms and IT cupboard.
  - Ground: B1 reception area, office use, sub-station, access to lifts and stairs, residential entrance area, bicycle entrance and residential entrance.
  - Ground and Mezzanine floors: B1(c) use with access to balconies, toilets, lift and stair access
  - Child playspace and communal room
  - Floors 1-22: residential use with access to balconies and terraces, stair and lift access.
26. Building 3: A building of part 4, part 7, part 18 storeys (62.275m AOD) located at the eastern end of the site.
  - Basement: residential cycle parking area, IT cupboard, lobbies, plant rooms, 'tower residential' bin store.
  - Ground: residential entrance, recycling store, bicycle store for residential units and community use
  - Ground and Mezzanine floors: B1 and B1(c) use.
  - Enclosed 'winter gardens' to southern, northern and western elevations.
  - Communal games room at floor 01
  - Floors 1-16: residential use with access to balconies and terraces, stair and lift access.
27. An internal community room is proposed in Building 2 (centre building) for residents to use on the roof of the 8<sup>th</sup> storey, adjoining the proposed rooftop play space that offers playspace for each age range of children.
28. Two landscaped areas are proposed between the three building for servicing, disabled parking and communal amenity and play space, with the proposed linear park located to the southern edge.
29. The proposals involve demolition of all the existing commercial buildings and structures to allow for the mixed use buildings with employment and residential uses.
30. The elevations would feature window openings arranged in a broadly regular pattern, together with a range of projecting balconies, winter gardens and roof terraces.
31. Details of the commercial and residential elements follow below.



Figure 8. CGI view of proposed scheme along Verney Road, looking east.

#### Commercial floorspace

32. 5234.15sqm GEA of employment floorspace would be provided at ground and mezzanine floors across the site, and first and second floors in Building 1. The type of floorspace would be flexible workspaces capable of use by small to medium sized enterprises, start up and creative type businesses within the B1 and B1(c) use classes. The split between B1 and B1(c) would be approximately 47%/53%, with the exact floor areas being identified and secured in the S106 agreement.

Table 1a. Existing and Proposed commercial floorspace provision

Existing	Proposed (sqm)	Difference
4185sqm GEA	A total of 5234.15sqm GEA consisting of: - B1 Use class: 2,471.27sqm - B1c Use class: 2,762.88sqm	+1049.15sqm

Table 1b. Proposed commercial floorspace provision breakdown

Building	Use Class	Floorspace (GEA sqm)
Building 1	B1	1,257.96sqm
Building 2	B1c	1,861.02sqm
Building 3	B1 B1c	1,147.53sqm 836.08sqm
Plant (Total Plant space is likely to vary depending upon individual occupiers requirement. B1C plant may change depending on the occupiers requirement.)		131.56sqm
<b>Total</b>		5,234.15

#### Residential accommodation

33. The development will provide 338 new residential units consisting of apartments and maisonettes. This equates to 226 private units and 112 affordable units. The affordable units would be split between 79 units for social rent and 33 units intermediate/shared ownership.
34. The proposed affordable housing offer equates to a total of 366 habitable rooms or 35.36% of the 1035 habitable rooms.
35. In terms of adopted Southwark policy, the 366 affordable habitable rooms would be split with 262 habitable rooms (71.58%) for social rent and 104 habitable rooms (28.42%) for Intermediate tenure.
36. The emerging New Southwark Plan sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided. Using this methodology, the Social Rented offer would equate to 25.31% and the Intermediate would be 10.05%. As such, the proposed development is in accordance with the emerging New Southwark Plan affordable housing policy.
37. Additional supporting information was submitted during the course of the application in relation to affordable workspace and viability information was also submitted to support the delivery of this quantum of affordable housing.





Figure 9: CGI view of the development from Rotherhithe New Road. Building 1 and 2 are visible.

38. Private and communal amenity space would be provided in the form of projecting private balconies and winter gardens, ground and roof level communal amenity space, communal rooms accessible to all residents and children's play space also at ground and roof level.

#### Public realm and servicing

39. The proposal would be car free apart from four accessible disabled parking spaces that would be introduced onsite close to Verney Road. Two spaces would be located and accessible from the servicing route between Buildings 1 and 2, and two further spaces would be located and accessible from the servicing route between Buildings 2 and 3.
40. Major enhancements to the public realm are proposed in the form of two new publically accessible north/south routes between the proposed buildings and the delivery of a section of the proposed linear park that would be located on the southern edge of the site.
41. The scheme remains broadly consistent with the master-planning and massing identified within the Further Preferred Option of the Old Kent Road Area Action Plan (AAP). The AAP acknowledges the potential for the proposed building heights at this location.

## Planning history

### 6-8 Verney Road

42. 15/AP/0551  
Erection of a single storey extension to printing workshop unit.  
Granted 7 July 1995

### 12 Verney Road

43. 97/AP/0770  
Change of use of building to use as an MOT Station.  
Granted 10 June 1997
44. 08/AP/0411  
Demolition of existing single storey pre-fabricated concrete office building and construction of a new three storey office building.  
Granted 20 October 2010

### 6-12 Verney Road

45. 17/AP/3760  
EIA Screening Opinion in respect of the proposed development at 6-12 Verney Road. The proposals are for the construction of three buildings (of up to 16, 17 and 22 storeys, plus basement level beneath two of the buildings). The development would provide a total of 334 residential units, with circa 3,898 sqm of office space, 1,241 sqm of community use and 422 sqm of retail space. The development would also include hard and soft landscaping works, car parking and cycle parking in the basement.
46. The proposed development was not considered to constitute EIA Development. 19/10/2017.

## Pre-application

47. Formal and informal pre-application discussions took place in relation to the current scheme now under consideration, the details of which are held electronically by the Local Planning Authority. The main matters discussed focused on the layout of the site, employment uses, affordable housing, building heights and massing, and servicing.

## Planning history of adjoining sites

### Ruby Triangle

48. 18/AP/0897  
*Full planning permission is sought for demolition of existing buildings and structures on the site, and redevelopment consisting of three buildings at maximum heights of 17 storeys (including mezzanine) (+64.735m AOD), 48 Storeys (+170.830m AOD) and 40 storeys (including mezzanine) (+144.750m AOD), plus single storey basement under part of the site. Development would provide 1,152 residential dwellings (Class C3), retail, business and communal spaces (Classes A1, A2, A3, A4, B1(a),(b),(c) and D1), public sports hall and gym (Class D2), public and private open space, formation of*

*new accesses and alterations to existing accesses, energy centre, associated car and cycle parking and other associated works. (REVISED DESCRIPTION)*

49. 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.
50. The Ruby Triangle scheme was approved by planning committee in autumn 2018, subject to referral to the Mayor of London and completion of the S106 agreement (this has yet to be completed). It comprises buildings ranging from 17 to 48 storeys is located 110m to the south of the application site. CGI image below:



Figure 10. CGI of recently approved Ruby Triangle scheme to the south of the 6-12 Verney Road application site.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

51. The main issues to be considered in respect of this application are:
  - Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area;
  - Quality and quantum of residential accommodation;
  - Quality of commercial floorspace;
  - Environmental impact assessment;
  - Density;
  - Tenure mix;
  - Dwelling mix;
  - Wheelchair dwellings;
  - Outdoor amenity space, children's playspace and public open space;
  - Impact on the amenity of neighbouring residential occupiers and the surrounding area;



- Design quality;
- Heritage and views
- Trees, landscaping and biodiversity;
- Transport and highway matters, including cycle and refuse storage;
- Environmental matters;
- Energy and sustainability;
- Development viability;
- Planning obligations and Community Infrastructure Levy;
- Consultation responses: Members of the public;
- Consultation responses: Internal and external consultees.
- Noise and Agent Change principles

### **Planning policy designations**

#### Adopted

- 52.
- Old Kent Road Preferred Industrial Location – Strategic;
  - Old Kent Road Action Area;
  - Urban density zone;
  - Air quality management area.

#### Emerging New Southwark Plan designations

- 53.
- North Southwark and Roman Roads Archaeological Priority Area;
  - Old Kent Road Major Town Centre;
  - Old Kent Road Opportunity Area/Area Action Plan

#### National Planning Policy Framework (the Framework)

54. National planning policy is set out in the revised National Planning Policy Framework ('the NPPF') (2019). 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'.
55. 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 below.

Section 1 - Building a strong, competitive economy

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment

National Planning Policy Guidance (2018, as updated)

The London Plan 2016

56. The London Plan is the regional planning framework and was adopted in 2016:

Policy 2.17 Strategic Industrial locations  
 Policy 3.3 Increasing housing supply  
 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 5.7 Renewable energy  
 Policy 5.8 Innovative energy technologies  
 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 7.7 Location and Design of Tall and Large Buildings  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.21 Trees and woodlands  
 Policy 8.2 Planning obligations  
 Policy 8.3 Community infrastructure levy

57. The London Plan 2016 identifies the Old Kent Road as an Opportunity Area with “significant potential for residential – led development along the Old Kent Road corridor” and identified 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.
58. Policy 2.13 in 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.

### Core Strategy 2011

59. 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) - Saved policies

60. 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.
61. The council's cabinet on 19 March 2013, as required by paragraph 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) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

- 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
- 3.19 – Archaeology
- 3.15 – Conserving the historic environment
- 3.17 – Listed buildings
- 3.18 – Setting of conservation areas, listed buildings and World Heritage sites
- 3.19 – Archaeology
- 3.20 – Tall Buildings
- 3.28 - Biodiversity
- 4.2 - Quality of residential accommodation

- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

#### Supplementary Planning Documents

- 62. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Affordable Housing SPD (2008 - Adopted and 2011 - Draft)
- Residential Design Standards SPD (2011 and 2015)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Development Viability SPD (2016)

#### Greater London Authority Supplementary Guidance

- 63. Housing SPG (2016)
- London View Management Framework (2012)
- London's World Heritage Sites SPG (2012)
- Providing for Children and Young People's Play and Informal Recreation (2008)
- Use of planning obligations in the funding of Crossrail (2010)
- Affordable Housing and Viability SPG (2017)

### **Emerging Policy**

#### Draft New London Plan

- 64. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2nd March 2018. Clarifications and corrections to the draft plan were issued by the GLA in August 2018 and no further comment was invited to those clarifications and corrections. The Examination in Public of the draft plan began in January 2019 and has now concluded, with the inspectors report likely to be produced at the end of 2019. 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)

- 65. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road 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 3 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 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.

66. Whilst 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 13 which covers the area between the Rotherhithe New Road, Old Kent Road and Verney Road. Requirements for this allocation site include replacement of existing employment floor space, provision of circa 3600 homes and car-free development. Page 108 of the draft AAP states:

*“This area will be transformed into a mixed new neighbourhood with a diverse range of uses. While its character will change, it will continue to provide lots of jobs within a range of business spaces, including standalone industrial buildings, large warehouses that are integrated into mixed use buildings, small and medium sized industrial spaces and offices. New parks, a secondary school, indoor sports hall, a possible health hub, access to shops and other facilities on Old Kent Road and a short walk to a tube station will make the area a great place to live and work.*

*The scale of development will have a central London character. Like much of London, there will be contrasts between big and small, old and new which can help create a rich and varied character. The buildings and landscape that will stay, such as the Canal Grove cottages, their surrounding trees and cobbled road, the Royal London Buildings and the gasometer will help shape the area’s changing identity.”*



Figure 11: Site location within Old Kent Road Opportunity Area



Figure 12: Indicative masterplan for proposals site OKR 13 within the Further Preferred Option of Old Kent Road Area Action Plan (OKR AAP). Application site highlighted in yellow.

#### New Southwark Plan

##### Prematurity

67. For the last 5 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.
68. Legal Advice received in relation to this issue highlights the following from the National Planning Policy Guidance “arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:
  - (a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and
  - (b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

69. The most up to date development plan pertinent to the Old Kent Road area is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing led growth. The AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the New London Plan aspirations for industrial land and employment are addressed. This scheme is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London plan and the direction of travel of the draft New Southwark Plan and the 2016 and 2017 draft AAPs and the 2018 draft New London Plan. It is not therefore considered too be premature.
70. 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 and the London Plan. Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan. The proposal proposes an increase of 1049.16sqm of commercial floorspace above the existing commercial floorspace. This is consistent with strategic policy 10 of the Core Strategy and saved policy 1.2 of the Southwark Plan. Saved policy 5 is also relevant which encourages provision and replacement of small business units.
71. Strategic policy 10 of the Core Strategy 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. The Core Strategy also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, it sets out the future direction of Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).
72. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPILs are B class uses and other sui generis uses which are inappropriate in residential areas.

#### **New Southwark Plan Policy**

73. Policy SP4 (paragraph 5) of the NSP states that the borough will “ensure we retain the industrial premises London needs”. Policy P26 (paragraph 1.1) states that developments should “retain or increase the amount of employment floorspace (GIA) on-site (B class use or sui generis employment generating uses)”; and at paragraph 2: “in exceptional circumstances, the loss of employment floorspace may be accepted in the Central Activities Zone, town centres, opportunity areas and where specified in site allocations where the retention or uplift in employment floorspace is not feasible. In this instance the amount of employment floorspace on the site is being increased in line with this draft policy.
74. London Plan policy 2.17 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 provide for broad industrial type activities, are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework, meet the needs of small to medium sized enterprises or provide for small scale ‘walk to’ services for industrial occupiers

such as workplace crèches or cafes.

75. The 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, which has been increased to a minimum of 12,000 in the emerging London Plan. 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 Old Kent Road Area Action Plan (OKR AAP)

76. In response to the adopted and emerging London Plans the draft OKR AAP 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.
77. The OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 13 which covers the area between the Old Kent Road and Verney Road.
78. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class 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 and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.
79. Paragraph 216 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and Old Kent Road Area Action Plan have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.
80. 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 therefore justify a departure from the adopted planning policy.
81. Officers consider that the key benefits arising from the proposal would be as follows.

#### Increase of employment floorspace

82. The proposed scheme would deliver a 5234.15sqm of employment floorspace within an efficient site layout that optimises the use of land across the site. This equates to an increase of 1049.15sqm over the existing provision of 4185sqm of floorspace.



83. The employment uses would be provided at ground and mezzanine floor within all three buildings, plus second and third floors in Building 1, The workspace would be delivered in the form of workspaces that would provide high-quality, modern and flexible space for occupation by small-to-medium sized enterprises, start-up and/or creative businesses. The layout would be flexible to create a variety of unit sizes or could be leased by single occupiers.
84. The proposed commercial units fall within the B1 and B1(c) use classes. To meet the policy requirements and to improve the likelihood of industrial occupiers leasing the units, it is recommended that following conditions are included:
- Restriction of the proposed B1 and B1(c) to specific areas of the commercial floorspace. All commercial floorspace will be conditioned.
  - The minimum spec of B1(c) internal fit out for the proposed B1(c) commercial units would be secured through condition and a clause in the Section 106 Agreement.
85. The floor to ceiling heights of the commercial space is a minimum of 4.1m at ground floor and a minimum 3.5m at first floor level. A ground floor double height spaces are proposed in Buildings 1 and 2 to enable greater flexibility for potential tenants. The Building 2 double height space has the potential for the introduction of bi-folding doors to Verney Road that could provide onsite servicing to larger vehicles if required by the commercial tenant. The introduction of bi-folding doors would be secured by condition and s278, or by a further planning application. Buildings 2 and 3 also have the flexibility to deliver further double height space and delivery doors if required by future tenants.

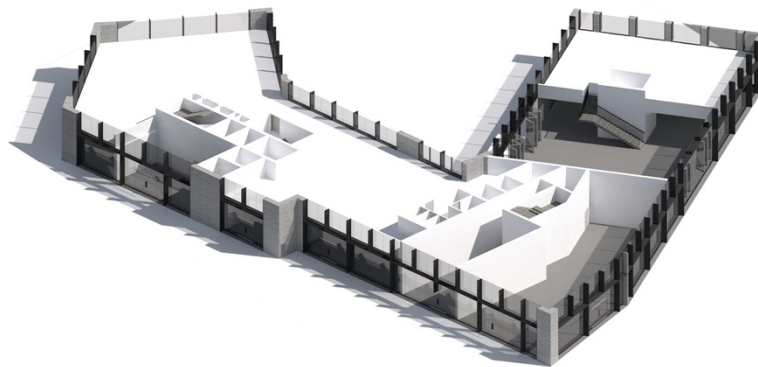




Figure 13. Building 2. Illustrative ground floor with double height space and indicative bi-folding doors to Verney Road and servicing route.

#### Job creation

86. Presently there is minimal employment numbers on the site as the majority of the site is now vacant with previous employers having moved to other sites within the Old Kent Road area. The previous uses on site employed 35 people, while the three units at 12 Verney Road are used for storage and currently employ 4-5 employees.
87. The scheme proposes 5234.15sqm of Class B floorspace on site with 47% of the new floorspace as flexible B1 with the other 53% being B1(c). The 47% of flexible B1 space could change within the B1 use class depending on changing demand over time. This could include further B1(c) floorspace. On this basis, it is estimated that the B1(c) floorspace will generate approximately 62 jobs, while the flexible B1 floorspace if delivered as B1(a) could generate up to approximately 240 jobs.
88. Consequently, the scheme has the potential to generate a significant uplift in employment provision on site with up to about 240 people to be employed across the commercial aspects of the scheme. The new workspaces would meet the needs of the SME and emerging creative sectors. This is a positive aspect of the proposal.
89. In addition to the direct operational employment, the retail, leisure and other expenditure of the residents of the proposed 338 units will support additional jobs in shops, restaurants and other services within the Old Kent Road area.
90. In the construction phase, this development would be expected to deliver 84 sustained jobs to unemployed Southwark residents, 84 short courses, and take on 21 construction industry apprentices during the construction phase, or meet the Employment and Training Contribution. The maximum Employment and Training Contribution is £405,300 (£361,200 against sustained jobs, £12,600 against short courses, and £31,500 against construction industry apprenticeships).
91. A development of this size and with the proposed employment densities would be expected to deliver 31 sustained jobs for unemployed Southwark Residents at the end phase, or meet any shortfall through the Employment in the End Use Shortfall Contribution. The maximum Employment in the End Use Shortfall Contribution is £133,300 (based on £4300 per job).

### Business relocation and retention

92. The existing use of the site is primarily industrial and storage uses.

#### 6-8 Verney Road

93. This part of the site was previously leased by Fontain (formerly known as SPM Lithographics), a printworks company, who relocated to a site in the local area at Galleywall Road, SE16 3PB. The site is currently vacant.

#### 12 Verney Road

94. Souvenir, a theatre prop manufacturer has mostly relocated to a site close by at 46-72 Verney Road, SE16 3DH. The company do retain a short lease on three units that are used mainly for storage of props so they do carry out limited work on site, with approximately 4-5 employees.

### Affordable workspace

95. The applicant has agreed to provide affordable workspace of 523sqm within Building 3 that comprises 10% of the commercial floorspace at rents of circa £12 to £15 per sq ft per year over a minimum 15 year period. The rents would be subject to inflation over this time. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area. This is considered a positive aspect of the scheme.

### Specialist workspace provider

96. 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

97. The scheme would provide 338 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. 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 2015-2025. 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.
98. The draft New London Plan was further amended in August 2018 and in particular changes were made to policy H5 Delivering Affordable Housing and policy H6 Threshold Levels. Policy H5 4a states that "industrial land appropriate for residential use in accordance with Policy E delivering at least 50 per cent affordable housing

where the scheme would result in a net loss of industrial capacity.” Whilst paragraph 4.5.4C goes on to state that “The Mayor expects that residential proposals on industrial land should deliver at least 50 per cent affordable housing where the scheme would result in a net loss of industrial capacity.”

99. Policy H6 “Threshold approach to applications” identifies the threshold at which a viability assessment wouldn’t be required for development on industrial land as being 50% “where the scheme would result in a net loss of industrial capacity”.
100. Paragraph 4.6.6 then sets out that “Given the difference in values between industrial and residential development, all residential development proposals that would result in a net loss of industrial capacity on Strategic Industrial Locations, Local Significant Industrial Sites or Non Designated Industrial Sites are expected to provide at least 50 per cent affordable housing. If this is not possible, detailed viability evidence will be needed to justify a lower level of affordable housing.” This last sentence is important as otherwise these policies would be contrary to National Planning Policy guidance in respect of the tests of viability and wouldn’t be sound.
101. Overall the proposal would provide an increase in B class floorspace. It also secures a minimum amount of class B1c. While there is scope for the minimum amount to increase depending on occupiers there may nevertheless be a loss of B1c space. The scheme’s viability has in any case been independently assessed as required by Southwark’s plan policies and the 35% offer is considered to be the maximum that can be provided. Furthermore in drafting the Old Kent Road AAP, officers have evidence based a localised affordable threshold. It is noted that paragraph 4.6.13 of the draft NLP which referenced this approach has been deleted. Nonetheless it remains current guidance in the Mayors Housing SPG.

#### Impact of the proposed residential use

102. It is recognised that the introduction of residential units could restrict and prejudice the operation of existing businesses in the area. Given the existing mix of residential and commercial uses carried out within the area, it is not felt that these existing businesses would be prejudiced and they could continue to operate and co-exist with the introduction of further residential uses provided schemes are well designed for this mix.
103. In addition the developer will provide, through a S278 agreement, a proposed on street servicing bay and off street servicing provision that should ensure that this site has adequate servicing provision to facilitate a wide range of commercial users in the future without harming residential amenity or prejudicing those commercial uses. This is a key requirement of the draft Area Action Plan and their provision is welcomed. Conditions are recommended in relation to noise and sound insulation within the building and in relation to servicing hours.
104. It is noted that residential accommodation within a mixed use context is already located within the immediate area. To the north of the site, residential units are located within the upper floors of the mixed use Bermondsey Works scheme at 399 Rotherhithe New Road. The approved Ruby Triangle scheme (subject to legal agreement) would deliver 1,152 homes to the south of the site.

### Conclusion on land use

105. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy owing to the introduction of residential use into the SPIL so would represent a departure from the adopted development plan.
106. This must therefore be weighed against the benefits of the scheme which include:
  - the provision of 338 homes, of which 35.36% by habitable room or 112 units would be affordable;
  - the provision of 5234.15sqm of B1 and B1(c) an increase of 1049.16sqm over the existing provision;
  - the provision of good quality, flexible commercial space that has been designed to include units of varying scale and floor to ceiling heights, with off and on street servicing for the commercial and residential space;
  - job creation up 240 jobs;
  - delivery of 523sqm of affordable workspace;
  - Optimised use of the site.
  - New public realm and new routes
  - Contribution to the Linear Park
107. The design and proposed land use of the proposed commercial units and the flexibility they will offer is entirely consistent with those required in the draft AAP for this subarea, strategic and local policy objectives to provide workshops for small to medium sized enterprises, especially those in the cultural and creative industries.
108. Whilst only limited weight can be attached to the NSP and OKR AAP at present, they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area and the careful design of the scheme, 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**

109. The applicant submitted 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.
110. The Secretary of State has confirmed this position through an EIA Screening dated 25 April 2019.

### **Affordable housing**

111. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units 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.

112. Saved Policy 4.4 of the Southwark Plan requires a tenure split of 70% social rented to 30% intermediate housing. This is reiterated in the draft Old Kent Road Area Action Plan.
113. In total, 1035 habitable rooms would be provided in the development. The development would provide a total of 366 affordable habitable rooms which would equate to an overall provision of 35.36%. The level of provision is therefore acceptable and policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
114. The 366 affordable habitable rooms would meet the 70/30 affordable tenure policy requirement for an adopted policy compliant scheme with 262 social rent habitable rooms equating to 71.58%, and 104 Intermediate habitable rooms equating 28.42%.
115. The emerging New Southwark Plan sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided. Using this methodology, the Social Rented offer would equate to 25.31% and the Intermediate would be 10.05%. As such, the proposed development is in accordance with the emerging New Southwark Plan affordable housing policy.

Table 1a: Habitable room totals

<b>Tenure</b>	<b>Total habitable rooms</b>	<b>Percentage</b>	<b>Tenure split of total habitable rooms</b>
Social Rented	262	35.36%	25.31%
Intermediate	104		10.05%
Market	669	64.64%	64.64%
<b>Total</b>	<b>1035</b>	<b>100%</b>	<b>100%</b>

116. In light of this the proposed offer would:

Table 1b: Affordable housing unit mix

<b>Units</b>	<b>Social rent</b>	<b>Intermediate (shared ownership)</b>	<b>Total affordable units</b>
1 bed	21	13	34
2 bed	39	13	52
3 bed	19	7	25
<b>Total</b>	<b>79</b>	<b>33</b>	<b>112</b>

117. Overall, the proposal would provide a total of 112 affordable units in a mix of unit sizes within the building, which is a positive aspect of the scheme. A Section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied until the affordable units have been completed.
118. For clarity, the locations of the 112 affordable units that are proposed within the scheme are set out below:

Table 2. Unit locations and totals

Location	Market units	Social Rent units	Intermediate units	Total	Wheelchair units
<b>Building 1</b>					
Core 1	31	9	33	73	10
<b>Building 2</b>					
Core 3	0	54	0	54	6
Core 4	109	0	0	109	5
<b>Building 3</b>					
Core 5	0	16	0	16	8
Core 6	86	0	0	86	7
<b>Total</b>	<b>226</b>	<b>79</b>	<b>33</b>	<b>338</b>	<b>36</b>

(Note: Core 2 in Building 1 (west building) is for commercial use)

### Density

119. 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).
120. The site occupies an area of 0.75 hectares. The residential component of the proposed development would comprise 1035 habitable rooms and the commercial component would deliver the equivalent of 145 habitable rooms. This results in a total

density of 1180 habitable rooms per hectare.

121. This is clearly significantly higher than the upper limit set by Strategic Policy 5 for the Urban Density Zone of 700 hab rooms per hectare, 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:

Table 3. Exemplary residential design standards

<b>Exemplary residential design criteria from Southwark Residential Design Standards SPD</b>	<b>Commentary</b>
Provide for bulk storage	The storage area for all apartments complies with or exceeds the minimum requirements.
Exceed minimum privacy distances	The proposed development exceeds on average 18m on Verney Road on western side and 25m on the eastern side opposite 1 Bermondsey works. There is 31m distance between Building 1 and Building 2 and over 30m distance between Building 2 and Building 3.
Good sunlight and daylight standards	<p>Daylight and Sunlight report has been submitted by Point 2 surveyors. Point 2 have been heavily involved throughout the design process, providing iterative daylight, sunlight and overshadowing advice to assist the project team with the evolution of the Proposed Development.</p> <p>In terms of the average daylight factor, 90.7% of the rooms within the scheme obtain an ADF level higher than the British Standard requirements. The majority of rooms that do not meet the average daylight factor level are bedrooms, and the vast majority of these are part of flats where the lounge/dining area is in itself fully compliant, meaning in an overall sense a well-lit flat. There are very few lounge areas falling below the ADF level, however, these have been designed in such a way as to have good levels of daylighting distribution meaning that these too will appear well lit. Internal levels of daylight are shown overall to be good.</p>
Exceed minimum ceiling heights of 2.3 metres	Proposed minimum clear ceiling height (from finish floor to underside of ceiling) for all the residential units including affordable housing is 2650mm.



Exceed amenity space standards (both private and communal)	<p>Private amenity Space: All residential units, regardless of whether flat or duplex units, have been provided with at least one large balcony and many with two balconies. Private external amenity significantly exceeds the minimum policy requirement of 3380sqm with 5689.32sqm of private amenity space.</p> <p>Communal amenity space: The communal amenity space and Children's play space exceeds the Southwark and GLA standards.</p>
Secure by Design certification	Designing for community safety is a central part of the aspirations for the site. The design team have ensured that all significant components of the design, planning and layout of the scheme have been considered together at an early stage, so that potential conflicts between security and other major objectives can be resolved. Currently the project has been registered with metropolitan police secure by design officers and a full certification will be granted at practical completion.
No more than 5% studio flats	The proposal will have no more than 5% of studio, There are total 15 studios proposed of 338 total residential units (4.4%)
Maximise the potential of the site	The site falls within the core area of the Old Kent Road Opportunity Area that has significant capacity to accommodate new housing and jobs. Proposals should seek to optimise residential and non-residential development in opportunity areas. The proposed redevelopment of the site with high quality buildings, a reinstated streetscape with active frontages at ground floor level and open space will transform this part of the Opportunity Area in accordance with the principles of the vision for the area and maximise the site potential.
Include a minimum 10% of units that are suitable for wheelchair users	36 wheelchair units (10.6%) would be delivered. Wheelchair fit-out would be provided in the social, intermediate and private tenures across a range of units. The number of wheelchair dwellings meets the policy requirements and the spread across the three tenures is considered acceptable. The units would be required to be fully fitted for first occupation.
Excellent accessibility within buildings	The scheme has been designed to ensure provisions have been made for inclusive design in the general arrangement of the buildings in terms of car parking, approaches, entrances, and common circulation areas, and generally addresses the internal layouts and other accommodation.

Exceptional environmental performance	The scheme would exceed the 35% on site carbon reduction target and will have a BREEAM excellent rating.
Minimised noise nuisance between flats through vertical stacking of similar room types	Generally living rooms are stacked above living rooms and bedrooms above bedrooms.
Make a positive contribution to local context, character and communities	<p>The scheme would create a mixed use community with public accessible facilities at ground level providing approximately 50% of the site area as public open space, including a contribution to the linear park. It would create animated street frontages with along Verney Road and promote site permeability.</p> <p>In terms of use it would create flexible commercial spaces, to meet the demands of the occupier market as the area evolves with the arrival of the Bakerloo extension.</p> <p>In terms of built form it would create a series of buildings that enhance the skyline in accordance with the principles set out in the AAP.</p>
Include a predominance of dual aspect units	72.78% of the residential units are dual aspect units (246 of 338 units in total). None of the single aspect residential units are north facing.
Have natural light and ventilation in all kitchens and bathrooms	All of the kitchens have natural light and ventilation. The bathrooms are mechanically ventilated but this is not unusual in a high density residential scheme.
At least 60% of units contain two or more bedrooms	The proposed scheme has 202 residential units with two or more bedrooms this equates to 59.76% of total provision. This marginal shortfall is considered acceptable.
Significantly exceed the minimum floor space standards	All the residential units meets the minimum floor space requirement as per the Residential Design Standards. 312 units out of 338 units exceed the minimum standards.
Minimise corridor lengths by having additional cores	The majority of the cores of 8 or less flats accessed from them, the exception to this is Core 3 in Building 2. This has 12 flats accessed off the core. However 4 of the flats accessed from this core are "scissor flat" maisonettes and so benefit from dual aspect and this results in the intervening floors only having 4 flats accessed from the core

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122. 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 is justified in this instance.

### **Housing mix**

123. Strategic Policy 7 of the Core Strategy 'Family homes' requires developments of 10 or more units to provide at least 60% 2+ bedroom units and 20% 3+ bedroom units. No more than 5% studio units can be provided and these can only be for private housing. At least 10% of the units should be suitable for wheelchair users.

Table 4: Unit mix

	<b>Total number units (number)</b>	<b>Total Units (%)</b>
<b>Studios</b>	15	4.4%
<b>1 bed</b>	121	36%
<b>2 bed</b>	132	39.05%
<b>3 bed</b>	70	20.7%
<b>Total units</b>	338	100%

124. 59.76% of units would have two or more bedrooms; this is considered acceptable as it is only marginally short of the 60% target. 20% of the units would have three or more bedrooms, which is policy compliant. 15 studios are proposed which is a compliant number.
125. In summary the housing mix would be in accordance with policy.

### Amenity and play space

126. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. 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 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.
127. The following amount of amenity space would need to be provided:
- For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
  - For units containing 2 bedrooms or less, ideally 10sqm of private amenity space,

with the balance added to the communal space;

- 50sqm communal amenity space per development as required by the SPD;
- 10sqm of children's play space for every child space in the development as required by the London Plan;
- 5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

#### Private amenity space

128. A total of 3380sqm of private amenity space would need to be provided for the 338 units. In this instance 5672.96sqm of private amenity space is proposed, with all flats having been provided with private amenity space in the form of balconies, winter gardens and terraces, with many flats benefiting from two balcony spaces. This is a very positive aspect of the scheme, resulting in the generous provision of private amenity space.

#### Communal amenity space

129. A total of 50sqm communal amenity space is required to be provided within the scheme. A total of 267sqm of communal amenity is proposed and would be located at ground level between Buildings 2 and 3. The proposed private amenity space (5672.96sqm) combined with the proposed communal amenity space (267sqm) would deliver a total amenity space of 5939.96sqm. This would significantly exceed the total requirement (3380sqm) of amenity space and is therefore acceptable. Details are set out in the following tables.

Table 5: Communal Amenity Space

<b>Communal Amenity Space</b>	<b>Location</b>	<b>Size</b>
Communal Space	Ground floor between Building 2 and 3	267sqm

130. The detailed design and layout of each of these spaces in conjunction with the overall child play space will be secured by condition.
131. An internal community room of 49.15sqm is proposed in Building 2 (centre building) for residents to use on the roof of the 8th storey, adjoining the proposed rooftop play space (detailed below). A

### Children's playspace

132. Based on the draft New Southwark Plan child play space yield, the development would be required to provide 1144.8sqm of children's play space on site. This will be completely provided on site in the following locations:

Child playspace location	Size
Ground floor playspace	829.06qm.
Community Sports room / play area on Level 01 of Building 3	150sqm
Children's Play area on the roof of Building 2	321.35sqm
<b>Total proposed child playspace</b>	<b>1300.41sqm</b>
Required by policy	1144.7sqm
Excess	+155.3sqm

133. The playable area within the landscape scheme will provide imaginative, innovative, and stimulating play spaces for 0-5 year olds, 5-11 year olds and 12+ year olds in an integrated landscape within the green corridor and main public spaces within the site. In addition to formal play spaces, play decks, varied surfacing, changes of level and natural play opportunities will provide a challenging environment for the younger age group. Table tennis tables and a climbing wall as well as social spaces will be provided for the older age group. The integrated nature of the playable areas will encourage children to interact with nature.

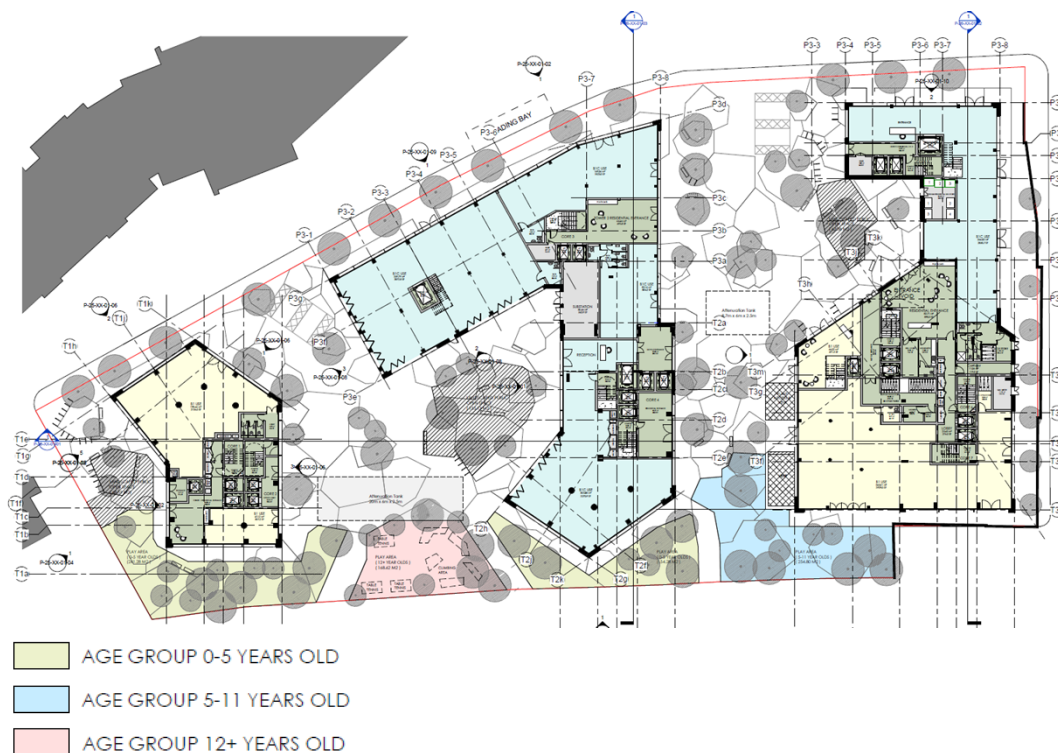


Figure: Location of ground floor child playspace by age group.

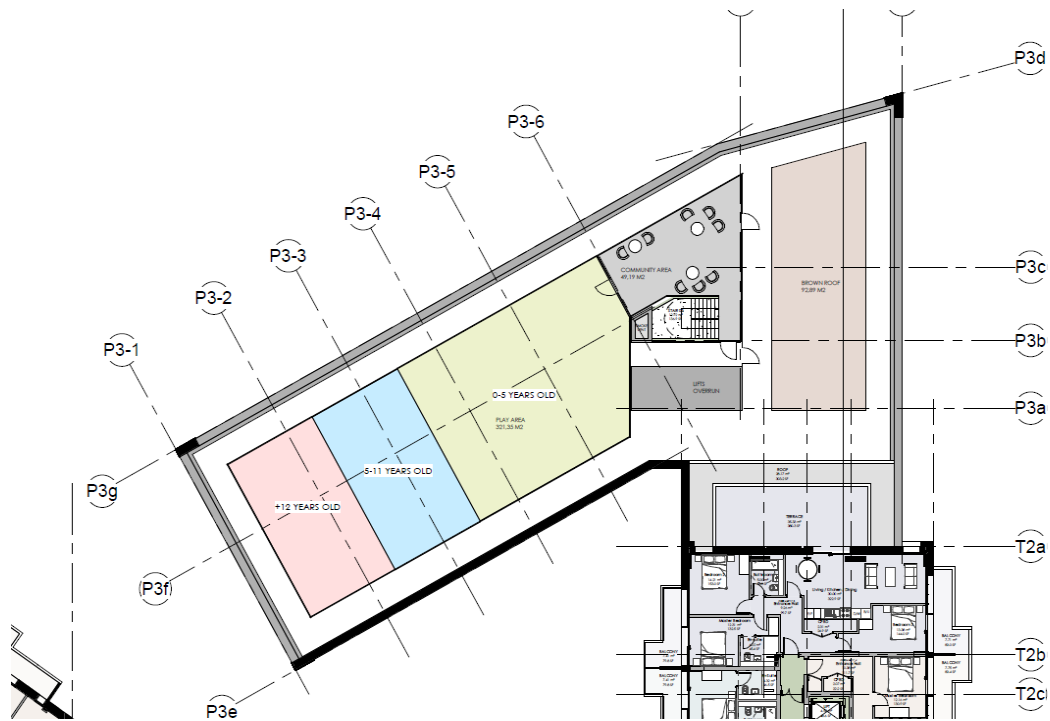


Figure: Seventh floor playspace on Building 2, illustrating percentage of play space by age group, and the adjoining communal room.

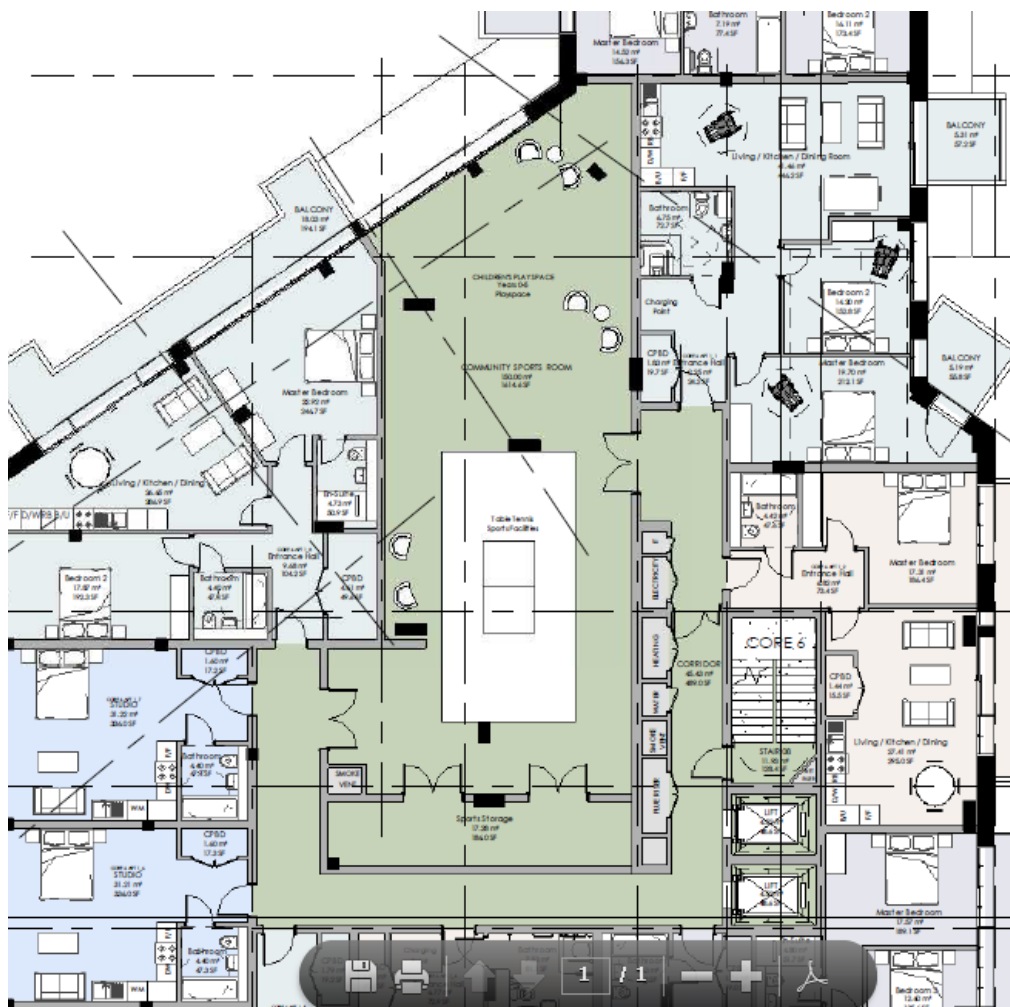


Figure: Community Sports room / play area on Level 01 of Building 3

134. An excess of 155.3sqm is provided over and above the required child space. The proposal for children's play space for all age group exceeds the minimum requirement of GLA as well and Southwark Standards. Please note the communal amenity space is separate to the children's play area provided in the development.

Table 6: Amenity and child play space schedule

Type of space	Area
Total private and communal amenity space + child play space <i>required</i> by policy	4574.8sqm (3380sqm + 50sqm + 1144.8sqm)
Total private and communal amenity space + child space <i>proposed</i>	7240.37sqm (5939.96sqm + 1300.41sqm)
Excess	2665.57sqm

135. Further design details of the proposed play space within the scheme will be secured by condition.

#### Public open space

136. Policy AAP10 of the emerging OKR AAP requires the provision of 5sqm of public open space per dwelling which equates to 1,690sqm for the scheme. 829.06sqm of play space is proposed adjacent to the Linear Park to the southern edge of the application site and in addition 2,700sqm of landscaped public realm space is proposed within the site, a total of 3529.06sqm which meets the requirements of this policy.

#### Noise

137. The site is located within the SPIL, and the proposed residential units would adjoin existing commercial units to the east, south and west, although these sites may come forward with similar mixed use schemes at some stage in the future. Sound proofing within the new development must therefore limit the potential for residential noise complaints against existing adjoining commercial occupiers and future commercial occupiers within the application site.
138. Environmental noise assessments have been undertaken to assess whether the site would be suitable for residential development. The reports have been reviewed by the council and conditions to secure appropriate internal noise levels are recommended, which should minimise the likelihood of noise complaints against the existing adjoining and future industrial occupiers.
139. Following an objection and subsequent discussions with the neighbouring industrial site at 20 Verney Road, William Say and Co Ltd, revisions to the eastern building (Building 3) have been agreed by the applicant comprising the conversion of all the proposed balconies on the north, south and east elevations to fully enclosed winter gardens with enhanced glazing to mitigate any potential noise disruption to residential amenity and limit potential noise complaints from the existing industrial use. These minor revisions are subject to a reconsultation that will be reported on in the Committee Report Addendum.
140. It is also important to note that the scheme has also been revised removing the ground and first floor residential units adjacent to the William Say site on the eastern elevation of Building 3. These floors now propose commercial floorspace.
141. It is also recommended that the a further condition to ensure the detailed design and acoustic performance of the window units and glazing to residential units fronting the north, south and east elevations in Building 3 is secured, alongside a planning obligation that requires marketing materials for potential residential buyers on units within the scheme to be informed that there is an existing adjacent industrial use at 20 Verney Road and in the vicinity.
142. The proposed revisions to scheme are considered an appropriate way to mitigate potential noise impacts to residential amenity while ensuring the continued adjacent industrial use at 20 Verney Road. As such the development is consistent with the 'Agent of Change' principle as defined in paragraph 182 of the NPPF and draft London Plan policy D12 as the applicant has taken significant steps to clearly demonstrate



how noise impacts will be mitigated and managed.

### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

143. 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 Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

#### Daylight and Sunlight impact to existing residential units

144. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing residential properties. The following properties were identified as sensitive receptors for daylight and sunlight assessment and have been assessed:
- Bermondsey Works, 399 Rotherhithe New Road
  - 4-9 Canal Grove (not 3-8 as stated in the report)
  - 35-40 Ryder Drive
145. In summary, the proposed development will have a noticeable change in daylight and a limited impact on sunlight to some of the residential units on the southern elevation of the Bermondsey Works development at 399 Rotherhithe New Road. It was noted that some windows within the elevation were self obstructed by projecting floor slabs and walled terraces and these would be impacted and experience lower levels of retained VSC. The BRE guidance recognises this issue of self obstruction. The overall effect on sunlight is considered to be limited, with the overwhelming majority of rooms continuing to receive sunlight levels in excess of the BRE guideline recommendations. 186 of the 263 habitable rooms tested receiving daylight to over 80% of the working plane. This represents an excellent level of daylight distribution. The presence of the proposed buildings would eliminate a relatively large proportion of the available sky, however, significant levels of daylight would continue to penetrate around and between the proposed buildings to all the relevant neighbours.
146. In relation to the impact to John Keats Primary School playground, the sunlight availability to the playground areas at ground level was assessed. Lower levels of sunlight in March were noted as a result of the development, but very good levels of sunlight availability were apparent across the summer months. This is considered acceptable. The change experienced to daylight in classroom windows would be noticeable as a result of the existing low-rise context changing with the introduction of taller buildings located to the south. The assessment noted that relative change in terms of their daylight amenity exceeds the typical parameters in the BRE. However this is considered acceptable as the majority of windows would continue to achieve good daylight levels. The proposed development has been designed to allow permeability through the site in order to allow light to pass between the towers in order to limit any daylight and sunlight effects while still optimising the sites housing and jobs potential. In terms of sunlight, 23 of the 26 rooms tested (88%) will exceed the BRE annual sunlight targets, with the remaining rooms receiving good levels of

sunlight.

147. It was noted that there would be some reductions in daylight and sunlight to the residential properties along Ryder Drive and Canal Grove. However, retained daylight levels for the majority of windows are good and meet BRE guidance. Of the remaining windows the daylight is considered acceptable and will retain in excess of 15% VSC. Each of the southerly orientated habitable rooms tested within 36-40 Ryder Drive will satisfy the BRE guidelines sunlight recommendations. At 35 Ryder Drive, 2 of the 5 rooms tested will achieve the recommended annual sunlight target of 25% APSH, with the remaining 3 rooms achieving 18-19% APSH, which is still a good level of sunlight. 4-9 Canal Grove would see a total of 12 of 15 habitable windows satisfy the BRE assessment criteria, either by retaining at least 27% absolute VSC, or by retaining 0.8 times their existing VSC levels.
148. The sunlight availability to the proposed new public open amenity spaces within the scheme will be very good and meet the typical BRE recommendations.
149. The figure below illustrates the location of these existing residential properties highlighted in yellow:

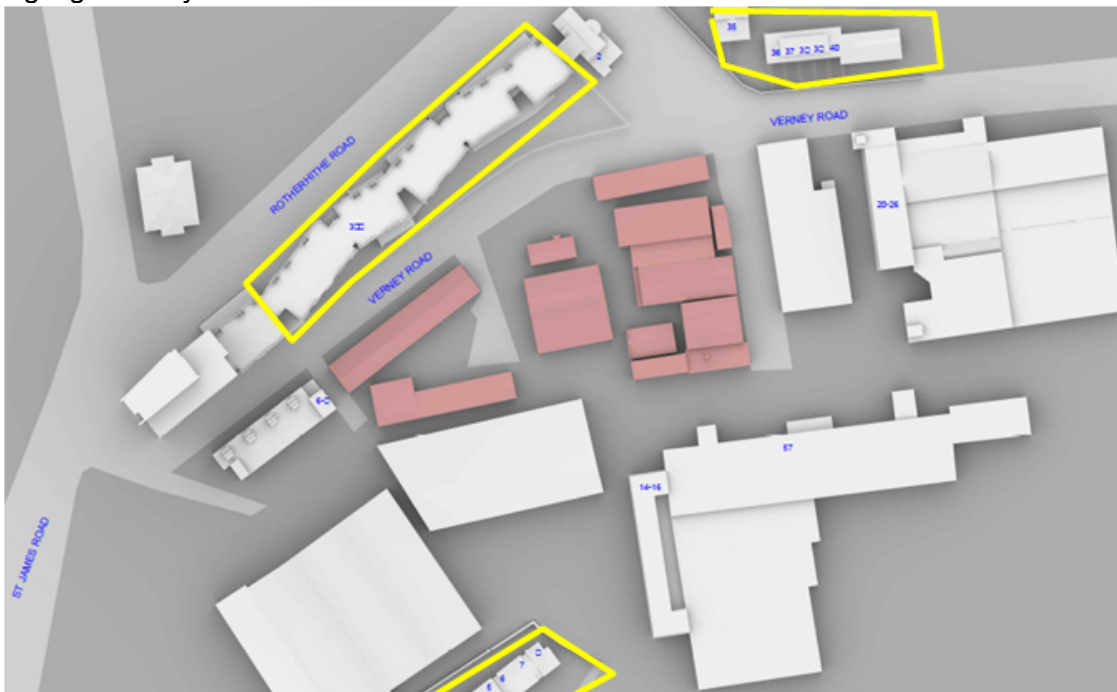


Figure 14: Neighbouring residential properties assessed

#### Conclusion on daylight and sunlight impacts to existing residential units

150. A detailed daylight sunlight assessment has been undertaken in relation to neighbouring residential properties in accordance with the BRE guidelines on daylight and sunlight.
151. It should be noted that the existing site massing is modest, and therefore some noticeable proportional reductions will be inevitable with any scheme that optimises the full potential of the site.

152. While reductions in amenity to many of the properties assessed fully comply with the default BRE criteria, there will be noticeable impacts to some properties as set out above. However, in each case these are limited and considered to be reasonable. The presence of the proposed towers does eliminate a relatively large proportion of the available sky, when compared to the extant condition however, significant levels of daylight would penetrate around the buildings.
153. Objections in respect of loss of sun were also received from residents in Sherwood Gardens to the north of the site. Whilst the scheme would be visible from Sherwood Gardens it is not considered that it would have any significant effect in terms of loss of sunlight due to its distance from the development.

#### Overlooking

154. In order to prevent harmful overlooking, the Residential Design Standards SPD 2011 requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear. These distances are all met in terms of the impact of the proposal on adjacent buildings.
155. In relation to adjoining sites the proposed development exceeds on average 18m on Verney Road on the western side and 25m on the eastern side opposite 1 Bermondsey works. These degrees of separation when considered with the orientation of the flats are considered to avoid any harmful overlooking.

#### Outlook

156. It is considered that the proposed development will provide an improved outlook for nearby residential properties as the scheme would enhance the street townscape with a high quality well designed mixed use building. New public realm and wider footways would enhance the existing poor quality of public realm. Active frontages that encourage increased footfall and use of the site are proposed. The impact of the proposal on long views and panoramas from 399 Rotherhithe New Road is not a material planning consideration.

#### Air quality

157. 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.
158. The Council's Environmental Protection Team (EPT) 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 provide details of continuous monitoring for dust and noise. It is recommended that this plan be requested by condition.
159. The proposed development will meet building and transport emission benchmarks in terms of air quality neutrality. As such, no mitigation measures are required to reduce these emissions.

### Conclusion on quality of residential accommodation

160. The proposed development would provide well lit and well ventilated homes that meet the space requirements of the Residential Design Standards. Sufficient private, shared communal and children's play space has been provided exceeding the minimum requirements. The quality of accommodation is therefore considered to justify the high density of the scheme.

### **Design**

161. 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.
162. 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. The draft AAP does however identify buildings of townscape merit and architectural or historic interest around the site. None would be harmed by these proposals.

### Height, Scale and Massing

163. The height of the buildings proposed at up to 24 storeys marks a step change in the scale of development in the wider area, although not dissimilar in scale to the 18 storeys Bermondsey Works scheme on the opposite side of Verney Road. The height, scale and massing proposed is in line with the emerging policy set out in the draft AAP. In all there would be three tall buildings Building 1 at ground, ground mezzanine plus 17 storeys (AOD 66.975m); Building 2: basement, ground, ground mezzanine plus 22 storeys (AOD 81.975m) and Building 3: basement, ground, ground mezzanine plus 16 storeys (AOD 62.675m) With the tallest building, Building 2 being at the centre of the site where the proposed building reaches 24 storeys in total.
164. Policy 7.7 of the 2016 London Plan, 'Location and Design of Tall and Large Buildings', states that tall buildings should be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. Furthermore, London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives. Annexe 1 of the 2016 London Plan sets out the specific requirements for the Old Kent Road Opportunity Area, identifying it as having significant potential for residential-led redevelopment. As such, it is considered that the Old Kent Road Opportunity Area is, in principle, an acceptable location for tall buildings which optimise housing delivery and regeneration benefits.
165. This massing proposal would result in three well articulated towers in a composition that respond positively to the shape of the site, its existing context including the

neighbouring tall building at the Bermondsey works site, and potential future development adjacent to the site, as illustrated in the master-planning of the draft OKR AAP. The latter identifies the site as being suitable for Tier 2 tall buildings, These are buildings up to 25 storeys in height. The onsite public space provides a visual separation between the towers, ensuring that they relate well to each other in the townscape and that the flats within the towers benefit from good light and outlook.

166. Overall the character of the area character of the area would be enhanced and it is considered that the proposals would make a positive contribution to the skyline and relate well to their surroundings, particularly at street level, with active commercial frontages. The contribution that the scheme would make to local regeneration would be significant in terms of new homes and more jobs within a mixed use development.
167. In terms of microclimate impacts, the results of the wind assessment for the proposed development indicated that some adverse effects were anticipated. As such, mitigation treatments are proposed for certain locations to achieve the desired wind speed criteria for pedestrian comfort. These include tree planting and balustrades to building elevations these will ensure that outdoor areas within and around the proposed development meet their respective comfort and safety criteria.

#### Design Quality

168. The proposal is well designed with three individual buildings each adopting a consistent tower format that is grounded to the linear park to the south of the site. Building 1 to the west of the site is a stand alone tower while Buildings 2 and 3 have lower rise street frontages to Verney Road. New north / south pedestrian routes run across the site to provide excellent permeability. Each building has a residential use above a distinctive commercial base with large 8m high industrial style glazed windows to provide views into the commercial activity within. Highly articulated façades are proposed with distinct projecting pre-cast concrete balconies, glazed window panels, and distinct residential entrances. The balcony design gives a richly textured appearance to the buildings. The proposals would compliment the setting of Bermondsey works scheme having a good scale relationship with it in views from Old Kent Road and along Verney Road. The scheme strikes a balance between the solid and glazed elements of the facades to provide good sunlight to and views from the residential units whilst meeting the sustainability criteria in terms of insulation and CO2 savings.
169. The proposed elevational style for the residential units above the commercial brick base has a horizontal emphasis with a series of stacked balconies that alternate on every other storey. Following revisions, the balconies on the eastern, northern and southern elevations of building 3 would be enclosed winter gardens to enhance acoustic insulation. Each elevation successfully responds to its existing and emerging context and offers variety through the changing orientation and the placing of the three towers on the site.
170. The proposal establishes a positive relationship with 399 Rotherhithe New Road building in terms of both its height and mass and its materiality. The brick masonry finish of the elevations is complimented by the balconies which are formed in textured pre-cast concrete which in combination with the articulated horizontal emphasis gives the building a distinct character and should distinguish it in views. The top of the buildings are characterised with by larger areas of glazing set in masonry frames that

create a distinct top to both the tower and lower podium height building.

171. These materials, along with the details described above are considered an appropriate response to the existing character of the area and the emerging architectural language proposed in the draft OKR AAP. Detailed drawings and material samples will be required by condition in order to ensure that this quality of design is delivered.

### **Public realm and open space**

#### Verney Road

172. The footways to Verney Road would be widened to create a comfortable setting for the proposal and improve the walking environment.

#### Public realm between the buildings

173. A key aspiration of the OKR AAP is to deliver a series of public spaces and routes that improve the quality and quantum of public realm and access through the area, especially in locations which are currently impermeable.
174. The proposed public realm for this scheme is consistent with this aspiration, by providing a series of new public north/south routes between the proposed buildings linking Verney Road to the proposed new linear park along the southern part of the site once it is delivered. The proposed public realm would be landscaped with soft and hard landscaping and play space provision. Detailed design would be secured by condition. The landscaping will be designed to ensure that it provides access for servicing vehicles to the commercial units, and so has a balance between utility and the need to provide an attractive space for residents.

#### Surrey Canal Linear Park

175. The southern section of the application site to the south of the proposed buildings is currently part of the proposed location and route for the new Surrey Canal Linear Park that is set out in the draft Old Kent Road AAP. As such the application site would provide land for the linear park.
176. Further work to define the scope, location and layout of the linear park is underway by officers, with further revisions to the park likely to come forward in the next draft of the AAP.
177. The S106 legal agreement will contain provisions for the delivery of the linear park and establishment of a management company with other landowners to set up and run and manage the park. The legal agreement will also secure public access to the open space and park. This approach has been established in the recent Cantium and Malt Street schemes. The proposed landscaping conditions will also ensure the appropriate layout of the site and park.

178.

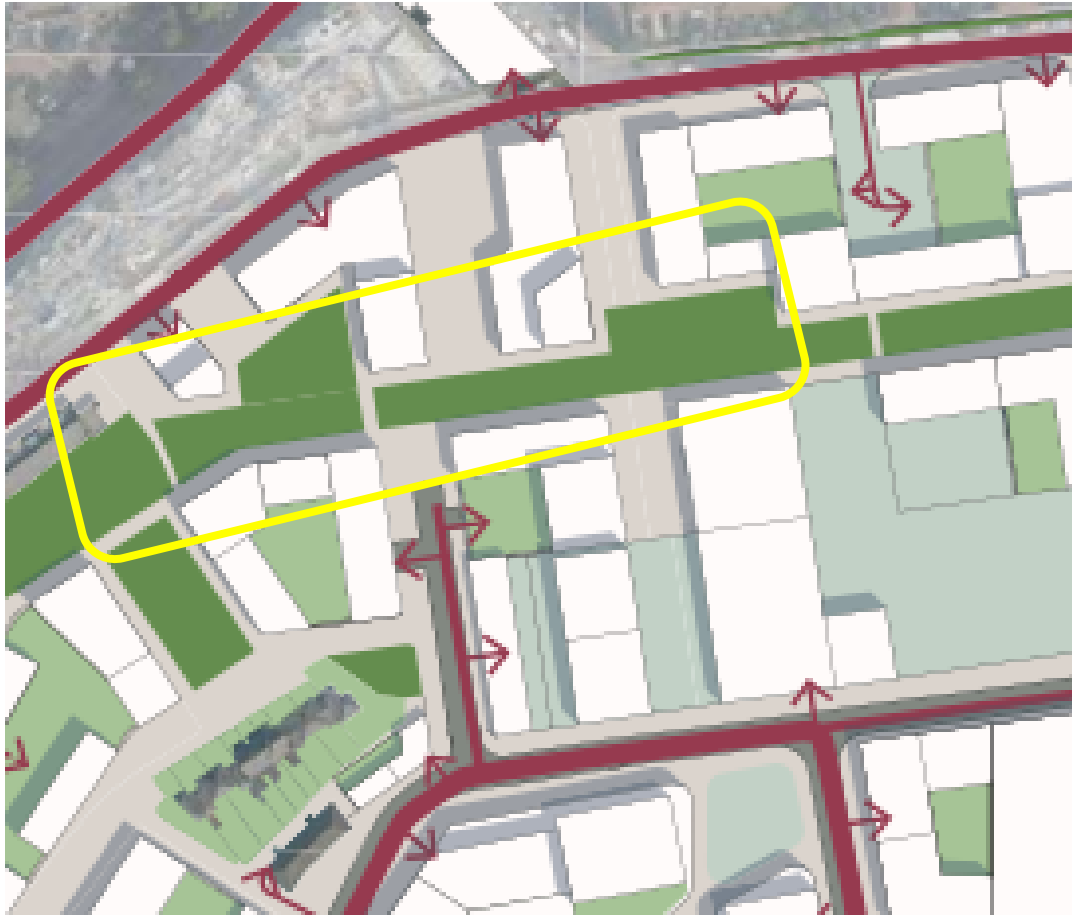


Figure 15: Indicative layout of the linear park at the application site

#### Design Review Panel

179. The Design Review Panel's role in planning process is advisory. They reviewed the scheme in September 2017 and provided detailed comments in their report. It should be noted that the scheme has been revised in response to the panel's suggestions and through further discussions with officers.

#### Architecture

180. Overall the Panel felt that the architectural concept of the scheme was clear and coherent. The use of projecting balconies to give a texture and rhythm to the facades works well, but some concerns were raised about the size, usability and quality of narrow balconies with full height flanking panels.
181. The Panel felt that the proposals are ambitious and relied upon careful consideration of detail and high quality of realisation. As such, the Panel recommended that details, samples and mock-ups are provided with the application to secure the quality required to deliver the proposals as illustrated.
182. The scheme was subsequently revised prior to submission with detailed drawings of the balconies being submitted by the applicant to secure design quality with conditions as suggested by the Panel.

### Streetscape and plot layout

183. The proposed layout of the blocks to create routes through the site to the proposed linear park was supported by the Panel, but it was felt that the central block intruded on linear park creating a pinch point that disrupted the flow of this important new public space. The Panel supported the concept of streetscape buildings along the main Verney Road frontage with taller buildings set back and adjacent to the Surrey Canal route. It was suggested that. Building 1 should not exceed the height of the Bermondsey Works and should not be the tallest tower proposed on the site. The Panel felt that the clear concept outlined by the architects should be carried through by extending the linear block streetscape typology along the entire length of the Verney Road frontage.
184. Subsequently the scheme was revised so that the tallest building was located in the centre of the site as suggested by the Panel and the layout was updated with the two most westerly buildings having lower linear blocks fronting Verney Road. The middle most block no longer intrudes into the linear park space and so would not interrupt the flow of the park.



Figure 16: Linear blocks fronting Verney Road. Building 2 and 3

### Open space

185. The Panel felt that the other open spaces on the site lacked clarity and were overly hard landscaped. The substantive landscaping has been revised, with a greener softer landscape on the southern linear park boundary, and harder landscaping adjacent the commercial units. The final detailed soft and hard landscaping design will be secured by condition to ensure the right balance is achieved within the landscaping to support both the residential and commercial uses.



### Residential design

186. The Panel felt the residential layouts generally worked well, and welcomed the efforts made to eliminate single aspect north facing apartments. However, there were some concerns that some layouts had hallways that were too narrow. The internal acute angle within the central building was also highlighted.
187. On the whole, the proposal would deliver good residential layout and living conditions for new residents. The acute internal angle of the central building (Building 2) is noted. As a consequence the outlook from the six flats in this corner is limited. However given the majority of the flats are dual aspect and most have good outlooks this is on balance considered acceptable.

### Conclusion on design

188. The buildings would be of an appropriate height and scale, optimise the use of site, and would help to deliver the homes, workspace and jobs that are required by the draft Old Kent Road AAP. The design is coherent and well considered and should deliver residential and commercial accommodation of a high quality. Conditions are recommended in relation to detailed design and material samples, to ensure the quality committed to in the application is delivered on implementation of the scheme.

### **Heritage**

189. Conservation Areas and listed buildings
190. The application site is not located within a Conservation Area or and there are no conservation areas in the immediate vicinity of the site.
191. In terms of nearby listed buildings that may be impacted as a result of the scheme, the Grade II Canal Grove Cottages, are located approximately 75m to the south of the application site. The large 3 storey warehouse buildings at 1-3 Wevco Wharf and 4 Verney Road are located between the application site and the listed cottages. These warehouse buildings form a barrier with blank facades fronting towards the cottages.

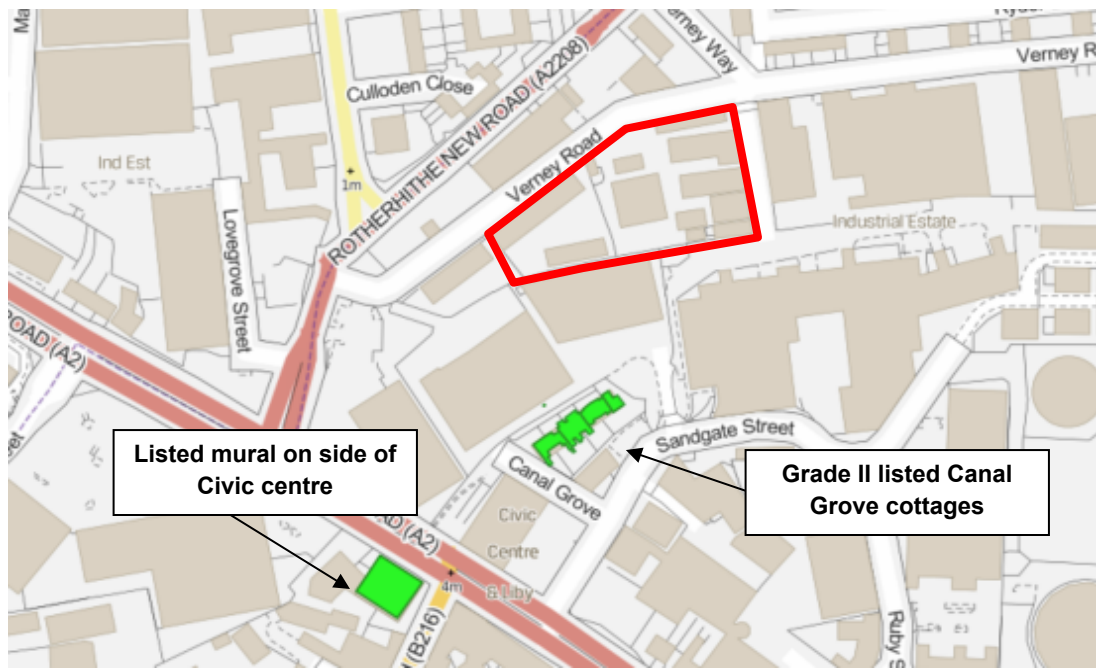


Figure 17: Relationship between the Grade II listed Canal Grove Cottages and the application site.



Figure 18: Relationship between the Grade II listed Canal Grove Cottages and the application site.

192. Paragraph 190 of the NPPF requires Local Planning Authorities to identify the architectural or historic significance of a designated heritage asset and to record the effect of any proposal on that architectural or historic significance. The NPPF requires Local Planning Authorities to place great weight on the conservation of heritage assets.
193. Any harm should require clear and convincing justification and can arise from the loss of historic fabric or features of significance as well as impact on the setting of a heritage asset. In accordance with paragraph 194 of the NPPF, both 'substantial' and 'less than substantial', any harm should be avoided and should be exceptional in the

case of Grade II listed buildings and wholly exceptional in the case assets of highest significance.

194. Paragraphs 195 and 196 of the NPPF also require Local Planning Authorities to weigh any that harm against the public benefits of the development proposed, including securing the optimal viable use of the heritage asset.
195. The loss of the buildings currently onsite is acceptable as the buildings are not considered heritage assets, designated or undesignated.
196. Historic England did not wish to make any significant comments on the development proposal.
197. The applicant submitted a Townscape, Visual and Heritage Assessment that considered a number of key views towards the scheme from the wider area and their impact on townscape views and heritage assets including listed buildings and conservation areas. The proposals would be visible along Peckham Park Road from the pavement adjacent to Leyton Square. They would enhance the townscape view and would not harm the setting of the protected London Square.
198. The proposals would be partially visible looking north along Asylum Road adjacent to the Grade 2 listed Caroline Gardens and Caroline Gardens conservation area. However in this view they would be largely obscured by trees in the foreground and existing buildings along Old Kent Road in the mid ground. They would have little impact on townscape in this view and would not harm the setting or special interest of the listed building and would preserve the special architectural and historic interest of the conservation area.
199. In views south along Rolls Road the scheme would appear to the left of the Grade 2 listed Phoenix primary school. It would make a positive contribution to the townscape view and would not be considered to harm the setting or special interest of the listed school given its distance from the school and relative scale on the skyline in relation to the school in this view.
200. The Grade 2 listed Canal Grove Cottages existing setting comprises a variety of types of development, primarily modern and post-war warehouse units. The existing warehouse units to the north provide a poor quality setting for the Canal Grove Cottages.
201. The proposed development would be visible above the warehouse buildings when viewed north from Sandgate Street with the mature tree line in the mid ground and listed cottages in the foreground. Although the development is considered to be of an appropriate mid-height scale, the development would result in some harm to the setting of the listed cottages in northward views. It is considered that the level of harm to the significance of the listed cottages would be less than substantial in terms of the NPPF and not would warrant refusal of the application. This is as a result of the separation between the proposed development and listed cottages and the buffer of the warehouse buildings located between the development and the listed cottages, the excellent design quality of the proposed development, and the clear wider regeneration benefits of the scheme which would outweigh the less than substantial harm to the significance of the setting.

## Views

### Draft Borough views

202. The site does not fall within the scope of a draft New Southwark Plan borough view.

### London View Management Framework views

203. The proposal schemes consists of three buildings that are considered tall buildings, It is not considered that this proposal would result in any harm to designated London wide protected views as the proposal does not fall within a background assessment area. However, the GLA noted that the site does fall within the Protected Vista extensions 3A. I (Kenwood viewing gazebo to St Paul's Cathedral) and 2A.I (Parliament Hill summit to St Paul's Cathedral).
204. The proposed development would be visible to a limited degree from Assessment Points 2A.1 and 3A.1, the development would be visually separated from the dome of St Paul's Cathedral by much more prominent intervening buildings, or obscured by those buildings – notably the Shard and Guy's tower. The height of the development is not considered to be notably greater than other development. Its distance from St Paul's – approximately 4 kilometres - and architectural expression will significantly reduce its visual effect. The prominence, clarity and significance of St Paul's are fully preserved by the proposed development.

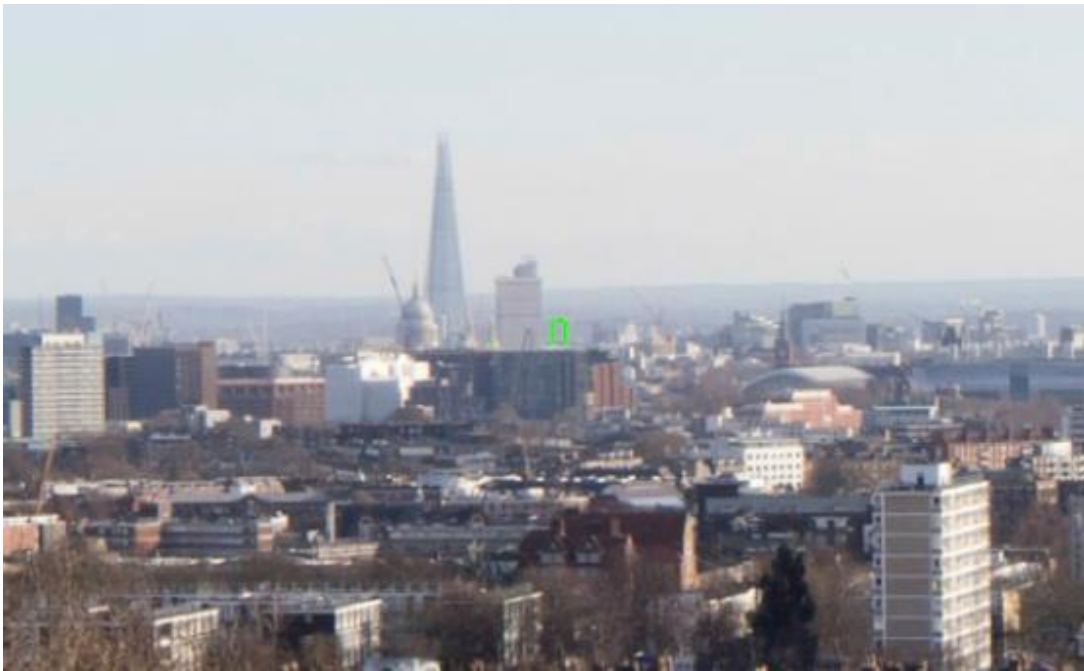


Figure 19. View of development from Parliament Hill - Protected Vista 2A.1.Wireline in yellow.

## Trees and biodiversity

### Trees

205. Saved policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals. The final landscaping scheme will be

secured by condition, but a significant uplift in trees is proposed by the applicant for the public realm between the buildings. The proposed development would result in removal of the only tree within the site. This relatively poor condition C category Sycamore whose loss would be more than mitigated for by new landscaping.

206. A condition is recommended requiring details of the proposed tree planting in the public realm to be submitted to and approved by the Local Planning Authority. 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.

#### Landscaping

207. The landscaping of the public realm and communal amenity spaces with planting and trees is only shown indicatively in the proposed landscape drawings and Design and Access Statement but is considered acceptable in principle. As such, a condition requiring hard and soft landscaping plans to be submitted to and approved by the Local Planning Authority at a later time is recommended.

#### Biodiversity

208. The habitats to be lost as a result of the proposed development (buildings and hardstanding) are of negligible ecological importance and no specific mitigation is required. Significant new landscaping is proposed to be secured by condition, alongside a Japanese Knotweed condition and Sparrow box condition.

#### **Transport and highway matters, including cycle and refuse storage**

209. 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 4 (Good), and there is a relatively good bus service available in the immediate area. The council's Transport Planning and Highways teams have been consulted. Their responses have informed the following paragraphs of this Committee Report.

#### Walking

210. The proposal has considered pedestrian and cycle connectivity, as well as permeability across the site and in relation to the emerging developments at nearby sites. The proposal includes multiple convenient pedestrian access points into the development. In addition the area will benefit from the introduction of the linear park which will enhance pedestrian permeability in the area. Although the development has been assessed on the existing facilities.
211. The nearest bus stops are located between 250m and 450m to the north-west of the site on Trafalgar Avenue (B215) and the Old Kent Road (A2). These services and their proximity to the site will encourage residents to adopt sustainable modes of travel.

#### Cycling and cycle parking

212. This site is located within 200m of Quietway 2 which provides good quality cycle

environment linking Lewisham to Waterloo. This area will benefit from the introduction of the linear park which will enhance cycle permeability in the area. Although the development has been assessed on the existing facilities.

213. 16 Brompton cycle lockers are proposed in the basement of Building 2 and will be accessible to all living and working on the site. These will be secured through the Section 106 Agreement and will offer residents access to cycling without requiring them to own a bike.
214. The proposal includes eight cycle stores at basement level for residential and commercial use with convenient access to lifts to the ground floor. The indicative details of these stores show that 586 long stay and 34 short stay residential spaces (which are compliant with the adopted London Plan standards) could be provided in a stacked format. A further 126 long stay and 18 short stay cycle spaces would be provided for the exclusive use of the commercial staff. The Council's Transport Team considers that there may be scope for a more 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.
215. Thirty long stay and two short stay cycle parking spaces are proposed to serve the B1 use in Building 3.

#### Car parking

216. The proposal is to be car free with the exception of on-site provision for four disabled bays. This is considered an acceptable amount in this instance, as the onsite servicing will allow for convenient drop off and pickup to residential entrances. There is space to provide up to 6 extra spaces but if they are not necessary then it will be retained as amenity space.
217. Through a clause in the Section 106 Agreement, all new residents will be exempted from parking permit eligibility.
218. Future residents will be granted 3-year membership of a car club, which will be secured through the Section 106 Agreement.

#### Trip generation

219. Sufficient information has been provided to demonstrate the development is unlikely to have an effect on the local highway network beyond 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 36 two-way vehicle trips per day would result from the proposed development.

#### Servicing and DSP Bond

220. Two servicing areas will be provided within the site, which can accommodate delivery vehicles up to 8m in length and refuse/recycling collection vehicles up to 10m in length. The proposed On-Site Servicing Turning Circle is adequate for a Refuse Vehicle and therefore suitable for most service vehicle requirements for this development. It is proposed to provide an on-street loading bay on Verney Road to

accommodate any larger delivery vehicles. The exact location of this bay will be agreed within the S278 agreement.

221. It should be noted that the proposed servicing entrances to the application site from Verney Road have been located so as they are not in conflict with the school pedestrian entrances.

222. The Council's Transport Planning Team considers that the proposed bays 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 and on-site 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.

223. 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.

224. For the proposed development, the DSP Bond sum breaks down as follows:

Type of floorspace and chargeable rate	Quantity	Sum
Residential (£100 per unit)	338 units	33,800
Non-residential floorspace (£100 per 500 square metres or part thereof)	5234.16sqm	£900
<b>Total (of which £1600 is non-refundable)</b>		<b>£34,700</b>

225. 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 mitigated in the unlikely event that such impact arises.

### Construction management

226. 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 required by condition.

### Waste storage and collection arrangements

227. Refuse stores associated with the residential and commercial component of the development are to be provided at basement level close to the residential cores. These stores would have access to lifts-doors and will enable kerbside collection on Verney Road. All 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. As the stores have been located close to the residential stores, they would be managed to ensure bins are collected directly from the stores and wheeled to the vehicles on Verney Road. The arrangements are therefore considered acceptable.

### Buses

228. The site has convenient access to accessible public bus services on Old Kent Road and Rotherhithe New Road. Bus services will need to be increased in the area ahead of the BLE to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. As per the Ruby Triangle site an agreed maximum cap for bus contributions is proposed of £2,700 per unit. This will be able to be requested in stages between 3-5 years. At each stage TfL will need to provide evidence to justify the requested payments in terms of what services they are enhancing and how they are mitigating scheme impacts.

229. Conclusion on transport matters

230. In conclusion, the proposed car-free development will be able to operate and meet the sustainable transport aspirations for the Old Kent Road area,. It will contribute to delivering the Movement Plans 9 missions, Vision Zero, Healthy Streets and Air Quality.

## **Environmental matters**

### Land contamination

231. 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

232. The site is located within Flood Zone 3 and will benefit from the current River Thames flood defences. The defences are in good condition, with a formal plan in place for



long term maintenance, and provide protection up to the 1 in 1000 year (0.1% AEP) tidal flood event. The risk of fluvial/tidal flooding to the development will therefore be restricted to a breach of the defences so can be considered to be low. As basement areas are proposed and a Basement Impact Assessment and a detailed drainage strategy will be required prior to construction and secured by condition. Prior to occupation of the site, a Flood Warning and Emergency Evacuation Plan is also required to be submitted to Southwark's Emergency Planning department for their approval and this will also be secured by condition.

233. A Flood Risk Assessment (FRA) states that a SUDS based surface water drainage strategy will be provided. The existing site is 100% impermeable with surface water from the existing development currently discharging, unrestricted into the public sewer network. The proposed development will offer a net reduction of the run-off rate by introducing areas of soft landscaping. The development will also incorporate an element of brown roofs which will also absorb rainfall and reduce the rate of surface water run-off. The development will also incorporate permeable paving and 2 no. below ground cellular attenuation structures have also been proposed. The FRA states that the discharge rates for the proposed development will not be able to achieve a QBAR Greenfield equivalent rate. The FRA proposes to restrict the discharge rate from each building to a maximum of 2.5 l/s, with the balance of flows being attenuated on site up to the 100 year climate change event. A greenfield runoff rate offset of £366 per cubic metre will be secured in in event that there is a shortfall in attenuation required to limit surface water run off to 2.5l/s in a 1 in 100 year storm plus 40% climate change allowance.

#### Archaeology

234. The site is located 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.
235. The applicant has submitted a desk based assessment (DBA) that shows that if archaeological remains do survive on this site, it is likely that they will only survive in localised pockets across the site. As such standard archaeological conditions are proposed.

#### **Energy and sustainability**

##### Carbon emissions and renewable technologies

236. 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.
237. This energy strategy proposes a series of energy efficient measures through the adoption of the Mayor of London's energy hierarchy to adhere to policy requirements

and compliance with Building Regulations Part L 2013. The submitted energy assessment has identified the carbon footprint of the development after each stage of the energy hierarchy in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy (2011) and the Southwark Sustainable Design and Construction SPD.

238. Following the energy hierarchy, the first stage (Be Lean) of the design focused on enhanced passive design measures, and incorporated active design measures to reduce energy consumption and CO2 emissions. The following summarises the demand reduction measures included within this scheme:
- Enhanced fabric efficiency of the building envelope
  - Air tightness better than Part L 2013 standards
  - High efficiency lighting systems
  - Highly efficient plant and systems
239. The second stage of the energy hierarchy (Be Clean) has sought to include an efficient energy centre which includes a CHP system with thermal storage and back up boilers.
240. The third stage of the energy hierarchy (Be Green) included a feasibility analysis of low to zero carbon technologies applicable for the site. It was found that the adoption of photovoltaic panels and air source heat pumps would be most appropriate for the site. Other low to zero carbon technologies were discounted due to them posing as competition to the site heat network and limited ground and roof space.
241. After implementation of the energy hierarchy, the residential areas exceeds a 35% reduction against Part L 2013 Building Regulations, but does not meet the zero carbon target. The commercial areas achieve a 30.4% reduction against Part L 2013 Building Regulations, the short fall between the GLA's London Plan target of 35% will be off set via a carbon offset payment in line with the GLA's guidance.
242. Overall the site produces a carbon reduction over Part L 2013 Building Regulations of 35.9% through on site measures. To achieve the zero-carbon target for the residential component, an offset payment to cover 8,246 Tonnes over 30 years will be £494,755. The Non-Domestic areas have a short fall of 154.8 tonnes of carbon over 30 years this results in a carbon offset payment of £9,291. The total amount to be secured by S106 agreement is £504,046.

#### BREEAM

243. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken 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

244. 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. During

the construction works, a range of best practice mitigation measures will be implemented to reduce dust emissions and the overall effect will be 'not significant', as confirmed by the council's EPT officer.

### **Development viability**

245. Southwark's Development Viability SPD requires a financial viability appraisal to be submitted for all planning applications which trigger a requirement to provide affordable housing. The financial viability appraisal should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements.
246. This application is therefore accompanied by a viability report, which has been reviewed by independent consultants on behalf of the council.
247. Following discussions with the applicant, the application was amended to confirm that the proposed affordable rented units would be 'social rent' tenure and that the affordable housing offer was 35.36% to be secured through s106.
248. The independent review stated that the applicants' profit target of 17.5% is a blended rate and is considered reasonable. The shortfall from this target is 8.3%, totalling £14.17m. This is a substantial shortfall and is the equivalent of 8.4% of the scheme GDV. A substantial improvement in viability would therefore be required for the scheme to begin to generate a surplus profit. As such, the maximum reasonable amount of affordable housing is less than the current 36% provision proposed. However, despite this position, the applicant has committed to achieving 35.36% affordable housing by habitable room for three reasons:
  - The applicant is taking a view that the proposed development will outperform present day market assumptions;
  - The applicant is intending to be the end operator of the proposed workspaces which will provide long-term income to off-set some of the viability issues; and
  - The applicant is looking to develop a number of sites within Southwark and the Old Kent Road area, with this scheme being an initial flagship project, and so is willing to accept a reduced level of profit to ensure its success as an exemplar scheme.
249. it is considered that the Applicant's offer of 35.36% affordable housing is therefore the maximum reasonable offer.

### **Community engagement**

250. A two-day public exhibition was held by the applicant on Thursday 13 July 2017 and Saturday 15 July 2017. 549 local residents and businesses were directly invited to attend the exhibitions including advertisements put in the Southwark News. 17 people attended the exhibition to give their views on the proposals.
251. The applicant has also met with local businesses to understand local demand and type and of commercial fit out, including potential workspace providers for the commercial space.
252. 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

253. 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.
254. The Mayoral CIL liability equates to £2,131,742.40 and Southwark CIL liability equates to £10,770,924.08. These figures are pre-relief and subject to indexation. The draft liability notice will be attached to the Decision Notice.

#### Section 106

255. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 which requires obligations to be:
- necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development
256. In accordance with and 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
<b>Local Economy and Workspace</b>		
CONSTRUCTION PHASE JOB/CONTRIBUTIONS	The maximum Employment and Training Contribution is £ 405,300 (£361,200 against sustained jobs, £12,600 against short courses, and £31,500 against construction industry apprenticeships)	To be agreed

CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	<p>The Plan would be expected to detail: Methodology of training, skills, support etc.</p> <ul style="list-style-type: none"> <li>• Targets for construction skills and employment outputs</li> <li>• Methodology for delivering apprenticeships</li> <li>• Local supply chain activity methodology</li> </ul> <p>The maximum Employment in the End Use Shortfall Contribution is £133,300 (based on £4300 per job). 31 jobs.</p>	Agreed
AFFORDABLE WORKSPACE	523sqm (10% of the total) 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	<p>Strategy to be submitted to and approved by the Council setting out:</p> <ul style="list-style-type: none"> <li>• how a Specialist Workspace Provider will be appointed;</li> <li>• the methodology for supporting SMEs;</li> <li>• the marketing strategy, and;</li> <li>• the strategy for managing the units.</li> </ul>	Agreed
<b>Housing, Viability and Amenity Space</b>		
AFFORDABLE (SOCIAL RENT AND INTERMEDIATE) HOUSING PROVISION	<p>Provision and retention in perpetuity (except where viability is reviewed) of 112 affordable units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> <li>• 79 units to be social rent tenure</li> <li>• 33 units to be intermediate shared ownership tenure units.</li> </ul>	To be agreed

	The payment of <b>£14,823.20</b> towards the costs of an Affordable Housing monitoring. A charge of £132.35 per unit x 112 units.	
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> <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>	Agreed
WHEELCHAIR HOUSING PROVISION	<p>Provision of 36 housing units as wheelchair housing units.</p> <p>Suitable marketing of the Housing Units designated as Wheelchair Accessible Units for the duration of the Marketing Period for Wheelchair Accessible</p>	Agreed

	<p>Dwellings where applicable.</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>	
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
<b>Transport and Highways</b>		
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 Developer is to enter into a Highway Agreement for the purposes authorising the works etc.</p> <p>The works, as listed below, are to be completed in accordance with the Highway agreement:</p> <ul style="list-style-type: none"> <li>• Repave the footway including new kerbing fronting the development using materials in accordance with Southwark's Streetscape Design Manual.</li> <li>• Construct an inset bay</li> </ul>	Agreed

	<p>using materials in accordance with Southwark's Streetscape Design Manual.</p> <ul style="list-style-type: none"> <li>• Provide access arrangements for refuse collection such as a dropped kerb construction to SSDM standards.</li> </ul>	
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 <b>£34,700</b>, which breaks down as follows:</p> <ul style="list-style-type: none"> <li>• Residential units (£100/unit): £33800</li> <li>• Non-residential floorspace (£100 per each 500 square metres or part thereof): £900</li> </ul> <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</p>	Agreed



	of the £34,700 Bond for assessing the quarterly monitoring.	
CYCLE CLUB SCHEME	Membership of a dockless cycle hire scheme licenced by the highway authority or 'Brompton lockers' hire scheme for 10% of total units, for a period of 3 years from the date of first occupation will be available for free to all residents.	To be agreed
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.	To be agreed
PARKING PERMIT RESTRICTION	All future residents, with the exception of blue badge holders, are to be exempted from parking permit eligibility in local Controlled Parking Zones.	To be agreed
<b>Energy, Sustainability and the Environment</b>		
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 <b>£504,046</b> (indexed) based on the shortfall tonnes of carbon per year over a 30 year period, which breaks down as follows:</p> <ul style="list-style-type: none"> <li>• Resi element: £494,755.</li> <li>• Non-domestic element: £9,291</li> </ul> <p>Development as built is to achieve a 35.9% carbon</p>	Agreed

	reduction for the residential element and 30.4% carbon reduction for the non-residential element.	
ARCHAEOLOGY	Payment of <b>£11,171</b> (indexed) to cover the costs of archaeology monitoring/supervising.	Agreed
GREENFIELD RUN OFF RATES SHORTFALL CONTRIBUTION	£366 per cubic metre if required	To be agreed
<b>Transport for London</b>		
TFL CYCLE HIRE SCHEME CONTRIBUTION	<b>£220,000</b>	Not agreed
BUS CONTRIBUTION	<b>Up to £912,600</b> An agreed maximum cap for bus contributions is proposed of £2,700 per unit x 338 units	To be agreed.
HEALTHY STREETS	<b>£340,000</b>	Funded through CIL
LEGIBLE LONDON SIGNS X 2	<b>£12,000</b>	Funded through CIL
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

257. In addition to the financial contributions set out above, the following other provisions would be secured:

- Marketing materials for potential residential buyers to be informed that there is an existing adjacent industrial use that generates noise.
- Linear Park delivery provisions - delivery of the park and establishment of a management company to set up and run and manage the park
- Affordable housing provisions
- Wheelchair housing provisions
- Appointment of workspace co-ordinator
- Affordable workspace at 10% of floorspace
- Definition of and retention of B1c Use Class
- A SUDS based surface water drainage strategy
- Affordable housing provisions, including provision for an early stage review
- Marketing, allocation and fit out of the wheelchair units
- Business retention and relocation strategy
- Local economy – construction phase job/contributions

- Local economy – end use jobs/ contributions and employment
- Employment, skills and business support plan
- Highway works – s278 works
- Car club membership for 3 years
- Connection to a future district heating system
- delivery and service plan bond details of parking, servicing and delivery management to encourage safety and sustainability
- Demolition and construction management plan
- Public realm works plan
- Public access to open space and linear park
- 50% of the private units from being occupied until the affordable units have been completed

258. 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 17 January 2020 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

*“In the absence of a signed S106 legal agreement there is no mechanism in place to secure adequate provision of affordable housing and mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to Saved Policy 2.5 Planning Obligations of the SSWP Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy ( 2011) Policy 8.2 Planning Obligations of the London Plan (2016) and the SSWP Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).”*

#### **Consultation responses: Members of the public**

259. During the consultation and reconsultation, 16 representations were received in respect of this planning application, of which 16 were in objection and 0 in support. Objections were received from residents and neighbouring business occupiers. In summary, the main issues raised by these representations are as follows:

- The buildings are too tall and would be overbearing and out of character with the local area;
- The cumulative impact of this and other schemes harms the character of local area;
- It would increase demand on existing infrastructure and facilities;
- There would be harmful loss of daylight and sunlight, particularly to principal habitable rooms and harmful overshadowing of neighbouring properties from this and other schemes;
- Incorrectly identified housing numbers in the submitted daylight/sunlight analysis, and windows concerned are in the front and not rear elevation;
- Rights to light would be infringed;
- Loss of privacy from overlooking;
- It would increase light pollution;
- It would increase noise pollution;
- It would increase traffic;
- There would be a loss of industrial land;

- Impact on public transport and car parking to cope with the development
  - Impact on water and drainage system
  - Daylight and sunlight impacts.
  - Potential harm to the structural stability of neighbouring buildings as a consequence of construction;
  - Failure to provide details of a construction and demolition management plan;
  - The scheme preceded the December 2017 draft of the AAP and is not in conformity with it and fails to illustrate its impact on the masterplan proposals;
  - The plans exaggerate the amount of open space within between the blocks, some of the blocks appear very close to neighbouring commercial occupiers;
  - The scheme fails to contribute to the linear park aspiration and an analysis of the impact of the scheme on the park has not been undertaken;
  - The offer to contribute to the cost of the linear park is vague.
  - Construction management impacts.
  - Prematurity in relation to the status of the draft Old Kent Road AAP.
  - Impact on adjoining industrial uses including the 'Agent of change' issue in relation to the potential impact the new residential land use could have on existing adjacent industrial uses with regards to noise complaints.
260. Officer response: Where material planning considerations these concerns are all addressed in full in the main body of this report.
261. In relation to the character of the area and the impact of tall buildings, the proposals comply with the adopted London Plan (2016) and with the draft Old Kent Road Area Action plan (December 2017). An assessment has been made of the impact of the scheme on the local townscape and heritage assets and officers are of the view that these would not be harmed.
262. In relation to daylight, sunlight and overshadowing, this has been assessed against Building Research Establishment (BRE) guidelines and whilst there would be some impact on neighbouring properties, the level of daylight and sunlight that would be retained is considered to be acceptable. The numbering of the Canal Grove Cottages is incorrect, and the "front" elevations are incorrectly described as "rear" elevations in the Daylight/Sunlight report, but nonetheless all of the homes in Canal Grove were tested and the impacts considered acceptable when measured against BRE criteria. Objections to loss of sunlight were also received from the residents of Sherwood Gardens. Whilst these properties were not tested in the Daylight/Sunlight report, given their distance from the development it is not considered that there would be any significant impact on sunlight to those homes. Rights to Light are a civil rather than planning matter.
263. As set out in the main report the proposals are considered to be generally conforming with the draft Old Kent Road AAP, and would make a contribution to the delivery of the linear park, both in terms of enhancing permeability to the park and also be providing land that will form part of the park. The Council is setting up a park management company and the developer will be obliged to join that joint management company and will be required to landscape their part of the park, ensure it fits with the design of its neighbours and contribute to its subsequent maintenance. The Council is commissioning a comprehensive micro climate study that will provide analysis of sunlight and impacts on the proposed new parks. Other supporting infrastructure is also planned for in the AAP including the provision of a new secondary school in Sandgate Street and a new health hub on Verney Road.

264. In respect of public transport a phasing plan has been agreed with GLA/TfL for development in Old Kent Road that limits the first phase of development to 9,500 homes, prior to the delivery of the Bakerloo line extension, with contributions being made by developers to improving bus services in the interim. The scheme is designed to be car free, other than disabled car parking in order to reduce reliance on cars and reduce traffic congestion and pollution in the area.
265. Further consultation responses will be included in the main committee report addendum in relation to the reconsultation on minor revisions to the eastern, southern and northern elevations of Building 3 consisting of the introduction of enclosed winter gardens in place of the originally proposed balconies and enhanced window and winter garden glazing specifications, and the updated Noise Report.

#### **Consultation responses: Internal and external consultees**

266. 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.

##### London Fire and Emergency Planning Authority

267. Note that adequate access for fire fighting appliances required by Part B5 of the current building regulations and adequate water supplies for fire fighting purposes should be provided.
268. Officer response: Officers are confident that this has been achieved in the proposed design as set out in this report. Nonetheless, a condition is recommended requiring this to be undertaken prior to commencement of development.

##### Environment Agency

269. No objection subject to conditions in respect of remediation strategy should contamination be found and sustainable drainage and piling systems.

##### Historic England

270. Historic England maintain that given the number of tall building proposals coming forward in the area developments of this scale should be supported by an adopted tall buildings strategy. Due to the large scale of the neighbouring Bermondsey Works development and the compromised setting of the listed buildings in the immediate vicinity Historic England did not wish to make any significant comments on this development.
271. Officer response: The draft AAP contains a tall building strategy. Officers do not consider that the setting of the listed buildings would be harmed.

##### London Underground

272. No comment.

### Thames Water

273. Thames Water was unable to determine the waste water needs of the scheme with the information submitted and notes that the existing water supply infrastructure capacity is insufficient to meet the additional demands of the proposed development and therefore recommends conditions that the development should not commence until a drainage strategy and a water supply infrastructure study has been submitted to and approved by the local planning authority. Thames Water also note that no reference was made by the applicant to the Integrated Water Management Study (IWMS) that the council are preparing and the opportunities to use the linear park to manage water run off.
274. Officer response: Appropriate conditions will be applied and officers will use these to help deliver sustainable urban drainage as part of the development of the Old Kent Road IWMS. Since these comments were received in March 2018, Thames Water has been working with the Council to further develop the IWMS and address water infrastructure enhancement.

### Transport for London

275. TfL raised concerns about the areas transport capacity and the phasing of development.
276. Officer Response: Since the Stage 1 report was issued in March 2018 the GLA/TfL and the council have agreed to a phasing strategy for the delivery of development in the Old Kent Road AAP area. This site is identified as being in the first of a two phased development, the first phase being completed before the completion of the Bakerloo line extension.
277. TfL raised concerns about the quantity of cycle parking provision and a financial contribution for cycle hire was requested.
278. Officer Response: Officers have worked with the developer on this and have recommended either Dockless cycle hire for 3 years or Brompton lockers (10% of units) to provide a convenient in house cycle hire facility with at least two lockers providing EV charging. This will allow residents and workers of the site to access convenient cycle hire using a quality model of bike that can be flexible in use. As confirmed in the main body of the report cycle parking provision is compliant with London Plan policy.
279. Financial contributions for highways infrastructure was requested for Healthy Streets and Legible London signage.
280. Officer response: Infrastructure requirements are covered under CIL. We are working with TfL on a surface transport delivery plan with estimates and priorities. Developers are also making contributions to public realm improvements and will be delivering improvements in the vicinity of the development within their S278 agreement.
281. Detailed Construction Traffic Management Plan (CTMP) and Delivery and Servicing Management Plans are required by condition
282. Officer response: Agreed.

283. TfL raised concerns about the provision of disabled car parking.
284. Officer response: As set out in the main report 4 spaces will be provided with space for an extra 6 additional spaces should there be demand for them.
285. A financial contribution of £1,095,000 has been requested for improvements to bus services.
286. Officer response: See main body of the report for latest position regarding bus contributions, as the figure has been revised.

#### Natural England

287. No comments to make on this proposal.

#### Metropolitan Police

288. No comments received.

#### GLA

289. The GLA's Stage 1 response was issued in March 2018. At that time GLA objected to the mix of uses on this site as being contrary to policy E7 of the draft New London Plan and that should a mixed use be considered acceptable on the site the applicants must incorporate a minimum of 4,200sqm of industrial floorspace to address the requirements of draft London plan policy E7. They also noted that the 36% affordable housing offer did not meet the 50% threshold for the fast track route and would require a viability assessment and investigate the use of grant to increase the offer further. GLA noted that they had significant concerns with the residential layout and felt the energy strategy didn't fully accord with London Plan policy S12.
290. Officers response: Since the issue of the Stage 1 report GLA and LBS have agreed in principle to this site being suitable for mixed use and for the site to be release from its SIL designation. This will all be subject to examination at a public inquiry before it becomes formally adopted policy. The proposal contains 5324sqm of B1 and B1c space of which approximately 53% will be just for B1c light industrial. The viability of the scheme has been tested and the affordable housing offer is the maximum that can be provided. The applicant has applied the GLA energy hierarchy as set out in the main body of this report and will be making a carbon off set contribution.

#### Public health team

291. Welcome the attention that the Applicant has given to the sustainable travel element of the development, the adequate provision of affordable housing and the ample cycle storage facilities will be provided. These measures are strongly supported.

### **Community impact statement / Equalities Assessment**

292. 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.
293. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
294. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
295. 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.
296. **Human rights implications**
297. 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.
298. This application has the legitimate aim of providing a mixed use (Classes B1 and C3) redevelopment of an existing 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**

299. The proposed development would deliver new high-quality and flexible B1 and B1(c) floorspace representing an uplift on the existing quantum, in so doing increasing the number of jobs for local people, and would include 10% affordable workspace. 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 out a vision for developing mixed-use neighbourhoods and delivering significant levels of new housing.

300. The proposed revisions to scheme are considered an appropriate way to mitigate potential noise impacts to residential amenity while ensuring the continued adjacent industrial use at 20 Verney Road. As such the development is consistent with the 'Agent of Change' principle as defined in paragraph 182 of the NPPF and draft London Plan policy D12 as the applicant has taken significant steps to clearly demonstrate how noise impacts will be mitigated and managed. Furthermore, conditions are also recommended to ensure the future occupiers of the proposed residential units are protected against undue noise disturbance from the nearby existing and proposed commercial premises, to ensure that the continued successful functioning of these businesses will be safeguarded.
301. The proposal would deliver 338 new units that would meet the exemplary residential design standards adopted by the council. The provision of affordable housing, measured at 35.36% of habitable rooms, with 25.31% at social rent and 10.05% intermediate, would be policy compliant and is a positive aspect of the proposals. 112 new affordable homes are proposed in total.
302. It is considered that the level of harm to the significance of the Grade II listed cottages on Canal Grove would be less than substantial in terms of the NPPF and not would warrant refusal of the application and the clear wider regeneration benefits of the scheme which would outweigh the harm.
303. A detailed daylight and sunlight assessment has been undertaken in relation to neighbouring residential properties and John Keats Primary School in accordance with the BRE guidelines on daylight and sunlight. As the existing site massing is low-rise, there would be some noticeable proportional reductions to daylight and sunlight that as a consequence of the scheme optimising the full potential of the site. While reductions in amenity to many of the properties assessed comply with the default BRE criteria, there will be impacts to some properties. However, in each case these are considered to be limited and to not unacceptably harm the amenity of neighbouring residents and are therefore considered acceptable.
304. The height and massing of the proposed buildings would optimise the use of the site, respond successfully to the existing character and surrounding context, and the architectural language, broadly follows the design guidance in the draft Area Action Plan would result in an attractive and distinctive building.
305. The proposal will deliver significant areas of high quality public realm, child playspace and an early stage of the eastern section of the new linear park in line with the masterplan in the draft Old Kent Road Area Action Plan.
306. 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.
307. Other conditions are imposed in respect of matters such as archaeology, ecology, water infrastructure 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.

308. 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/2354-9	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 17/AP/4508		Planning enquiries email: planning.enquiries@southwark.gov.uk
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 5604
		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	Tom Buttrick, Team Leader Old Kent Road	
Version	Final	
Dated	6 June 2019	
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, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team		6 June 2019

**APPENDIX 1****Consultation undertaken****Site notice date:** 12/01/2018**Press notice date:** 18/01/2018**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 12/01/2018**Internal services consulted:**

Ecology Officer  
 Economic Development Team  
 Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]  
 Flood and Drainage Team  
 HIGHWAY LICENSING  
 Highway Development Management  
 Housing Regeneration Initiatives  
 Parks and Open Spaces  
 Public Health Team  
 Waste Management

**Statutory and non-statutory organisations consulted:**

Civil Aviation Authority  
 Council for British Archaeology  
 EDF Energy  
 Environment Agency  
 Greater London Authority  
 Historic England  
 London Fire and Emergency Planning Authority  
 London Underground Limited  
 Metropolitan Police Service (Designing out Crime)  
 Natural England - London Region and South East Region  
 Network Rail (Planning)  
 Thames Water - Development Planning  
 Transport for London (referable and non-referable app notifications and pre-apps)

**Neighbour and local groups consulted:**

Effingham House Arundel Street WC2  
 6 Ivy Court Argyle Way SE16 3JE  
 7 Ivy Court Argyle Way SE16 3JE  
 4 Ivy Court Argyle Way SE16 3JE  
 12 Weybridge Court Argyle Way SE16 3JF  
 2 Ivy Court Argyle Way SE16 3JE  
 3 Ivy Court Argyle Way SE16 3JE  
 12 Ivy Court Argyle Way SE16 3JE  
 1 Argyle Way London SE16 3JG

12 Canal Grove London SE15 1LB  
 13 Canal Grove London SE15 1LB  
 10 Canal Grove London SE15 1LB  
 8 Canal Grove London SE15 1LB  
 9 Canal Grove London SE15 1LB  
 Unit 10 57 Sandgate Street SE15 1LE  
 1 Canal Grove London SE15 1LB  
 591 Old Kent Road London SE15 1LA  
 Unit 1 57 Sandgate Street SE15 1LE

2 Argyle Way London SE16 3JG  
 11 Ivy Court Argyle Way SE16 3JE  
 8 Ivy Court Argyle Way SE16 3JE  
 9 Ivy Court Argyle Way SE16 3JE  
 10 Ivy Court Argyle Way SE16 3JE  
 2 Weybridge Court Argyle Way SE16 3JF  
 3 Weybridge Court Argyle Way SE16 3JF  
 4 Weybridge Court Argyle Way SE16 3JF  
 1 Weybridge Court Argyle Way SE16 3JF  
 10 Birchmere Lodge 31 Sherwood Gardens SE16 3JB  
 11 Birchmere Lodge 31 Sherwood Gardens SE16 3JB  
 12 Birchmere Lodge 31 Sherwood Gardens SE16 3JB  
 9 Weybridge Court Argyle Way SE16 3JF  
 10 Weybridge Court Argyle Way SE16 3JF  
 11 Weybridge Court Argyle Way SE16 3JF  
 8 Weybridge Court Argyle Way SE16 3JF  
 5 Weybridge Court Argyle Way SE16 3JF  
 6 Weybridge Court Argyle Way SE16 3JF  
 7 Weybridge Court Argyle Way SE16 3JF  
 1 Fallow Court Argyle Way SE16 3JQ  
 8 Fern Walk London SE16 3JD  
 9 Fern Walk London SE16 3JD  
 10 Fern Walk London SE16 3JD  
 7 Fern Walk London SE16 3JD  
 4 Fern Walk London SE16 3JD  
 5 Fern Walk London SE16 3JD  
 6 Fern Walk London SE16 3JD  
 2 Winter Lodge 1 Fern Walk SE16 3JD  
 3 Winter Lodge 1 Fern Walk SE16 3JD  
 4 Winter Lodge 1 Fern Walk SE16 3JD  
 1 Winter Lodge 1 Fern Walk SE16 3JD  
 11 Fern Walk London SE16 3JD  
 12 Fern Walk London SE16 3JD  
 13 Fern Walk London SE16 3JD  
 6 Fallow Court Argyle Way SE16 3JQ  
 7 Fallow Court Argyle Way SE16 3JQ  
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 2 Fallow Court Argyle Way SE16 3JQ  
 3 Fallow Court Argyle Way SE16 3JQ  
 4 Fallow Court Argyle Way SE16 3JQ  
 Avicenna Health Centre 2 Verney Way SE16 3HA  
 2 Fern Walk London SE16 3JD  
 3 Fern Walk London SE16 3JD  
 12 Fallow Court Argyle Way SE16 3JQ  
 9 Fallow Court Argyle Way SE16 3JQ  
 10 Fallow Court Argyle Way SE16 3JQ  
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 9 Birchmere Lodge 31 Sherwood Gardens SE16 3JB  
 43 Ryder Drive London SE16 3BB  
 7 Sherwood Gardens London SE16 3JA  
  
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 42 Ryder Drive London SE16 3BB  
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 13 Sherwood Gardens London SE16 3JA  
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 10 Sherwood Gardens London SE16 3JA  
 11 Sherwood Gardens London SE16 3JA  
 29 Sherwood Gardens London SE16 3JA  
 30 Sherwood Gardens London SE16 3JA  
 The Links Community Centre 353 Rotherhithe New Road SE16 3HF  
 28 Sherwood Gardens London SE16 3JA  
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 27 Sherwood Gardens London SE16 3JA  
  
 17 Canal Grove London SE15 1LB  
 14 Canal Grove London SE15 1LB  
 15 Canal Grove London SE15 1LB  
 16 Canal Grove London SE15 1LB  
 23 Bloom House 389 Rotherhithe New Road SE16 3FN  
 24 Bloom House 389 Rotherhithe New Road SE16 3FN  
 Unit 1 Bermondsey Trading Estate SE16 3LL  
 22 Bloom House 389 Rotherhithe New Road SE16 3FN  
 19 Bloom House 389 Rotherhithe New Road SE16 3FN  
 20 Bloom House 389 Rotherhithe New Road SE16 3FN  
 21 Bloom House 389 Rotherhithe New Road SE16 3FN  
 5 Canal Grove London SE15 1LB  
 6 Canal Grove London SE15 1LB  
 7 Canal Grove London SE15 1LB  
 4 Canal Grove London SE15 1LB  
 Unit 2 Bermondsey Trading Estate SE16 3LL  
 2 Canal Grove London SE15 1LB  
 3 Canal Grove London SE15 1LB  
 Unit 9 57 Sandgate Street SE15 1LE  
 9 Sunningdale Close London SE16 3BU  
 10 Sunningdale Close London SE16 3BU  
 11 Sunningdale Close London SE16 3BU  
 8 Sunningdale Close London SE16 3BU  
 5 Sunningdale Close London SE16 3BU  
 6 Sunningdale Close London SE16 3BU  
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 15 Sunningdale Close London SE16 3BU  
 12 Sunningdale Close London SE16 3BU  
 13 Sunningdale Close London SE16 3BU  
 14 Sunningdale Close London SE16 3BU  
 4 Verney Road London SE16 3DH  
 355 Rotherhithe New Road London SE16 3HF  
 Unit 5 To 6 57 Sandgate Street SE15 1LE  
 Unit 4 57 Sandgate Street SE15 1LE  
 Unit 11 57 Sandgate Street SE15 1LE  
 589 Old Kent Road London SE15 1LA  
 2 Sunningdale Close London SE16 3BU  
 3 Sunningdale Close London SE16 3BU  
 4 Sunningdale Close London SE16 3BU  
 1 Sunningdale Close London SE16 3BU  
 20-26 Verney Road London SE16 3DY  
 14-16 Verney Road London SE16 3DZ  
 10 Verney Road London SE16 3DH  
 18 Bloom House 389 Rotherhithe New Road SE16 3FN  
 Offices 14-16 Verney Road SE16 3DZ  
 Unit 4 Sandgate Trading Estate SE15 1LE  
 Action House 53 Sandgate Street SE15 1LE  
 The Potters House Christian Centre Of South London  
 399 Rotherhithe New Road SE16 3HG  
 Thamesmead Business Services Ltd 14-16 Verney  
 Road SE16 3DZ  
 Warehouse 1 14-16 Verney Road SE16 3DZ  
 Warehouse 2 14-16 Verney Road SE16 3DZ  
 Unit 4 12 Verney Road SE16 3DR  
 Units 1 To 3 Wevco Wharf SE15 1LE  
 Unit 2 To 3 57 Sandgate Street SE15 1LE  
 8 Bloom House 389 Rotherhithe New Road SE16 3FN  
 9 Bloom House 389 Rotherhithe New Road SE16 3FN  
 10 Bloom House 389 Rotherhithe New Road SE16 3FN  
 7 Bloom House 389 Rotherhithe New Road SE16 3FN  
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36 Ryder Drive London SE16 3BB  
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 33 Ryder Drive London SE16 3BB  
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 11 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
 12 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
 1 Birchmere Lodge 31 Sherwood Gardens SE16 3JB

10 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
 7 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
 8 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
 9 Jasmin Lodge 19 Sherwood Gardens SE16 3JA  
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 Flat 1 Florence House SE16 3HF  
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 Flat 6 Florence House SE16 3HF  
 Flat 7 Florence House SE16 3HF  
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 9-11 Verney Road London SE16 3DH  
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 Flat 10 Florence House SE16 3HF  
 Flat 11 Florence House SE16 3HF  
 Flat 12 Florence House SE16 3HF

13 Bloom House 389 Rotherhithe New Road SE16 3FN  
 4 Bumble House 387 Rotherhithe New Road SE16 3FN  
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 Flat 6 Tralee Court SE16 3DT  
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Unit 7 12 Verney Road SE16 3DH  
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 43 Sherwood Gardens London SE16 3JB  
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 2 Culloden Close London SE16 3JH  
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 Flat 6 Archers Lodge SE16 3JH  
 33 Sherwood Gardens London SE16 3JB  
 34 Sherwood Gardens London SE16 3JB  
 35 Sherwood Gardens London SE16 3JB  
 32 Sherwood Gardens London SE16 3JB  
 Flat 21 Archers Lodge SE16 3JH  
 Flat 22 Archers Lodge SE16 3JH  
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 40 Sherwood Gardens London SE16 3JB  
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 42 Sherwood Gardens London SE16 3JB  
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 Flat 13 Archers Lodge SE16 3JH  
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 Flat 7 Archers Lodge SE16 3JH  
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 Flat 18 Archers Lodge SE16 3JH  
 Flat 19 Archers Lodge SE16 3JH  
 Flat 20 Archers Lodge SE16 3JH  
 Flat 17 Archers Lodge SE16 3JH  
 Flat 14 Archers Lodge SE16 3JH  
 Flat 15 Archers Lodge SE16 3JH  
 Flat 16 Archers Lodge SE16 3JH  
 24 Sherwood Gardens London SE16 3JA  
 11 Canal Grove London SE15 1LB

Flat 3 Tralee Court SE16 3DT  
 10 Birkdale Close London SE16 3DN  
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 15 Gleneagles Close London SE16 3BX  
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 17 Gleneagles Close London SE16 3BX  
 21 Ryder Drive London SE16 3BB  
 Unit 2 12 Verney Road SE16 3DH  
 6-8 Verney Road London SE16 3DH  
 20 Ryder Drive London SE16 3BB  
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 18 Ryder Drive London SE16 3BB  
 19 Ryder Drive London SE16 3BB  
 5 Gleneagles Close London SE16 3BX  
 6 Gleneagles Close London SE16 3BX  
 7 Gleneagles Close London SE16 3BX  
 4 Gleneagles Close London SE16 3BX  
 1 Gleneagles Close London SE16 3BX  
 2 Gleneagles Close London SE16 3BX  
 3 Gleneagles Close London SE16 3BX  
 12 Gleneagles Close London SE16 3BX  
 13 Gleneagles Close London SE16 3BX  
 14 Gleneagles Close London SE16 3BX  
 11 Gleneagles Close London SE16 3BX  
 8 Gleneagles Close London SE16 3BX  
 9 Gleneagles Close London SE16 3BX  
 10 Gleneagles Close London SE16 3BX  
 1-3 Verney Road London SE16 3DH  
 19 Galway Close London SE16 3DR  
 1 Birkdale Close London SE16 3DN  
 2 Birkdale Close London SE16 3DN  
 18 Galway Close London SE16 3DR  
 15 Galway Close London SE16 3DR  
 16 Galway Close London SE16 3DR  
 17 Galway Close London SE16 3DR  
 7 Birkdale Close London SE16 3DN  
 8 Birkdale Close London SE16 3DN  
 9 Birkdale Close London SE16 3DN  
 6 Birkdale Close London SE16 3DN  
 3 Birkdale Close London SE16 3DN  
 4 Birkdale Close London SE16 3DN  
 5 Birkdale Close London SE16 3DN  
 5 Galway Close London SE16 3DR  
 6 Galway Close London SE16 3DR  
 7 Galway Close London SE16 3DR  
 4 Galway Close London SE16 3DR  
 1 Galway Close London SE16 3DR  
 2 Galway Close London SE16 3DR  
 3 Galway Close London SE16 3DR  
 12 Galway Close London SE16 3DR  
 13 Galway Close London SE16 3DR  
 14 Galway Close London SE16 3DR  
 11 Galway Close London SE16 3DR  
 8 Galway Close London SE16 3DR  
 9 Galway Close London SE16 3DR  
 10 Galway Close London SE16 3DR  
 Constantine Land Limited River Court GU7 1EZ  
 Constantine Limited 20-26 Sandgate Street SE15 1L  
 Signal Field New Road PL29 3SB  
 389 Rotherhithe New Road London SE16 3FN  
 56 Sherwood Gardens London SE16 3JB  
 Unit 4 Barnwell Manor Estate Barnwell PE8 5LP  
 54 Sherwood Gardens London SE16 3JB  
 Bloom House 389 Rotherhithe New Road, SE16 3FN

**Re-consultation: 29/01/2018**

## APPENDIX 2

### Consultation responses received

#### Internal services

Economic Development Team  
Public Health Team

#### Statutory and non-statutory organisations

Environment Agency  
Greater London Authority  
Historic England  
London Fire & Emergency Planning Authority  
London Underground Limited  
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

Bloom House 389 Rotherhithe New Road, SE16 3FN  
Cabinet Office 160 Tooley Street SE1 2QH  
C/O Cabinet Suite 160 Tooley Street SE1 2QH  
C/O Members Room 160 Tooley Street SE1 2QH  
Signal Field New Road PL29 3SB  
Unit 4 Barnwell Manor Estate Barnwell PE8 5LP  
20-26 Verney Road London SE16 3DY  
3 Canal Grove London SE15 1LB  
3 Canal Grove London SE15 1LB  
389 Rotherhithe New Road London SE16 3FN  
47 Sherwood Gardens London SE16 3JB  
54 Sherwood Gardens London SE16 3JB  
56 Sherwood Gardens London SE16 3JB  
56 Sherwood Gardens London SE16 3JB  
56 Sherwood Gardens London SE16 3JB  
56 Sherwood Gardens London SE16 3JB  
56 Sherwood Gardens London SE16 3JB  
6 Canal Grove London SE15 1LB  
7 Canal Grove London SE15 1LB



## 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.

<b>Applicant</b>	CB Acquisition LDN Limited	<b>Reg. Number</b>	17/AP/4508
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2354-9
<b>Recommendation</b>	Grant subject to GLA Direction		

### Draft of Decision Notice

Redevelopment of the site for a mixed use development comprising three buildings (Building 1: basement, ground, ground mezzanine plus 17 storeys (AOD 66.975m); Building 2: basement, ground, ground mezzanine plus 22 storeys (AOD 81.975m); Building 3: basement, ground, ground mezzanine plus 16 storeys (AOD 62.675m) to accommodate 338 residential unit, 5,234 Sqm GEA of flexible commercial floor space (Class B1 / B1c), associated cycle and car parking, servicing, refuse and recycling, landscaping including contribution towards the new Surrey Canal linear park, and private and communal residential amenity space and children's playspace. (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:** 6-12 VERNEY ROAD, LONDON, SE16 3DH

**In accordance with application received on 29/11/2017**

#### **and Applicant's Drawing Nos.**

##### (E-00) Existing Site

1514-SP-01-DR-A-E-00-XX-01-01 - Existing Site Plan / Location P1

##### (E-20) Existing Plans

1514-SP-01-DR-A-E-20-0G-01-01 Existing Ground Floor Plan P1

1514-SP-01-DR-A-E-20-01-01-01 Existing First Floor Plan P1

1514-SP-01-DR-A-E-20-0R-01-01 Existing Roof Plan P1

##### (E-25) Existing Elevations

1514-SP-01-DR-A-E-25-XX-01-01 Existing Elevations P1

##### (E-26) Existing Sections

1514-SP-01-DR-A-E-26-XX-01-01 Existing Sections P1

##### (SC) Accommodation Schedule

1514 SP-01-SC-A-E-80-XX-01 Existing Area Schedule P1

##### (D-00) Demolition Site Plan

1514-SP-01-DR-A-D-00-XX-01-01 Existing Site Plan / Location P1

##### (D-20) Demolition Plans

1514-SP-01-DR-A-D-20-0G-01-01 Demolition Ground Floor Plan P1

1514-SP-01-DR-A-D-20-01-01-01 Demolition First Floor Plan P1

1514-SP-01-DR-A-D-20-0R-01-01 Demolition Roof Floor Plan P1

##### (D-25) Demolition Elevations

1514-SP-01-DR-A-D-25-XX-01-01 Demolition Elevations P1

##### (D-25) Demolition Sections

1514-SP-01-DR-A-D-26-XX-01-01 Demolition Sections P1

##### (P-00) Proposed Site Plan

1514-SP-01-DR-A-P-00-XX-01 Proposed Site Plan / Location P1

##### (P-20) Proposed Plans

1514-SP-01-DR-A-P-20-B1-01-01 Proposed Basement Floor Plan P1

1514-SP-01-DR-A-P-20-0G-01-01 Proposed Ground Floor Plan P2

1514-SP-01-DR-A-P-20-GM-01-01 Proposed Ground Mezzanine Floor Plan P2

1514-SP-01-DR-A-P-20-01-01-01 Proposed Level 01 Floor Plan P1

1514-SP-01-DR-A-P-20-02-01-01 Proposed Level 02 Floor Plan P2

1514-SP-01-DR-A-P-20-03-01-01 Proposed Level 03 Floor Plan P1

1514-SP-01-DR-A-P-20-04-01-01 Proposed Level 04 Floor Plan P1

1514-SP-01-DR-A-P-20-05-01-01 Proposed Level 05 Floor Plan P1

1514-SP-01-DR-A-P-20-06-01-01 Proposed Level 06 Floor Plan P1

1514-SP-01-DR-A-P-20-07-01-01 Proposed Level 07 Floor Plan P2

1514-SP-01-DR-A-P-20-08-01-01 Proposed Level 08 Floor Plan P1  
 1514-SP-01-DR-A-P-20-09-01-01 Proposed Level 09 Floor Plan P1  
 1514-SP-01-DR-A-P-20-10-01-01 Proposed Level 10 Floor Plan P1  
 1514-SP-01-DR-A-P-20-11-01-01 Proposed Level 11 Floor Plan P1  
 1514-SP-01-DR-A-P-20-12-01-01 Proposed Level 12 Floor Plan P1  
 1514-SP-01-DR-A-P-20-13-01-01 Proposed Level 13 Floor Plan P1  
 1514-SP-01-DR-A-P-20-14-01-01 Proposed Level 14 Floor Plan P1  
 1514-SP-01-DR-A-P-20-15-01-01 Proposed Level 15 Floor Plan P2  
 1514-SP-01-DR-A-P-20-16-01-01 Proposed Level 16 Floor Plan P2  
 1514-SP-01-DR-A-P-20-17-01-01 Proposed Level 17 Floor Plan P1  
 1514-SP-01-DR-A-P-20-18-01-01 Proposed Level 18 Floor Plan P1  
 1514-SP-01-DR-A-P-20-19-01-01 Proposed Level 19 Floor Plan P1  
 1514-SP-01-DR-A-P-20-20-01-01 Proposed Level 20 Floor Plan P1  
 1514-SP-01-DR-A-P-20-21-01-01 Proposed Level 21 Floor Plan P1  
 1514-SP-01-DR-A-P-20-22-01-01 Proposed Level 22 Floor Plan P1  
 1514-SP-01-DR-A-P-20-0R-01-01 Proposed Roof Plan P1

#### (SC) Accommodation Schedule

1514-SP-01-SC-A-P-XX-01-01 Proposed Area Schedule P4  
 1514-SP-01-SC-A-P-XX-01-02 Proposed Residential Accommodation Schedule P4  
 1514-SP-01-SC-A-P-XX-01-03 Proposed Residential Unit Schedule P3  
 1514-SP-01-SC-A-P-XX-01-04 Proposed Residential Habitable Room Schedule P4  
 1514-SP-01-SC-A-P-XX-01-05 Proposed Residential Amenity Space Analysis P2

#### (P-21) External Walls

1514-SP-01-DR-A-P-21-XX-01-01 External Wall Section Detail 01 P1  
 1514-SP-01-DR-A-P-21-XX-01-02 External Wall Section Detail 02 P1  
 1514-SP-01-DR-A-P-21-XX-01-03 Concrete Balcony Detail P1  
 1514-SP-01-DR-A-P-21-XX-01-04 Glass Balcony Detail P1  
 1514-SP-01-DR-A-P-21-XX-01-05 Metal Balcony Detail P1  
 1514-SP-01-DR-A-P-21-XX-01-06 Concrete Balcony Details 2 P1  
 1514-SP-01-DR-A-P-21-XX-01-07 Winter Garden Details 1:20 P2  
 1514-SP-01-DR-A-P-21-XX-01-08 Glass and Concrete Balcony P1

#### (P-25) Proposed Elevations

1514-SP-01-DR-A-P-25-XX-01-01 Proposed East Elevation P4  
 1514-SP-01-DR-A-P-25-XX-01-02 Proposed North West Elevation - Verney Rd P4  
 1514-SP-01-DR-A-P-25-XX-01-03 Proposed South Elevation P4  
 1514-SP-01-DR-A-P-25-XX-01-04 Proposed South West Elevation P3  
 1514-SP-01-DR-A-P-25-XX-01-05 Proposed South West, West & South Elevation - Building 01 P2  
 1514-SP-01-DR-A-P-25-XX-01-06 Proposed North, North West & East Elevation - Building 01 P3  
 1514-SP-01-DR-A-P-25-XX-01-07 Proposed East Elevation - Building 02 P1  
 1514-SP-01-DR-A-P-25-XX-01-08 Proposed West Elevation - Building 02 P1  
 1514-SP-01-DR-A-P-25-XX-01-09 Proposed North West Elevation - Building 02 P1  
 1514-SP-01-DR-A-P-25-XX-01-10 Proposed West & North Elevation - Building 03 P4

#### (P-26) Proposed Sections

1514-SP-01-DR-A-P-26-XX-01-01 Proposed Section S1 P3  
 1514-SP-01-DR-A-P-26-XX-01-02 Proposed Section S2 P3  
 1514-SP-01-DR-A-P-26-XX-01-03 Proposed Section S3 P2

#### (P-90) Proposed Landscape

1514-SP-01-DR-A-P-90-0G-01-01 Proposed Landscaping Plan P5  
 1514-SP-01-DR-A-P-90-0G-01-05 Public Realm Plan (Additional info to committee) P2

#### Design & Access Statement

1514-SP-ZA-00-DS-A-001 Design & Access Statement P2

Financial Viability Assessment by DS2 dated November 2017  
 Financial Viability Assessment Appendices by DS2 (Undated)  
 Financial Viability Assessment including Affordable Housing Statement - Executive Summary by DS2  
 Addendum Appraisal 35% affordable housing) by DS2 dated 12 June 2018  
 Addendum to the Financial Viability Assessment by DS2 (Undated)  
 Proposed Residential Accommodation Schedule Rev P3  
 Commercial Space Summary dated 31.01.2019  
 Planning Statement by Brunel Planning dated November 2017  
 Noise Impact Assessment by Sandy Brown dated November 2017  
 Townscape, Visual and Heritage Assessment by KM Heritage  
 Townscape, Visual and Heritage Assessment Addendum by KM Heritage (undated)  
 Townscape, Visual and Heritage Assessment Second Addendum by KM Heritage (undated)  
 Proposed Habitable Room Schedule Rev P2  
 Pedestrian Microclimate Wind Tunnel Study by Windtech WD905-01F02 Revision 3 Dated 2nd March 2018  
 Structural Statement by Pell Frischmann Dated November 2017

Statement of Community Involvement (and Appendices) by Carvil Ventures Ltd dated November 2017  
 Extraction and Ventilation Statement by SVM Consulting Engineers Dated November 2017  
 Ecology Report by RPS OXF9338 dated November 2017  
 Contamination Report by RPS dated November 2017  
 BREEAM Pre Assessment by Dalen Consultancy dated November 2017  
 Transport Statement and appendices (including Travel Plans, Servicing Strategy and CTMP) by Vectos dated November 2017  
 Planning Obligations Statement by Brunel Planning (undated)  
 Flood Risk Assessment and appendices by RJ Fillingham Associated Ltd. dated November 2017  
 Arboricultural Impact Assessment by RPS dated September 2016  
 Archaeological Baseline and Impact Assessment by RPS Group dated November 2017  
 Sustainability Statement by Dalen Consultancy dated November 2017  
 Air Quality Assessment by Air Quality Consultants J2541A/1/F3 dated 20th November 2017  
 Energy Strategy Report by SVM Consulting Engineers dated November 2017  
 Daylight, Sunlight and Overshadowing by Point 2 Surveyors dated November 2017  
 Acoustic Report memo May 2019  
 Noise Impact Assessment

**Subject to the following thirty-eight conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

(D-20) Demolition Plans

1514-SP-01-DR-A-D-20-0G-01-01 Demolition Ground Floor Plan P1

1514-SP-01-DR-A-D-20-01-01-01 Demolition First Floor Plan P1

1514-SP-01-DR-A-D-20-0R-01-01 Demolition Roof Floor Plan P1

(D-25) Demolition Elevations

1514-SP-01-DR-A-D-25-XX-01-01 Demolition Elevations P1

(D-25) Demolition Sections

1514-SP-01-DR-A-D-26-XX-01-01 Demolition Sections P1

(P-00) Proposed Site Plan

1514-SP-01-DR-A-P-00-XX-01 Proposed Site Plan / Location P1

(P-20) Proposed Plans

1514-SP-01-DR-A-P-20-B1-01-01 Proposed Basement Floor Plan P1

1514-SP-01-DR-A-P-20-0G-01-01 Proposed Ground Floor Plan P2

1514-SP-01-DR-A-P-20-GM-01-01 Proposed Ground Mezzanine Floor Plan P2

1514-SP-01-DR-A-P-20-01-01-01 Proposed Level 01 Floor Plan P1

1514-SP-01-DR-A-P-20-02-01-01 Proposed Level 02 Floor Plan P2

1514-SP-01-DR-A-P-20-03-01-01 Proposed Level 03 Floor Plan P1

1514-SP-01-DR-A-P-20-04-01-01 Proposed Level 04 Floor Plan P1

1514-SP-01-DR-A-P-20-05-01-01 Proposed Level 05 Floor Plan P1

1514-SP-01-DR-A-P-20-06-01-01 Proposed Level 06 Floor Plan P1

1514-SP-01-DR-A-P-20-07-01-01 Proposed Level 07 Floor Plan P2

1514-SP-01-DR-A-P-20-08-01-01 Proposed Level 08 Floor Plan P1

1514-SP-01-DR-A-P-20-09-01-01 Proposed Level 09 Floor Plan P1

1514-SP-01-DR-A-P-20-10-01-01 Proposed Level 10 Floor Plan P1

1514-SP-01-DR-A-P-20-11-01-01 Proposed Level 11 Floor Plan P1

1514-SP-01-DR-A-P-20-12-01-01 Proposed Level 12 Floor Plan P1

1514-SP-01-DR-A-P-20-13-01-01 Proposed Level 13 Floor Plan P1

1514-SP-01-DR-A-P-20-14-01-01 Proposed Level 14 Floor Plan P1

1514-SP-01-DR-A-P-20-15-01-01 Proposed Level 15 Floor Plan P2

1514-SP-01-DR-A-P-20-16-01-01 Proposed Level 16 Floor Plan P2

1514-SP-01-DR-A-P-20-17-01-01 Proposed Level 17 Floor Plan P1

1514-SP-01-DR-A-P-20-18-01-01 Proposed Level 18 Floor Plan P1

1514-SP-01-DR-A-P-20-19-01-01 Proposed Level 19 Floor Plan P1

1514-SP-01-DR-A-P-20-20-01-01 Proposed Level 20 Floor Plan P1

1514-SP-01-DR-A-P-20-21-01-01 Proposed Level 21 Floor Plan P1

1514-SP-01-DR-A-P-20-22-01-01 Proposed Level 22 Floor Plan P1

1514-SP-01-DR-A-P-20-0R-01-01 Proposed Roof Plan P1

(SC) Accommodation Schedule

1514-SP-01-SC-A-P-XX-01-01 Proposed Area Schedule P4

1514-SP-01-SC-A-P-XX-01-02 Proposed Residential Accommodation Schedule P4

1514-SP-01-SC-A-P-XX-01-03 Proposed Residential Unit Schedule P3

1514-SP-01-SC-A-P-XX-01-04 Proposed Residential Habitable Room Schedule P4

1514-SP-01-SC-A-P-XX-01-05 Proposed Residential Amenity Space Analysis P2  
(P-21) External Walls  
1514-SP-01-DR-A-P-21-XX-01-01 External Wall Section Detail 01 P1  
1514-SP-01-DR-A-P-21-XX-01-02 External Wall Section Detail 02 P1  
1514-SP-01-DR-A-P-21-XX-01-03 Concrete Balcony Detail P1  
1514-SP-01-DR-A-P-21-XX-01-04 Glass Balcony Detail P1  
1514-SP-01-DR-A-P-21-XX-01-05 Metal Balcony Detail P1  
1514-SP-01-DR-A-P-21-XX-01-06 Concrete Balcony Details 2 P1  
1514-SP-01-DR-A-P-21-XX-01-07 Winter Garden Details 1:20 P2  
1514-SP-01-DR-A-P-21-XX-01-08 Glass and Concrete Balcony P1  
(P-25) Proposed Elevations  
1514-SP-01-DR-A-P-25-XX-01-01 Proposed East Elevation P4  
1514-SP-01-DR-A-P-25-XX-01-02 Proposed North West Elevation - Verney Rd P4  
1514-SP-01-DR-A-P-25-XX-01-03 Proposed South Elevation P4  
1514-SP-01-DR-A-P-25-XX-01-04 Proposed South West Elevation P3  
1514-SP-01-DR-A-P-25-XX-01-05 Proposed South West, West & South Elevation - Building 01 P2  
1514-SP-01-DR-A-P-25-XX-01-06 Proposed North, North West & East Elevation - Building 01 P3  
1514-SP-01-DR-A-P-25-XX-01-07 Proposed East Elevation - Building 02 P1  
1514-SP-01-DR-A-P-25-XX-01-08 Proposed West Elevation - Building 02 P1  
1514-SP-01-DR-A-P-25-XX-01-09 Proposed North West Elevation - Building 02 P1  
1514-SP-01-DR-A-P-25-XX-01-10 Proposed West & North Elevation - Building 03 P4  
(P-26) Proposed Sections  
1514-SP-01-DR-A-P-26-XX-01-01 Proposed Section S1 P3  
1514-SP-01-DR-A-P-26-XX-01-02 Proposed Section S2 P3  
1514-SP-01-DR-A-P-26-XX-01-03 Proposed Section S3 P2  
(P-90) Proposed Landscape  
1514-SP-01-DR-A-P-90-0G-01-01 Proposed Landscaping Plan P5  
1514-SP-01-DR-A-P-90-0G-01-05 Public Realm Plan (Additional info to committee) P2  
Design & Access Statement  
1514-SP-ZA-00-DS-A-001 Design & Access Statement P2

Reason:

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

- 2 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.

**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 No works excluding demolition shall commence until details of a detailed water drainage strategy for the site, based on the principles set out in the approved Flood Risk Assessment has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA.

The detailed drainage strategy will incorporate methods that will attenuate flows to the sewer network for the 100 year critical duration storm with a 40% allocation for climate change. In addition to this it has also been agreed that SuDS in line with SuDS principals, will be added into the design to provide a further improvement on attenuation of surface water flows. The scheme shall subsequently be implemented in accordance with the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

- 4 Before demolition to ground level slab, 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 5 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 and shall not be carried out other than in accordance with any such approval given.

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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 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 Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 7 Before demolition to ground level slab, 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 8 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 Saved Policy 3.2 'Protection of amenity' of the Southwark Plan (2007), Strategic Policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2018.

- 9 London Fire Brigade

Before any work hereby authorised begins, an written undertaking that access for fire appliances as required by Part B5 of the current Building Regulations Approved Document B (or relevant equivalent standard at the time of application to discharge this condition) and adequate water supplies for fire fighting purposes should be submitted to and approved in writing by the Local planning Authority.

**Reason**

In order to ensure that the proposed development complies with the requirements of the London Fire Brigade.

**10 Water Management Strategy**

Before any work hereby authorised begins, an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, shall be submitted to and approved by, the Local Planning Authority in consultation with the water undertaker. The development shall be occupied in line with the recommendations of the strategy.

**Reason:**

The development may lead to no water and or significant environment impacts an Integrated water management strategy is required to ensure that sufficient capacity is made available to cater for the new development and in order to avoid adverse environmental impact upon the community.

- 11** Prior to works commencing, full details of all proposed planting of 22 street trees and others shown within the site shall be submitted to and approved in writing by the Local Planning Authority. This 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.

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 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**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.

- 12** 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.

- 13** i) Before any above grade work hereby authorised begins within the public realm (excluding demolition), 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 retained as such.
- ii) No later than 6 months prior to occupation of 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 the

residential units. 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 Parts 5, 8, and 12, London Plan (2016) Policy 3.6 Children and young people's play and informal recreation facilities; policies SP11 Open spaces and wildlife and SP12 Design and conservation of The Core Strategy 2011 and the following Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design; and 4.2 Quality of residential accommodation

- 14 Before any work above grade hereby approved begins on any phase of development, full particulars and details of a scheme for the fit out of the commercial floorspace to an appropriate level for B1 and 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, water sprinklers (for fire control), and the provision of kitchen and toilet facilities. In addition details of the design of the ground floor servicing access doors to the B1(c) space should be submitted at 1:20 scale. The development shall not be carried out otherwise than in accordance with any approval given, and practical completion of the B1 and B1(c) fit out for each phase shall be at the same time, or before the practical completion of the residential component of the same phase.

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with 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 and the National Planning Policy Framework 2018.

- 15 Before any above grade work hereby authorised begins (excluding demolition) details of green/brown roofs shall be submitted to and approved in writing by the Local Planning Authority. The green/brown roofs shall be: biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with the 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 green/brown 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 green/brown shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 16 Samples of all external facing materials, including window and winter garden window units, to be used in the carrying out of this permission shall be presented to the Local Planning Authority and approved in writing before any above grade works, in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given. Manufacturer's specification must be provided with the samples.

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 in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007.

- 17 Bay studies at a scale of 1:20 of facades from parapet to ground, including window design, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work (excluding demolition) in connection with this permission is commenced. 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 as to the quality of the design and details in accordance with Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan (UDP) July 2007.

- 18 Before any above grade work hereby authorised begins (excluding demolition) (1:50 scale drawings) of all 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 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 19 Section detail-drawings at a scale of 1:5 through:  
the facades and balconies;  
parapets and roof edges; and  
heads, cills and jambs of all openings  
and window and winter garden window units, and the manufacturer's specification of these units including acoustic performance.  
to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced (excluding demolition); 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 as to the quality of the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan (UDP) July 2007.

- 20 Before any above grade work hereby authorised begins, details of security measures 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 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 21 Details of house sparrow nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than three nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The house sparrow nesting boxes / bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans, and once the nest/roost features are installed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the nest/roost features have been installed to the agreed specification.

**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 and 7.19 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core Strategy.

- 22 Secured By Design Certification

Before the first occupation of the building hereby permitted evidence that Secure By Design Accreditation has been awarded by the Metropolitan Police and that all approved security measures have been implemented shall be



submitted to and approved by the Local Planning Authority.

**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.

- 23 Before any above grade work hereby authorised begins, 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 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**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.

- 24 Before the first occupation of the building hereby permitted, a detailed Delivery and Servicing Management Plan (DSMP) detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The detailed DSMP shall be based on the principles set out in the SERVICING DELIVERY MANAGEMENT PLAN AND CONSTRUCTION TRAFFIC MANAGEMENT PLAN prepared by WINDTECH (dated November 2017) and submitted with the application. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

**Reason**

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 25 The residential accommodation hereby approved shall not be occupied until all commercial units have been fitted out in accordance with the approved B1 and B1(c) fit out details, 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 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).

- 26 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order and any associated provisions of the Town and Country Planning General Permitted Development Order (including any future amendment or enactment of those Orders), the Class B use hereby permitted shall only be for Class B1 and B1(c) and uses as detailed in the approved plan.

**Reason:**

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with 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 and the National Planning Policy Framework 2018.

;

## 27 Thames Water

No properties shall be occupied until confirmation has been provided that either:

- i) all water network upgrades required to accommodate the additional flows from the development have been completed; or
- ii) a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied.

Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason:

The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

The developer can request information to support the discharge of this condition by visiting the Thames Water website <https://developers.thameswater.co.uk/Developingalargesite/Planningyourdevelopment>.

- 28 Before occupation, the applicant must demonstrate the feasibility of bi-folding service doors to double height ground floor floor commercial units to enable vehicular servicing of these units. The detailed design of the doors and any consequent footway or public realm modifications shall be submitted to the local planning authority for approval.

Reason: In order to ensure the delivery of flexible commercial B1 and B1c units that could accommodate a range of commercial tenants, In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and the National Planning Policy Framework 2018.

**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.

- 29 No roof plant, equipment or other structures, other than as 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[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] 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 2012, 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 The development hereby permitted shall be constructed to include the energy efficiency measures, photovoltaic panels and CHP plant as stated in the Sustainable Energy Statement by CDI Building Services Engineers Sustainability dated November 2017 and submitted with the application. All measures and technologies shall remain for as long as the development is occupied.

Reason: To ensure the development complies with the National Planning Policy Framework 2012 , Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan 2015.

- 31 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<sub>z</sub>, 30 dB LAeq T\*, typical noise levels of 45dB LAFmax T \*

Living rooms- 35dB LAeq T<sub>z</sub>

Dining room - 40 dB LAeq T<sub>z</sub>

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

z - 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 32 Any deliveries or collections to the commercial units shall only be between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

Reason:

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 33 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 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 34 The habitable rooms within the development sharing a party ceiling/floor element with 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 as a predicted LAeq noise level. A written report including noise level predictions shall be submitted to and approved by the LPA prior any above grade works taking place. Prior to occupation of any homes or commencement of the commercial use, details of the proposed ceiling/floor construction, including likely sound insulation performance shall be submitted to the LPA for approval in writing. The development shall be carried out in accordance with the approval given and shall be permanently maintained thereafter.

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 accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

**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).

- 35 If, during development (excluding demolition), contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters (the site is located above a Secondary Aquifer).

- 36 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk

assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 37 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

**Reason**

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 38 Details of any external lighting [including design, power and position of luminaries] and security surveillance equipment of external areas surrounding the building shall be submitted to and approved by the Local Planning Authority in writing before any such lighting or security equipment is installed. The development shall not be carried out otherwise in accordance with any such approval given.

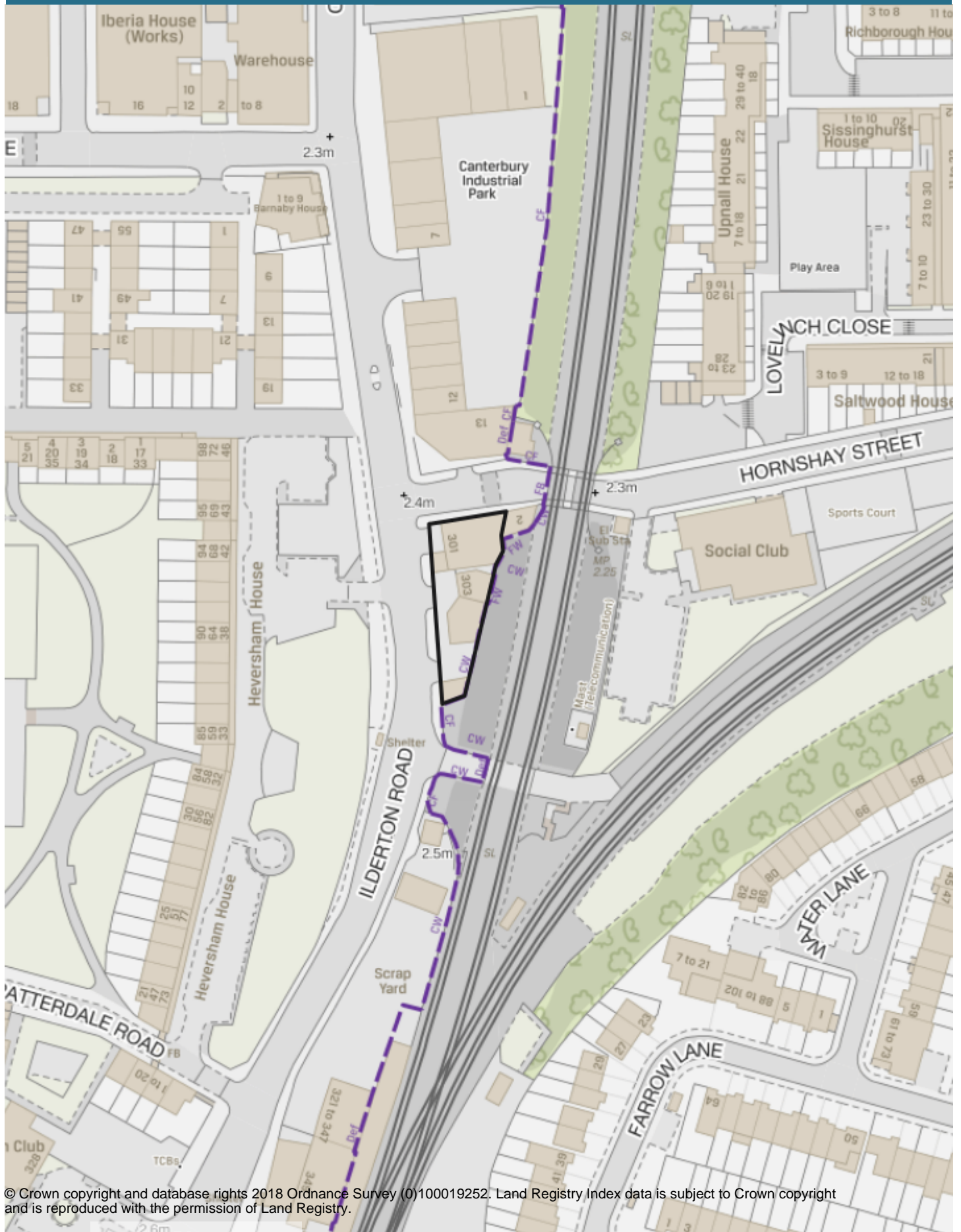
**Reason**

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 safety and security of persons using the area and the amenity and privacy of adjoining occupiers in accordance with The National Planning Policy Framework 2012, 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.

**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.

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50 m

Scale = 1250

7-Jun-2019

<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 17 June 2019	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 18/AP/2761 for: Full Planning Application  <b>Address:</b> 301-303 ILBERTON ROAD, LONDON, SE15 1NW  <b>Proposal:</b> Demolition of existing buildings and construction of part 13 / part 14 storey building (+49.32m AOD) (plus basement) comprising 48 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.  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.		
<b>Ward(s) or groups affected:</b>	Old Kent Road		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 11/09/2018		<b>Application Expiry Date</b> 11/12/2018	
<b>Earliest Decision Date</b> 04/01/2019			

## RECOMMENDATION

1. That the Planning Committee grant planning permission, subject to:
  - a) Conditions and referral to the Mayor of London and the applicant entering into an appropriate legal agreement by no later than 17<sup>th</sup> September 2019.
  - b) In the event that the requirements of (a) are not met by 17<sup>th</sup> September 2019 that the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 191 of this report.

## EXECUTIVE SUMMARY

2. This major application seeks to redevelop an existing car repairs and hand car wash site on the eastern side of Ilderton Road to provide a mixed-use commercial and residential development of 48 units and 449sqm of B1 commercial floorspace. The scheme is located in a Strategic Preferred Industrial Location and would represent a departure from policy by virtue of proposing the introduction of residential

accommodation to a Preferred Industrial Location.

3. The applicant has committed to providing 36% affordable housing by habitable rooms which equates to 14 affordable units, with a proposed tenure split of approximately 25% social rented and 10% intermediate by habitable rooms. There would be the potential for uplift in jobs on the site through the re-provision of good quality, flexible commercial space that would be more compatible with the neighbouring uses.
4. The proposed building is part 13/part 14 storeys and would be of a high quality design and deliver the master-planning and aspirations of the draft Old Kent Road Area Action Plan. The ground floor provides an active frontage and the pedestrian environment would be improved.
5. The proposed development would have limited impacts on neighbouring properties in terms of privacy, outlook and daylight and sunlight.
6. The proposed units would have good standard residential accommodation with appropriate mitigation measures to ensure noise levels internally are met as well as ensuring noise complaints against future commercial occupiers are minimised.
7. The proposal would be car free and future occupiers would be prevented from obtaining parking permits on the surrounding streets. A s106 contribution would be required to improve local bus infrastructure.
8. The proposal would incorporate measures to reduce its carbon dioxide emissions, and a contribution to the Council's Carbon Off-set Green Fund would be secured through a s106 agreement. Conditions are recommended to ensure that ground contamination, surface water drainage, archaeology and ecology would be adequately dealt with.
9. Overall, the clear benefits of the proposal are considered to outweigh the limited harm caused, and it is recommended that planning permission be granted, subject to conditions, a s106 agreement and referral to the GLA.

## **BACKGROUND INFORMATION**

### **Site location and description**

10. The application site comprises an area of 0.057 hectares (ha) and is triangular in its form, owing to its containment by Ilderton Road to the west, Hornshay Street to the north and the raised embankment of the South London Railway line to the east. To the rear of the site and railway line is the boundary of Lewisham Borough Council.
11. The site currently accommodates two uses; a car repair use (B2 class use) is accommodated within a single storey brick building with hipped roof and a car wash (Sui Generis class use) takes place within an open yard and associated temporary structures.
12. The surrounding area is a mix of residential estates to the west and east and industrial/quasi retail uses extending along the route of Ilderton Road to the north and south. Canterbury Industrial Estate is located to the north of the site on the opposite side of Hornshay Street and contains a number of light industrial units. Set back from



Ilderton Road to the west is the post-war Tustin Estate, which rises up to six residential storeys. Beyond the railway embankment to the east (on the opposite side of the railway line) is the Wheelshunters Social Club, which is part single and part two storeys in height with residential uses extending beyond.

13. The site is within the following Southwark planning policy designations:  
  
Preferred Strategic Industrial Land (SPIL)  
Air Quality Management Area (AQMA)  
Bermondsey Lake Archaeological Priority Zone (APZ)
14. The site is also within the Old Kent Road Opportunity Area: Sub Area 4 – Hatcham, Ilderton & Old Kent Road (specifically OKR16)
15. The site also falls within a Site Allocation (NSP70) outlined in the emerging New Southwark Plan.
16. The site is also within the adopted London Plan's Strategic Industrial Land (SIL). The site falls within the extended background of Protected Vista 2A.1, which protects views from Parliament Hill Summit to St Paul's Cathedral.
17. The site is not within a conservation and buildings are not listed. There are no nearby heritage assets in its setting. The site has a Public Transport Accessibility Level (PTAL) rating of 4, which is moderate access to public transport. The site is within the Flood Zone 3.



Figure 1: View of the site.

### Details of proposal

18. The proposed scheme is for the demolition of the existing buildings for the construction of a part 13 part 14 storey building to provide 48 residential units and commercial



(light industrial) floor space (B1 class use) on the ground and first floor levels. The scheme has been amended following discussions with Officers. The amendments show the removal of the mezzanine floor as originally proposed and is replaced with a full first floor level for the commercial work space. This has resulted in the building increasing in height by 1 metre, with ceiling heights of 4m each on the ground and first floor levels and a total of 449sqm of light industrial floorspace, (an increase of 29sqm over the original plans).

19. The proposed mix of dwellings are:

	Number of units	Percentage (%)
Studios	6	13
1 bedroom unit	16	33
2 bedroom unit	17	35
3 bedroom unit	9	19
<b>Total</b>	<b>48</b>	<b>100</b>

20. The total maximum height of the building would be 49.32m AOD (46.8m from finished ground floor level). There is a basement proposed which would accommodate cycle storage and plant room.
21. Private amenity space is provided in the form of balconies and a communal garden on the 12th floor.
22. The scheme shall deliver 14 units as affordable housing to meet local housing needs, which represents 36% of all habitable rooms and 29% of all residential units as affordable.
23. Access to the commercial and residential uses would be from Ilderton Road, each with individual entrances. Servicing of the residential element of the development will be provided from Ilderton Road. To service the commercial space, a secondary servicing area with access taken from Hornshay Street will be delivered to the rear of the building. Ground floor residential refuse store is proposed on the Ilderton Road street frontage.
24. The detailed design has been amended following negotiations with Officers and the predominant material used would be brick.



Figure 2: Model of proposed development, view from the north

### Planning history

25. There is some planning history on the site including enforcement enquiries, but these have been closed. The most relevant planning history on this site is:

06/AP/0786 Application type: Full Planning Application (FUL)

Use as place of worship (Class D2)

Decision date 10/08/2006 Decision: Refused (REF)

Reason(s) for refusal:

*The proposed use of the building as a place of worship would result in the loss of employment floorspace within a designated preferred industrial location, as such the proposal would restrict local employment opportunities. The proposal is therefore contrary to Policy B.1.1 - 'Protection of Employment Areas and Identified Sites' of the adopted Unitary Development Plan 1995 and Policy 1.3 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan [Modification Version] 2006 and 'Places of Worship' Supplementary Planning Guidance.*

*The proposed change of use of the premises to a 'Place of Worship' would, due to the proposed hours of operation and the potential for noise likely to be generated by people entering and leaving the building as well as activities within the premises,*

*result in a loss of amenity to the adjoining residential and business occupiers. In addition, the proposed location adjacent to a hand car wash facility where compressors are used would compromise the amenity (due to noise) of the users of the proposed place of worship. This would be contrary to policies E.3.1 'Protection of Amenity' and C.3.2 New Religious Buildings of the Southwark UDP (1995) and policies 2.2 Provision of New Community Facilities and 3.2 'Protection of Amenity' of The Southwark Plan [Modifications Version] 2006.*

*In the absence of any evidence or proposals to the contrary it is considered that the proposed use would, by reason of the hours of use, potential congregation numbers stated, adjacent car wash facility and existing levels of congestion within the street, be likely to result in levels of traffic generation and parking that would result in an increase in congestion and obstruction of surrounding streets to the detriment of the amenity of the occupiers of nearby premises. In addition a lack of information showing existing available on site parking spaces available was provided to assess safety and access to those potential spaces. The proposal is contrary to Objective T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the adopted Unitary Development Plan 1995 and Policies 5.1 'Locating Developments' and 5.2 'Transport Impacts' of The Southwark Plan 2006 [Modifications Version].*

*The proposed application makes no provision for refuse storage or cycle parking facilities within the premises, as such the proposal is contrary to Policy T.1.3 'Design of Development and Conformity with Council Standards and Controls' of the Adopted Southwark Unitary Development Plan and Policies 3.7 'Waste Reduction' and 5.3 'Walking and Cycling' of the Southwark Plan [Modifications Version] 2006.*

17/EQ/0397 Application type: Pre-Application Enquiry (ENQ)

Mixed use redevelopment of the site consisting of 38 residential units providing a mix of unit sizes alongside the provision of 417sqm of commercial accommodation and communal roof garden measuring 140sqm.

Decision date 16/02/2018 Decision: Pre-application enquiry closed (EQC)

### **Planning history of adjoining sites**

26. The most relevant and recent planning history on the adjoining sites are as follows:  
313-349 Ilderton Road:

17/AP/4819 - Planning Committee resolved to grant planning permission subject to the completion of a legal agreement and referral to the GLA on 27th November 2018 for:

Full application for full planning permission for mixed use redevelopment comprising: Demolition of existing buildings and construction of two buildings one of part 11 & 13 storeys and one of part 13 and 15 storeys to provide 1,661sqm (GIA) of commercial floorspace (use class B1) at part basement, ground and first floors, 130 residential dwellings above (44 x 1 bed, 59 x 2 bed and 27 x 3 bed), with associated access and highway works, amenity areas, cycle, disabled & commercial car parking and refuse/recycling stores.

Unit 13 Canterbury Industrial Park, 297 Ilderton Road:

00/AP/1092 - Planning permission granted on 25th August 2000 for:  
Light industrial use, assembly and storage of machines for the plastic industry with occasional use of a spray booth.

### **SUMMARY OF CONSULTATION RESPONSES**

27. At the time of writing, a total of 3 No. consultation responses have been received from members of the public.
28. One of them is against the proposed development, one is in favour and one neither object nor support the proposals.
29. The main issues raised by the resident objecting to the proposed development are:
  - The contractor in this application has in the past caused inconvenience and also caused damage to property without any compensation.
  - The Council has also failed in all circumstances to remedy the damage caused by the contractors when the matter was referred to the council. If permission is granted, there would be more damage and inconvenience with no intention to remedy the damage.

#### Officers response:

30. The comments appear to relate to the existing operation of the car repairs and hand wash business. It appears to be a private dispute and it is not clear what the damages are. There does not appear to be any fundamental planning objections to the proposed scheme itself.
31. The comments received in support identify the following benefits:
  - Great use of a small site and prefer the proposals to what's currently there.
  - Great to see proposed commercial space as the current businesses there are dangerous.
  - The affordable housing offer is about 5% under the 35% target by their calculations so could be higher.
  - The building could even be a little higher to solve the housing crisis.
  - More people would also mean more customers for local businesses which would really help the local area thrive.

#### Officers response:

32. The comments are noted. The proposed development would deliver 29% affordable housing based on units, but would meet the 36% based on habitable rooms.
33. A general comment has been made by one member of the public:

As this is a reasonably large development, more green measures should be incorporated into the design. There is scope to include a biodiverse green roof and in the walls such as internal swift nest boxes.

Officers response:

34. The points are noted and these are addressed under the Ecology section of the report.
35. A planning condition will be applied that require swift nesting is provided.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

36. The main issues to be considered in respect of this application are:
  - Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area;
  - Environmental impact assessment;
  - Affordable housing;
  - Design issues, including height, scale and massing;
  - Housing mix;
  - Provision of commercial space;
  - Quality of accommodation;
  - Impact upon the amenity of neighbouring residential and commercial occupiers and the surrounding area;
  - Transport issues;
  - Impact on trees;
  - Planning obligations (Section 106 Undertaking or Agreement);
  - Sustainable development implications;
  - Other matters

### **Adopted planning policy**

#### National Planning Policy Framework (NPPF)

37. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
38. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

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

#### London Plan 2016

39. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 2.17 Strategic Industrial locations  
 Policy 3.3 Increasing housing supply  
 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 5.7 Renewable energy  
 Policy 5.8 Innovative energy technologies  
 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 7.7 Location and Design of Tall and Large Buildings  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.21 Trees and woodlands  
 Policy 8.2 Planning obligations  
 Policy 8.3 Community infrastructure levy

40. The London Plan 2016 identifies the Old Kent Road as an Opportunity Area with "significant potential for residential - led development along the Old Kent Road corridor" and identified 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.
41. Policy 2.13 in 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.

#### Core Strategy 2011

42. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

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 (saved policies)

43. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

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  
 3.19 - Archaeology  
 3.20 - Tall Buildings

- 3.28 - Biodiversity
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

#### Council's Supplementary Planning Document (SPD)

- 44. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Residential Design Standards SPD (2011 and 2015)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Development Viability SPD (2016)

#### Greater London Authority Supplementary Guidance

- 45. Housing SPG (2016)
- London View Management Framework (2012)
- London's World Heritage Sites SPG (2012)
- Providing for Children and Young People's Play and Informal Recreation (2008)
- Use of planning obligations in the funding of Crossrail (2010)
- Affordable Housing and Viability SPG (2017)

### **Emerging planning policy**

#### Draft New London Plan

- 46. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. The document is expected to reach examination stage later this year however, given the stage of preparation it can only be attributed limited weight.

#### Old Kent Road Area Action Plan (OKR AAP)

- 47. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road 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 3 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 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.
- 48. Whilst 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 which covers the Hatcham and Ilderton Road area. Requirements for this allocation site include replacement of existing employment floor space, provision of housing and on-site servicing.

#### New Southwark Plan

49. For the last 5 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. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
50. The site is within the part of the site allocation NSP70 'Ilderton Road'. The vision for this area is for new homes (Class C3), employment (Class B uses), community uses (Class D) and retail (A1-4).

#### **Principle of development**

51. The site is located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan. Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan.
52. Strategic policy 10 of the Core Strategy 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. The Core Strategy also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, it sets out the future direction of Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).
53. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPILs are B class uses and other sui generis uses which are inappropriate in residential areas.
54. Adopted London Plan policy 2.17 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 provide for broad industrial type activities, are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework, meet the needs of small to medium sized enterprises or provide for small scale 'walk to' services for industrial occupiers such as workplace crèches or cafes.
55. The 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, which has been increased to a minimum of 12,000 in the emerging London Plan. 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 Old Kent Road Area Action Plan (OKR AAP)

56. The emerging OKR AAP 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.
57. As stated above, 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 area.
58. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class 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 and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.
59. Paragraph 216 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and OKR AAP have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.
60. The GLA points out that the Draft London Plan Policy E5 confirms that non SIL uses within SIL should be refused unless there has been a strategically co-ordinated process of SIL consolidation carried out through a planning framework or Development Plan document review process (and adopted as policy in a Development Plan), or as part of a co-ordinated masterplanning process in collaboration with the GLA.
61. The GLA also notes that the OKR AAP and New Southwark Plan proposes the release of significant areas of OKR SIL and would have resulted in the loss of much important industrial capacity within the OKR AAP area. However, these concerns have subsequently been addressed with the GLA and the Council agreeing an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area.
62. Although the proposed development is on SIL, given the coordinated approach to the managed release of industrial land set out above, the proposed land uses are considered appropriate in strategic planning terms and generally comply with London Plan Policies.

63. The site area is 0.057 hectares and currently accommodates 225sqm of existing industrial floorspace capacity of which 168 sqm is general industrial (Use Class B2) and 57sqm industrial-related sui generis. The GLA noted that at a 65% plot ratio, this would equate to 390 sqm of potential industrial floorspace capacity. The scheme had originally proposed 433sqm of light industrial workspace with the provision of a mezzanine floor. Following discussions with the applicant, the mezzanine level has been omitted and a full first floor level is inserted to provide a total 449sqm of B1 class floor space. This would mean that there is no net loss of employment floorspace.
64. Notwithstanding the above, 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 therefore justify a departure from the adopted planning policy.
65. Officers consider that the key benefits arising from the proposal would be as follows.

#### Employment floorspace

66. As explained above, there would now be a slight increase of employment space. The enhanced space would potentially increase the number of jobs created on the site. To meet the policy requirements and to improve the likelihood of B1(c) occupiers leasing the units, it is recommended that the internal B1(c) fit out of the proposed commercial units would be secured through condition and a clause in the Section 106 Agreement. The space will be conditioned to be used for B1(c) use only.

#### Business relocation and retention

67. The existing uses and functions (hand car wash and car repair) on the site do not have to be situated within a SPIL location. Further details of the relocation and retention strategy will be secured by the legal agreement.

#### Job creation

68. The proposed enhanced commercial floor space would result in an increase in both the number and quality of jobs when compared with the existing operations on site and is a positive aspect of the proposal.

#### Affordable workspace

69. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floorspace. The actual rents have not yet been confirmed, but Officers consider it appropriate for it to be similar to those levels that have been agreed on the adjoining site to the south at 313-349 Ilderton Road. This was agreed at £12 per sqft over a 15 year period. The applicant has accepted this level. The rents would be subject to inflation over this time. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area.
70. The employment space is shown on the first floor and rather than defining a precise area, which could be subject to change dependent on occupier, the plans show a

hatched zone to show an area of first floor space as affordable. In accordance with the GLA's guidance on industrial intensification/specification, it is considered that with the sizes of these units, they fall within the industrial typology of a workshop/studio space with a typical occupier being manufacturing (textile), arts & creative, other maker activities. However, it has also been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces.

#### Specialist workspace provider

71. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. Details of a specialist workspace provider could be secured through a section 106 planning obligation.

#### Provision of housing, including affordable housing

72. The scheme would provide 48 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires 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

73. It is recognised that the introduction of residential units could restrict and prejudice the operation of existing businesses in the area. Given the changing nature of the uses now carried out within the area, it is not felt that these businesses would be prejudiced and they could continue to operate and co-exist with the introduction of new residential uses provided schemes are well designed for this mix.
74. Residential accommodation within a mixed use context is already established within the immediate area. To the south of the site, residential units on Wagner Street within the Tustin Estate are located immediately opposite the site on the western side of Ilderton Road. Furthermore, a recent application for the site immediately to the south at 313-349 Ilderton Road (planning ref 17/AP/4819) has been submitted for mixed commercial and residential use. Planning Committee resolved to grant planning permission in November 2018 subject to completion of the s106 agreement. This application sought permission for the demolition of existing buildings and construction of two buildings to provide commercial floorspace (use class B1) at part basement, ground and first floors and 130 residential dwellings above. This mixed use development was considered to be a benefit to the area and the introduction of housing would not prejudice the operation of existing businesses of the area.

#### Prematurity

75. The most up to date development plan pertinent to the Old Kent Road area is the

2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing lead growth. The AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the New London Plan aspirations for industrial land and employment are addressed. This scheme is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London plan and the direction of travel of the draft New Southwark Plan and the 2016 and 2017 draft AAPs and the 2018 draft New London Plan. It is not therefore considered to be premature.

#### Conclusion on land use

76. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy owing to the introduction of residential into the SPIL would represent a departure from the adopted development plan.
77. This must therefore be weighed against the benefits of the scheme which include:
  - the provision of housing, of which 35% would be affordable;
  - re-provision and slight increase of commercial floorspace;
  - the provision of good quality, flexible commercial space that has been designed to include units of varying scale;
  - job creation
  - active frontage
  - delivery of affordable workspace
  - Optimised use of the site.
78. 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. Job creation and new housing would be in accordance with the London Plan (2016) requirements for the Old Kent Road Opportunity Area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

#### **Environmental impact assessment**

79. 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.

#### **Affordable housing**

80. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units 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.

81. Saved Policy 4.4 of the Southwark Plan requires a tenure split of 70% social rented to 30% intermediate housing. This is reiterated in the draft Old Kent Road Area Action Plan.
82. In total, 156 habitable rooms would be provided in the development (calculation based on where habitable rooms are greater than 27.5sqm these are counted as two habitable rooms). The development would provide a total of 56 affordable habitable rooms which would equate to an overall provision of 35.8% (rounded up to 36%). The level of provision is therefore acceptable and policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
83. A standard policy compliant 35% habitable rooms offer would equate to 54.6 affordable habitable rooms, with 25% social rent at 38.2 habitable rooms, and 10% Intermediate at 16.3 habitable rooms.
84. The proposed 36% habitable rooms offer would meet the split of a standard policy compliant 35% habitable rooms offer with 40 social rent habitable rooms (71%) and 16 Intermediate habitable rooms (29%) as seen in table below:

Number of bedrooms	Affordable tenure		Number of affordable units	Percentage (%)
	Social	Intermediate		
Studio units	0	0	0	0
One bedroom	2	1	3	21
Two bedrooms	3	1	4	29
Three bedrooms	5	2	7	50
<b>Total</b>	<b>10 (71%)</b>	<b>4 (29%)</b>	<b>14</b>	<b>100</b>

85. Overall, the proposal would provide a total of 46 affordable units in a mix of unit sizes A Section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied until the affordable units have been completed.
86. The proposed development would have one core which would be shared between the private and affordable units. It is a typical requirement from Registered Provider's that affordable units have their own independent access and lift core. The provision of an additional entrance and core to serve affordable homes is not possible without having a detrimental impact on the scheme. The loss of any net area derived by an additional entrance and core for affordable homes would also have an impact on the overall viability of the project and reduce the amount of affordable housing that could be provided.

87. The applicant has approached a Registered Provider (RP), who they are discussing the affordable units with and has confirmed that they would expect the service charge to be evenly apportioned between all of the flats, as per a private scheme, and then the affordable element is paid directly by the RP. The RP then collects rent from the social tenants at the same level irrespective of the service charge. In effect the RP subsidises the additional cost of the service charge for the tenant. This would be secured in the s106 agreement to ensure that there would be no additional cost in rent/service charges for the social tenants as a result.

### **Housing Mix**

88. Core Strategy Strategic Policy 7, 'Family Homes', requires a housing mix of at least 60% dwellings with two or more bedrooms, with 20% having at least three bedrooms. No more than 5% of the units should be studios, and these can only be for private housing. This is reiterated in emerging policy in the draft OKR AAP and the NSP.
89. The proposed housing mix is summarised in the following tables:

<b>Unit Type</b>	<b>Units</b>	<b>Percentage of total number of units</b>
Studio	6	13%
1 bed	16	33%
2 bed	17	35%
3 bed	9	19%
<b>Total</b>	<b>48</b>	<b>100%</b>

90. At 13%, the proportion of studio units exceeds the maximum of 5% permitted. However, the inclusion of a greater number of smaller units is a result of the need to make an efficient use of a small narrow floor plan on such a constrained site. It should also be noted that none of the studio units would be allocated to the affordable tenures.
91. The proposal would also fall short of the other housing policy requirements with 54% of the dwellings having two or more bedrooms and 19% having three bedrooms. For the affordable housing however, the mix is much improved to the policy position, with 79% having two or more bedrooms and 50% having three bedrooms. This affordable mix is welcomed despite the shortfall for the scheme overall, which reflects the challenge of planning a relatively narrow site. There is a need for 4 bedroom units in Old Kent Road. The applicant has explored options to provide larger family sized units (4 bedroom flats), but would result in significantly oversized units and reducing the overall number of affordable habitable rooms. It is therefore not possible to deliver any 4 bed units due to site constraints.
92. Officers consider that the wider benefits of the scheme outlined in this report would outweigh any harm caused by this shortfall in the housing mix.

### Wheelchair accommodation

93. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings

to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site.

94. Due to the constraints of the shape and size of the site and the limited opportunity to provide off-street wheelchair parking, the suitability of the site for M4(3) wheelchair accessible accommodation is limited, without losing some of the three bedroom units.
95. As such, it is considered appropriate to capture this deficit through a financial contribution. The *Wheelchair accessible housing: Offset fund* requires any shortfall in the required provision of on-site wheelchair housing to be charged at £10,000 per habitable room unit, which totals £130,000 for this scheme.

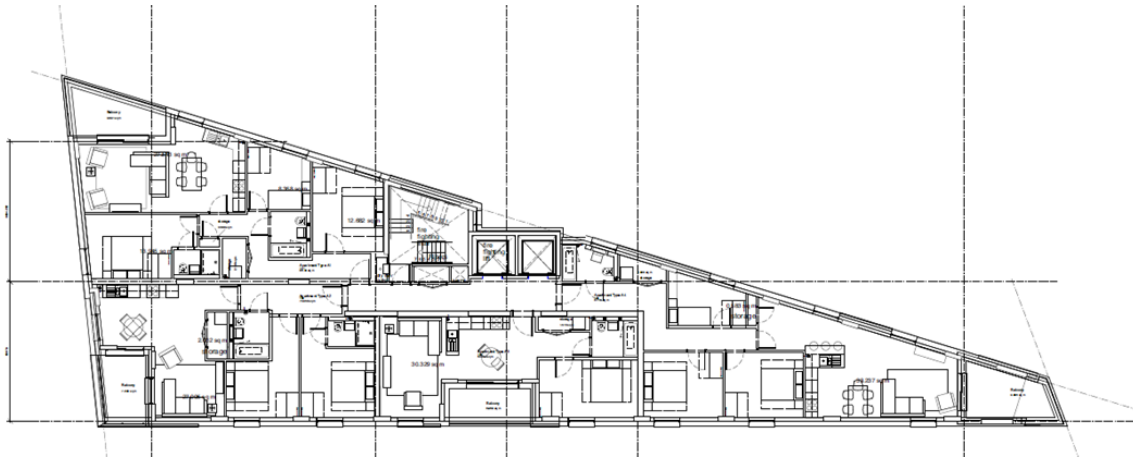
#### Density

96. Policy 3.4 Optimising Housing Potential of the London Plan states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 of the Plan. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 - Providing new homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet.
97. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. In order for a higher density to be acceptable, the development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.
98. The development as a whole would have a density of 2,478HR/Ha (including the commercial floorspace). Since the maximum upper limit of 700HR/Ha would be significantly exceeded, the development would need to demonstrate that it would be excellent in relation to housing quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. This is considered in the following paragraphs.

#### Quality of accommodation

99. 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 adopted Residential Design Standards SPD 2015 and include guidance on overlooking standards as well as requiring the predominance of dual aspect accommodation.





### Aspect

100. The scheme will deliver 36 units (75%) in dual aspect, with only studio and 1 bed units delivered as west facing, single aspect units. No north facing single aspect units are proposed and all of the three bed units would be dual aspect.

### Unit sizes

101. All of the proposed units would satisfy the minimum floor areas set out in Southwark's Residential Design Standards SPD, alongside good floor to ceiling heights and glazing. All kitchen units would be naturally ventilated and lit. Following discussions with the applicant, the open living rooms/kitchens have been amended so that they meet the minimum room standards. Accordingly, this aspect of the scheme overall is also policy compliant.

### Internal daylight within the proposed residential units

102. A daylight and sunlight report and addendum based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. ADF determines the natural internal light or daylight 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.
103. A total of 8 no. of the units located across two floors of the development (first and second levels), considered to be the worst-case dwellings in terms of daylight access have been included in the assessment. All habitable rooms (kitchens, living, dining rooms and bedrooms) within these dwellings were assessed. The results indicate that all of the assessed habitable rooms meet the required ADF target set out by the BRE.
104. The analysis demonstrates that daylight amenity within the proposed residential accommodation will be very good and in full accordance with BRE guidance.

### Overlooking

105. The site is some distance from existing and future neighbouring residential buildings being separated from roads and railway line and would therefore not suffer from any overlooking and would have a good level of privacy within the proposed units.

### Amenity and play space

106. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. 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 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.

107. The following amount of amenity space would need to be provided:

- For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
- For units containing 2 bedrooms or less, ideally 10sqm of private amenity space, with the balance added to the communal space;
- 50sqm communal amenity space per block as required by the SPD;
- 10sqm of children's play space for every child space in the development as required by the London Plan;
- 5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

### Private amenity space

108. In this case, a total of 480sqm of private amenity space would need to be provided between the 48 units. In this instance 340.29sqm of private amenity space is proposed which is short of the required amount. Notwithstanding this, all flats have been provided with private amenity space in the form of balconies with the minimum of 3.1sqm for the studios and a minimum of 5.2sqm for the one bedroom flats. The three bedroom flats which are considered to be family sized units would have a minimum of 9.9sqm and some having the required 10sqm. This is considered acceptable.
109. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. A provision of 139.71sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 189.71sqm). The applicant has proposed a 133sqm communal amenity space at level 12. This means that there is a shortfall of 56.71sqm, which would require a financial contribution of £11,625.55.

### Children's play space

110. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG the development would be required to provide 163sqm of children's

play space. Revised plans have been submitted to show 30sqm of play space within the communal amenity area, which goes part way to meet this requirement. However a shortfall of 133sqm is recognised, which would require a financial contribution of £20,143.40 and will be secured by Section 106 agreement. This would go towards creating new pocket green park space within Hatcham Road and Ilderton Road area, as part of the OKRAAP masterplan.

111. Further design details of the proposed play space within the scheme will be secured by condition.

#### Public Open Space

112. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 240sqm of public open space for the scheme, but given the small area of the site and the development essentially occupying the whole area of the site, there is limited space available to provide public open space.
113. The applicant has agreed to make the contribution of £49,200 based on the 48 dwellings proposed (at a cost of £205 per sqm as set out in the AAP) and can be secured by the legal agreement.

#### Noise

114. The site is located within the SPIL, and the proposed residential units would adjoin existing commercial units to the north and south, although these sites may come forward with similar mixed schemes. The site to the south has already got resolution to grant planning permission for mixed commercial and housing subject to completion of the s106 agreement. The railway line and associated arches is located immediately to the east of the site. A noise impact assessment has therefore 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 (EPT) and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers. Mitigation measures such as alternative ventilation for all habitable rooms and higher than standard specification glazing have been recommended by the applicants.

#### Conclusion on quality of accommodation

115. The proposed development would provide well lit quality homes that meet the space requirements of the Residential Design Standards SPD. The units would have access to private amenity and communal amenity space and where this is not achieved a contribution is provided to offset the shortfall. Whilst a small number of the units would be single aspect, these are the studios and one bedroom units that overlook Ilderton Road, which would not have any obstructions and have a good outlook. Mitigation measures are proposed to ensure noise impacts from surrounding uses and the railway are limited. The quality of residential accommodation proposed would be high and would justify the high density of the scheme.

### **Impact of proposed development on amenity of adjoining occupiers and surrounding area**

116. 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 Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

#### Daylight and Sunlight impact to existing residential units

117. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing residential properties. The assessment utilised the following methodologies.

#### 25 degree line

118. To determine whether a neighbouring existing building may be adversely affected, the initial test provided by the BRE is to establish if any part of the proposal subtends an angle of more than 25° from the lowest window serving the existing building. If this is the case then there may be an adverse effect and a more detailed assessment involving the Vertical Sky Component of the affected window would need to be carried out.

#### Vertical Sky Component (VSC)

119. VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

#### Annual Probable Sunlight Hours (APSH)

120. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that *'...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun'*. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are

applied to overall room based figures.

Overshadowing, sunlight to amenity spaces

121. Open spaces should retain a reasonable amount of sunlight throughout the year. The BRE states that for an amenity space to “appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21 March”. Where this is not achieved, the difference between the area achieving 2 hours of sun on 21 March should be no less than 0.8 times its former value.
122. The neighbouring residential units that have the potential to be impacted in terms of daylight and sunlight are located at:
  - Tustin Estate
  - Manor Grove
  - Canterbury Industrial Estate
  - 313-349 Ilderton Road
123. It should be noted that the applicant has carried out an impact assessment based on speculative future developments at both the Canterbury industrial estate site and the development proposed at 313-349 Ilderton Road. The current uses on the two sites are commercial/industrial and therefore would not normally be required to be tested. The applicant has taken a cautious approach by including future residential developments on these two sites. As the development on the Canterbury Estate is currently only a speculative development the hypothetical massing and window sensor locations have been mirrored from 301 – 303 Ilderton Road. Officers consider this to be an appropriate approach given that the OKR AAP notes that taller buildings could be accommodated on the east side of Ilderton Road.
124. The applicant has not carried out an assessment on the social club to the east of the site as this is behind the railway embankment. Furthermore this is not in residential use and is also separated by an existing car park.
125. The figure below illustrates the location of these existing residential properties that have been assessed:

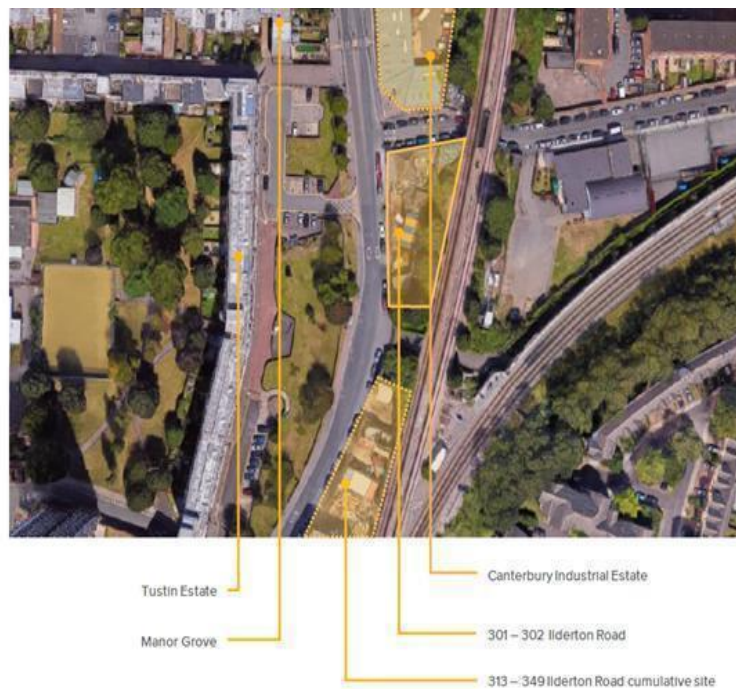


Figure 1: Site location and neighbouring buildings assessed.

### Tustin Estate

126. This building is located to the west of the proposed development.

### Daylight

127. A total of 96 windows were assessed at Tustin Estate. Of these 96 windows, 16 are seen to pass the 25-degree line test, and the remaining 80 windows attain a VSC of 27% or more.

### Sunlight

128. None of the habitable windows in the Tustin Estate building fronting the site face within 90 degrees of due south and therefore not applicable in this instance.

### Manor Grove

129. This building is located to the north-west of the application site.

### Daylight

130. The results show that a total of 16 windows from Manor Grove were assessed for daylight access. Whilst none of the windows passed the initial 25-degree line test, all 16 windows are seen to obtain an absolute VSC of 27% or greater.

### Sunlight

131. Again, no windows face within 90 degrees due south and therefore sunlight is not an

issue.

### Canterbury Industrial Estate

#### Daylight

132. A total of 11 windows from the speculative development were assessed in terms of daylight access.
133. Of these windows, 1 will pass the initial 25-degree line test, 2 are seen to be able to achieve an absolute VSC of at least 27% or more, and 1 window is seen to be able to obtain a relative VSC of at least 0.8 of the existing value.
134. While proportional reductions in VSC for the remaining 7 windows are between and 0.55 (45%) and 0.75 (25%), which is in excess of BRE guidance, retained values remain very good, particularly so for an urban location. All windows will retain VSC values in excess of 20%. In this instance it is recognised that there would be a degree of harm to the daylight amenity of residents, but this harm would be minor and acceptable in an urban location.

#### Sunlight

135. A total of 11 windows were highlighted as facing the development and within 90 degrees of due south. The analysis indicated that of the 11 windows included in the analysis, 1 passed the initial 25-degree line test and 10 windows satisfied the BRE criteria for annual probable sunlight hours (APSH) and winter probable sunlight hours (WPSH). The properties will continue to receive very good sunlight amenity after development.

### 313-349 Ilderton Road

136. This site is to the south and has been given resolution to grant planning permission by the Planning Committee in November 2018.

#### Daylight

137. A total of 22 windows from the proposed development were assessed and 14 passed the initial 25-degree line test and 4 would achieve an absolute VSC of at least 27% or more. The other 4 windows that had less than 27% VSC would have a reduction of not less than 0.8 its former value and therefore any loss would not be noticeable.

#### Sunlight

138. Again, no windows face within 90 degrees due south and therefore sunlight is not an issue.
139. There are no amenity spaces in close proximity to and to the north of the development and therefore an overshadowing assessment was not deemed necessary.

### Conclusion on daylight and sunlight impacts to existing residential units

140. The only noticeable reductions seen would be to the 7 windows in the emerging development at 313-349 Ilderton Road, but as discussed above the retained VSC values are appropriate for such an urban location. Noticeable should not be equated with unacceptable. Overall, the impacts on daylight and sunlight to neighbouring buildings are limited.

### Overlooking

141. In order to prevent harmful overlooking, the Residential Design Standards SPD requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear. These distances are all met in terms of the impact of the proposal on adjacent buildings. As such, it is not considered that the proposed development would result in significant loss of privacy.

### Outlook

142. It is considered that the proposed development will provide an improved outlook for nearby residential properties as the scheme would place a site that does not enhance the street townscape and is partly in a poor condition. The proposed development is of sufficient distance from neighbouring residential properties and would therefore not impact on their outlook or appear overbearing.

### Air Quality

143. 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.
144. The Council's Environmental Protection Team (EPT) has reviewed the submission and had requested that the submitted air quality neutral assessment including for transport emissions should also show the building emissions. This has been submitted and EPT is satisfied with the results.

### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

145. The proposed non-residential floorspace would be likely to be more compatible with residential uses than the existing uses. The noise transmission would be controlled by planning conditions, as recommended by the Council's EPT. Overall it is not considered that any of the uses proposed would result in any significant loss of amenity to neighbouring residential occupiers, nor would they hinder the operation of the neighbouring industrial and warehousing units.

### **Transport issues**

146. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that



the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards.

#### Accessibility

147. The site has a PTAL (public transport accessibility level) of 4 (moderate) and is not located in a controlled parking zone (CPZ). There are two bus stops within the vicinity of the site. Old Kent Road forms a signalised junction with Ilderton Road approximately 200m to the south of the site and providing access to further bus services.
148. In recognition of the increased pedestrian activity resulting from the development, pavements in front of the site, on Ilderton Road, will be widened. Ground floor entrances to both the residential and commercial areas have been set back by a metre, in order to create a more generous approach to the residential lobby and commercial units.
149. The removal of much of the business related traffic and illegal parking in the area will improve road safety. The trip generation of vehicles of the proposed development would in fact be reduced compared to the existing uses on site. It is not considered that the proposed development would impact on the local highway network in terms of trip generation.
150. The London Borough of Lewisham has however made a comment that there should be assurances that the route along Hornshay Street to the park at Bridgehouse Meadow will be suitably safe for the increased number of pedestrians and cyclists using this route. Officers acknowledge this, but consider that the number of trips would not be that significant. In any case, as stated below, highways infrastructure improvements would be covered under CIL.
151. As a borough the Council agrees with TfL that bus services will need to be increased in the area ahead of the BLE to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has been spent appropriately and the evidence for the further draw is the fairest way this could be managed. The proposal is that there is a maximum cap for TfL to call on which is £2,700 per unit. This will be able to be requested in stages between 3 - 5 years and will be secured by S106.
152. Highways and transport infrastructure requirements are covered under CIL and the public highway improvements in the OKR Action Area would be delivered from a combination of land gain, s278 and CIL.

#### Servicing

153. The residential refuse collections associated will take place from Ilderton Road.
154. A servicing bay has been provided accessed from Hornshay Road and tracking drawings were provided to demonstrate the appropriate sized vehicles can reverse in and exit in forward gear. As stated above, the proposal had included the possible

introduction of loading bays on Ilderton Road and TfL has raised concerns with the reduction of the carriageway.

155. However, following discussions with the applicant and the Council's own Transport team, the widening of the footway has now been omitted from the scheme. The carriageway is no longer reduced. The loading bay originally proposed by the applicant has been removed. It is acknowledged by both the Transport Planning team and the Council's Highways management team that the exact location of any loading bay could be agreed within the S278 agreement. The S278 works will identify possible locations for a loading bay. The site backs onto a network rail access which is rarely used which contains sufficient space for loading off the main carriageway.
156. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the Council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 5000 sqm of non-residential floor-space. 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.
157. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or better 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. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond in this instance would be £4,900.00 based on the 48 residential units and 431sqm of non residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement.

#### Car parking

158. The site is not located in a designated Controlled Parking Zone and there are large sections of unrestricted on-street parking available on Hornshay Street and Ilderton Road in the immediate vicinity of the site. The western side of Ilderton Road and the northern side of Hornshay Road are subject to double yellow line restrictions.
159. The proposal is car free and does not include any wheelchair units and therefore is not required to provide off street disabled parking. A condition would also ensure that no future residents or occupiers of the proposed development could obtain resident parking permits for any future CPZ.

### Cycle parking

160. A total of 92 cycle parking spaces would be provided on-site, comprising 80 spaces at basement level and 12 short-term spaces at ground floor level within lockable cycle stores. The ground floor store would be shared between commercial and residential visitors which would normally need to be separated.
161. TfL has raised some concerns that the cycle stands may not easily be used by all users. However, Officers consider that conditions securing further details of cycle storage plus the provision of Brompton style cycle hire lockers equivalent to 1 locker per 10% of residential units (10% of which a EV lockers) would be sufficient. The Brompton Lockers offer a flexible cycle hire option to the residents and workers in the development which is mitigation for both cycle parking levels and TfL's request for cycle hire docking station.

### Construction management

162. The submission of a Construction Management Plan would be secured by condition and to be approved by the Council prior to implementation of the development.

### **Design issues**

163. Strategic Policy 12 of the Southwark Core Strategy 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.
164. 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.
165. Although the proposal is considered a tall building, it is not considered that this proposal would result in any harm to designated London wide or local protected views, including the Protected Vista of 2A.1 of the London View Management Framework, which protects views from Parliament Hill Summit to St. Paul's Cathedral. This is demonstrated in their townscape and visual impact assessment and the additional wireframe visualisations.

### Height, Scale and Massing

166. Policy 7.7 of the 2016 London Plan, 'Location and Design of Tall and Large Buildings', states that tall buildings should be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. Furthermore, London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration

objectives. Annexe 1 of the 2016 London Plan sets out the specific requirements for the Old Kent Road Opportunity Area, identifying it as having significant potential for residential-led redevelopment. As such, it is considered that the Old Kent Road Opportunity Area is, in principle, an acceptable location for tall buildings which optimise housing delivery and regeneration benefits.

167. Due to the requirement to provide a full height commercial floor on the first floor level, the building has been revised and increased by 1 metre. The proposed development takes the form of a single block stepping from 13 storeys on the southern end of the site up to 14 storeys (max 49.3m AOD) to the north on the junction with Hornshay Street. This stepping up is considered appropriate on this junction. It sits below the towers of the Tustin Estate, as stipulated in the AAP. Furthermore, the development immediately to the south of the proposal, at 313-349, is between 11 to 15 storeys high, thus creating a consistent massing height from the site to the Tustin Estate. The form and massing approach is broadly supported by the GLA.
168. It is also noted that the site to the north on Canterbury Industrial Estate is likely to be developed in the future, which may either be of similar height to that proposed in this scheme or potentially taller given the greater size of that site.

#### Site layout

169. The development is a single block, optimising the whole of the site area. The ground floor layout would have main entrances from the Ilderton Road frontage, but would also have active frontage on Hornshay Street with the full double height commercial glazed facade.
170. The eastern side of the ground floor would face the railway embankment and as such is mainly used as the location of servicing for the commercial element. This would be away from the residential entrance on Ilderton Road and is supported.
171. Ground floor entrances to both the residential and commercial areas have been set back by a metre, in order to create a more generous approach to the residential lobby and commercial units.

#### Architectural Design and Materiality

172. The proposed scheme has introduced a design that seeks to reference the historic industrial use of the area. Brick and metal were the materials that were originally proposed with the submission.
173. Officers were originally concerned with the proportion of the building and the response to the Tustin Estate and emerging schemes coming forward to the south. There was a desire to see more verticality in the scheme. Concerns were also raised with the elevations needing to provide more visual interest particularly to the eastern elevation facing the railway line and that comprised a series of metal panels set within brick frames.
174. Following discussions with the applicant, the proposed metal panels would now be replaced with recessed brick panels. These infill panels would be cut bricks laid in dogtooth pattern, The bricks are laid diagonally, in alternating rows with projecting

corners. It is considered that this detailing would be more appropriate for the building proposed, adding articulation and interest to the elevation on all floors. The predominant use of masonry for the whole building is considered acceptable in this location, given the existing context. The emerging scheme to the south is also proposing the use of brick as the predominant material.

175. There are a number of window types proposed and whilst the eastern and western elevations contain the majority of the smaller windows, these are full height and have sufficient window reveals. These punctuating the facade would create shadows and greater articulation in the elevation.
176. In terms of establishing a hierarchy of fenestration, based on use, the smaller window type is the typical one used throughout the building, but there are three other window types of varying widths, relating to room use and the size of the units.
177. In order to create a greater sense of verticality to the elevations, the architects have made some changes. Primary vertical elements have been identified and emphasised in the east and west elevations of the building. The step in the balconies of the west elevation has been removed and the balconies aligned to create a clearly defined primary vertical element on the facade. This in turn would visually split the facade into two distinct elements. Secondary vertical elements have been created throughout the rest of the facades by ensuring a series of rhythmically spaced reserved vertical zones, where the brick runs continuously from the top to the bottom of the building.
178. In order to modulate the height at the top of the building, the logic of splitting the facade using a primary vertical element is pursued in the treatment of the building's crown. This emphasises the distinction between the facade's elements as well as reducing the elevation's aspect ratio.
179. The same approach is achieved on the east elevation where the primary vertical element (in this case the lift and stair core) is emphasised with a slight recess and provides that articulation and depth to the building. This elevation is also important as it is clearly visible from afar and along the railway line.
180. The vertical zone on the western facade continues to the ground floor and aligns with the residential entrance on Ilderton Road. This would increase the legibility of the entrance as it becomes a part of the primary vertical element.
181. Within this simple articulation, the building would have a clear, but subtly differentiated hierarchy of 'base', 'middle' and 'top'. This proposed articulation ensures comfortable proportions and a clear articulation of the mix of uses proposed.
182. The 'base' of the building that includes the ground and first floors is defined by the high floor to floor ceiling heights. This splits the change in function from commercial use to residential uses above and creates a legible commercial frontage with opportunities for signage and activity along the length of the building.
183. Further details on the bricks and external materials and windows could be secured by condition.

### Public realm

184. The proposed building is proposed up to the existing site boundary and the footway on Ilderton Road was proposed to be widened along with tree planting. However, following discussions with the applicant and Transport officers, the footway is re-established to the existing line so the carriageway would not be reduced in width. The precise width of the foot way and the location of any loading bay could be agreed via the S278 process. Doors to the development on the ground floor are also now shown to open inwards. It is acknowledged that the existing condition of Ilderton Road and surrounding streets present a generally poor environment for walking and cycling. The proposals here would provide an improvement to the public realm.

### Conclusion on design

185. The building would be of an appropriate height and scale, with limited harm to protected views and accordingly considered acceptable. The revisions received satisfy Officer's original concerns. The design quality, and use of brick would ensure that a high quality of finish would be achieved. Conditions are recommended in relation to detailed design and material samples.

### **Impact on trees**

186. Saved policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals.
187. The adjacent railway embankment trees can be appropriately pruned as proposed without loss of amenity. Three new trees were proposed to be planted on the new footway, but this would not be feasible due to the restricted width of the footway and is now shown to be removed from the plan drawings. The applicant has agreed however, to pay a contribution of £3000 per tree for planting elsewhere in the OKR AA.

### **Planning obligations (S.106 undertaking or agreement)**

188. Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the recently adopted Section 106 Planning Obligations 2015 SPD, which sets out in detail the type of development that qualifies for planning obligations. Strategic Policy 14 'Implementation and delivery' of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The NPPF which echoes the Community Infrastructure Levy Regulation 122 requires obligations be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

189. The application would be supported by the following s106 obligations:

Archaeology: £3,389

Affordable housing monitoring: £6,352

Carbon Offset – Green Fund: £76,140

Delivery and service bond: £4,900

Public open space: £49,200

Trees if not planted: 3,000 per tree (3 No. trees) totalling £9,000

Transport for London Buses: £31,584

Contribution in lieu of Wheelchair accessible housing: £130,000

Contribution in lieu of private / communal amenity space: £11,625.55

Child play space shortfall: £20,143.40

Section 106 admin charge at 2% of total

190. In addition to the financial contributions set out above, the following other provisions would be secured:

- Affordable housing provisions
- Appointment of workspace co-ordinator
- Affordable workspace – 10% of floorspace at 45sqm
- Terms for the affordable workspace – £12 per sq ft, over a 15 year period
- Jobs, skills and training during construction period (including fall-back financial contribution if targets not met);
- Jobs, skills and training once the proposed development is operational (including fall-back financial contribution if targets not met);
- Highway works – s278 for repaving the footways, remove existing speed humps, highway works including constructing a raised entry table, dropped kerb construction to accommodate refuse collection, amend Traffic Regulation Orders to amend parking arrangements, construct edgings around proposed trees and upgrading of street lighting
- Brompton lockers (10% of units)
- Car club membership for 3 years
- Parking permits exclusion zone for future occupants
- Connection to a future district heating system

191. In the event that an agreement has not been completed by 17<sup>th</sup> September 2019, the Committee is asked to authorise the Director of Planning to refuse permission, if appropriate, for the following reason:

*In the absence of a signed S106 legal agreement there is no mechanism in place to secure adequate provision of affordable housing and mitigation against the adverse impacts of the development through contributions and it would therefore be contrary to 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 (2015) and the Southwark Section 106 Planning*

*Obligations and Community Infrastructure Levy SPD (2015).*

Mayoral and Southwark Community Infrastructure Levy (CIL)

192. 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.
193. In this instance an approximate Mayoral CIL payment of £262,020.00 and an approximate Southwark CIL payment of £897,554.57 would be required. These are pre-social housing relief figures and accordingly would be reduced when the CIL Social Housing Relief claim is submitted after the grant of planning permission.

**Sustainable development implications**

194. 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. Energy statements should demonstrate how the zero carbon target for residential developments will be met, with at least a 35% on-site reduction beyond Part L 2013 and proposals for making up the shortfall to achieve zero carbon, where required. It should also demonstrate at least a 35% on-site reduction beyond Part L 2013 for non-residential development. An Energy statement and Sustainability Assessment based on the Mayor’s hierarchy have been submitted.

Be lean (use less energy)

195. Energy efficiency measures include a range of passive and active measures such as levels of insulation beyond Building Regulation requirements, low air tightness levels, efficient lighting as well as energy saving controls for space conditioning and lighting. The regulated carbon saving achieved in this step of the Energy Hierarchy is 11.2% over the site wide baseline level.

Be clean (supply energy efficiently)

196. The applicant would not be providing a communal CHP network as it was found not viable for this scale of development and the proposed system for space heating and hot water is communal gas boilers.
197. The site is located within an area where there are plans for the delivery of a district heating network, referred to as “SELCHP” energy system. The GLA has highlighted that connection to the network should be prioritised and evidence of correspondence with the network operator should be provided. Further consideration of a centralised heat pump system should also be undertaken as a back-up plan. However, following further discussions with the GLA, it is accepted that it may not be reasonable or



technically and financially viable to require the installation of alternative low carbon plant once development is completed and occupied.

198. The applicant has committed to connect to SELCHP and it is standard that major developments in parts of the Council would be future-proofed for connection to a future district heating system which would be secured through the S106 agreement.

#### Be green (low or carbon zero energy)

199. A range of low or zero carbon technologies was considered and photovoltaics (PVs) and air source heat pumps were found as suitable technologies for the development. The regulated carbon saving achieved in this step of the Energy Hierarchy is 12.8% over the site wide baseline level. This would not meet the 20% target for Strategic Policy 13 of the Core Strategy, but it is noted that the development is constrained by its small narrow footprint in what can be achieved. The roof area provides communal amenity space and a small children's play area which means utilising the whole roof would not be feasible.
200. Overall, the proposed measures would result in an overall reduction in carbon dioxide emissions when compared to a scheme compliant with the building regulations. Effort has been made to maximise savings at each step of the Energy Hierarchy as far as technically and financially feasible.
201. For the residential element, a 21.9% carbon reduction would be achieved falling short of the minimum 35% requirements (against Part L of the Building Regulations 2013) as set out in policy 5.2 of the London Plan. For the commercial element, a 38.7% reduction in carbon emissions would be achieved. The total savings across the whole site would be 24.0%, amounting to a 42.3 tonne shortfall.
202. In light of the above, contribution towards the council's carbon offset fund would be required. The applicant has agreed to make the contribution of £76,140 to the carbon off set fund which would therefore make this aspect of the scheme fully policy compliant.

#### BREEAM

203. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken which demonstrates that a "Very Good" standard can be achieved. This does not meet the required "Excellent" standard that is required for the commercial element. A pre-fit condition for the commercial workspace to secure an 'Excellent' standard is therefore recommended.

#### Ecology

204. The site in its current condition is of little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.
205. The site adjoins a Site of Importance for Nature Conservation (SINC) designated by Lewisham Borough Council. Whilst a full ecological assessment is not required, a preliminary bat roost inspection survey of the site was carried out given that it adjoins

a borough grade SINC.

206. The Council's Ecology Officer has considered the findings and concluded that it was acceptable and no further surveys were required.
207. The Ecology Officer has recommended that a 'green edge' adjacent to the SINC boundary be provided, which would essentially be a buffer between the development and the SINC. A green wall would be considered sufficient and a condition is recommended to secure details. The Ecology Officer has also recommended a condition to secure a biodiverse roof which could be installed under the proposed PV panels to optimise their performance.

### **Other matters**

#### Flood Risk and Water Resources

208. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences. The Environment Agency (EA) confirms that their most recent flood modelling (December 2017) shows that the site is not at risk if there was to be a breach in the defences. Therefore, the EA consider that the development will be at low risk of flooding.
209. Although the EA states that an FRA has not been submitted as part of the application, but one has indeed been submitted. The EA has therefore not reviewed any FRA on this site but took a pragmatic approach and do not object to this application.
210. The Council's Flood and Drainage Team has also reviewed the application and notes that developments should seek to limit surface water discharges to the estimated greenfield runoff rate where practical, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan. Given that the estimated greenfield runoff rate for this site is relatively low (0.1 to 0.3 l/s), the team are happy to accept the proposed runoff rate of 2.5 l/s. Therefore, no objections are raised to the proposed surface water strategy. As the strategy is indicative only detailed design should aim to achieve the proposed runoff rates and attenuation volume.

#### Archaeology

211. The site is within the 'Bermondsey Lake' Archaeological Priority Zone (APZ) 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.
212. An archaeological desk-based assessment has been submitted with the application, which has been reviewed by the council's archaeologist. Whilst the Council's archaeologist did not concur with the conclusion of the assessment, it was acknowledged that the precautionary principle should be applied and there is sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission - provided that conditions are applied to any consent securing a programme of archaeological evaluation, mitigation and reporting.

### Contamination

213. The applicant has submitted a site investigation report. The Council's EPT has reviewed this and has recommended a condition to secure an intrusive site investigation and associated risk assessment to be completed to fully characterise the nature and extent of any contamination on the site along with any remediation strategy.

### **Conclusion on planning issues**

214. The proposed development would result in the introduction of residential uses into the SIL and would therefore represent a departure from the adopted development plan. However, the adopted London Plan clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing. In advance of emerging policy being adopted, and SIL being formally released, this proposal must be weighed against the wider regeneration benefits of the scheme.
215. The proposed development would potentially increase the numbers of jobs on the site and deliver new housing, including a policy compliant level of affordable housing in terms of habitable rooms. Affordable workspace has also been proposed. Recognising the changing character and uses carried out in the immediate area, it is not felt that any harm to existing businesses would arise by the introduction of housing. In light of this it is considered that the principle of the proposed development should be supported in this instance.
216. The proposal would deliver a good standard of accommodation and would address the majority of standards as set out in the residential design standards.
217. The potential impacts identified are not considered to be significant to adversely impact on neighbouring residents. The existing residents would have adequate outlook, privacy and access to daylight and sunlight.
218. The building height proposed would represent a step change in the existing scale of the area, but as an Opportunity Area site, it is considered that the height proposed would be in accordance with the objectives of the London Plan (2016), in that it would optimise the development potential of the site without harming the character of the surrounding area. The design and materiality is considered to respond well to the existing character and surrounding context.
219. It is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement under the terms as set out above, and referral to the Mayor of London.

### **Consultations**

220. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

### **Consultation replies**

221. Details of consultation responses received are set out in Appendix 2.

#### Summary of public consultation responses

222. At the time of writing, a total of 3 No. consultation responses have been received from members of the public.
223. One of them is against the proposed development, one is in favour and one make comments but neither object nor support the proposals. These have been summarised above.

#### Summary of responses from external and statutory consultees

### **GLA**

224. The GLA's Stage 1 response considers that the application does not comply with the London Plan and draft new London Plan. The reasons for this, along with Officer responses, are set out below.

#### Comment

225. The provision of residential units on this protected industrial site in the Old Kent Road Opportunity Area is not currently supported, in line with London Plan Policies 2.17 and 4.4 and draft London Plan Policy E5. The GLA confirms that non SIL uses within SIL should be refused unless there has been a strategically co-ordinated process of SIL consolidation carried through a Development Plan document review process.

#### Officer Response

226. The GLA and the Council have now agreed an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area. As noted in the main section of the report the GLA and the Council have worked closely to address these concerns and have agree a potential geography and phasing of SIL release. 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 EiP and approval of the Secretary of State 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.

#### Comment

227. The GLA note that the proposed development as originally proposed with the mezzanine level would not provide the full replacement light industrial floorspace. It is also lower than its potential industrial capacity. As such, the quantum of industrial floorspace would not accord with draft London Plan Policy E7.

Officer Response:

228. The applicant has since provided a full first floor level with floor to ceiling heights of 4m at both ground and first floor level. This would in effect provide 449sqm of employment floorspace that would be accommodation on two full height floors. This overcomes the GLA concerns and the proposal would re-provide the employment space.

Comment

229. The proposed affordable housing offer at 35% by habitable room, does not meet the GLA's 50% threshold for the Fast Track Route for applications on industrial land and where there is a net loss of employment floorspace; therefore, a financial viability assessment must be provided. The threshold on SIL would be 35% otherwise.

Officer Response:

230. The applicant has now re-provided the employment floorspace and therefore the threshold is 35%. The proposed offer of 36% affordable housing by habitable rooms is considered policy compliant. The Council requires full viability assessment in line with its adopted Development Viability SPD (2016). This has been submitted and reviewed independently on behalf of the council by BPS. BPS has concluded that the scheme is providing the maximum level of affordable housing.

Comment

231. The GLA has made comments on the social rent units rent levels being let at London Affordable Rent.

Officers Response:

232. The details of the affordable housing offer are set out in the submitted Viability Assessment and the Applicant has confirmed that rent levels would not exceed the rent levels set out by the Council for affordable housing.

Comment

233. A total of 165sqm of on-site children playspace is required for this scheme based on the expected child yield. However, no on-site playspace is proposed and suggested that the applicant should consider providing playspace/play elements for the Under 5s within the rooftop amenity space.

Officers Response:

234. The applicant has submitted amended plans to show the provision of door step play equipment on the communal roof amenity space. This is approximately 30sqm, but it is agreed that a s106 financial contribution would secure the shortfall to improve play space elsewhere in the surrounding area.

Comment

235. The GLA notes that the residential density of the proposed development is 2,425 HR/Ha, which exceeds the guidance ranges in the London Plan and the thresholds for increased scrutiny of design quality. However, given the location of the site within the Opportunity Area, the increased density could be supported, but a management plan detailing day-to-day servicing and delivery arrangements and long term maintenance implications be secured by condition.

Officer Response:

236. This is noted and conditions are recommended.

Comment

237. The GLA raises concerns over the proposed widening of the footway. Whilst the aspiration is welcomed, it would narrow the footway significantly and preclude other street improvements and prevent safe two-way operation of buses and HGVs. Some of the doors also open onto the footway, which would be further narrowed by an inset loading bay and would not meet the Mayor's Healthy Streets objectives.

Officers Response

238. The applicant has since removed the loading bay on their ground floor plan and showing the doors opening inwards. As discussed above, the plans have been amended to show the footway returned to its original position and the carriageway would therefore not be reduced in width. The location of any future loading bay could be determined and agreed via the 278 agreement.

Comment

239. The GLA notes that the balconies to the studio units do not comply with the private amenity space standards set out in the Mayor's Housing SPG and considers it could be extended outwards to be flushed with the building line or through rearrangement of the circulation space.

Officers Response:

240. The plans indicate minimum balcony areas of 3.1sqm and are already flushed with the building line.

Comment

241. The GLA highlights that the site falls within the extended background of Protected Vista 2A.1, which protects views from Parliament Hill Summit to St Paul's Cathedral and has not been included in the applicant's townscape and visual impact assessment.

Officers Response:

242. Since the above comment, the applicant has provided visualisations of the scheme

demonstrating its limited impact and has been forwarded to the GLA.

Comment

243. No M4(3) 'wheelchair user dwellings' are proposed and whilst the applicant contends the site's awkward shape and layout prevents the provision of these units, the GLA considers alternative design options be explored to ensure that the scheme fully complies in meeting the London Plan Policy 3.8 and draft London Plan Policy D5.

Officers Response:

244. The applicant has explored options to provide the wheelchair user dwellings by looking at converting the larger 1-bed flat (Type P4) into a M4(3) accessible flat as part of the latest revisions. Unfortunately, the inclusion within the scheme has not been possible. Other options explored would mean reducing the number of three bed units to around 10% of the total mix, which is well below that required by policy. In this instance, the best approach would be to make a financial contribution towards off-site provision for wheelchair flats, in favour of getting as close as possible to the policy's 20% requirement for 3 bed flats.

Comment

245. The GLA has made various comments on the energy statement. The GLA notes that the carbon savings for the domestic element of the development would not meet the targets (the non-domestic element is compliant). The applicant should explore additional measures aimed at achieving further carbon reductions, including maximising the use of PV panels. Further revisions and information relating to cooling and overheating, the ASHP, district heating and energy demand are required.

Officers Response:

246. Since the initial comments, ongoing discussions have been made between the GLA and the applicant. Some points have been accepted and there is commitment to connect to SELCHP.

Comment

247. The GLA did comment that the submitted FRA would not comply with London Plan policies as it does not give appropriate regard to residual flood risks and the need for resilience and emergency planning measures. Other surface water drainage measures should also be reconsidered.

Officers Response:

248. The applicant responded with a note and confirms that the FRA considers these risks. Risks from all sources of flooding have been evaluated within the report. Possible opportunities for flood resilience and emergency planning measures are also indicated. The applicant has also pointed out the maintenance and management of the proposed permeable paving. The GLA has since reviewed this and no objections have been raised.

### **Transport for London (TfL)**

249. A comment relating to the widening of the footway is repeated in the GLA's formal response above.

#### Comment

250. No pedestrian environment reviews has been undertaken and recommends such an audit plus funding toward any deficiencies be secured. Funding for Legible London wayfinding should also be secured.

#### Officers Response:

251. In respect to pedestrian and cycling audit, the Council currently have sufficient evidence of walking and cycling in the area and therefore this development was not requested to do this piece of work.

#### Comment

252. The majority of the cycle parking is provided in the basement on two-tier racks and are not suitable for all users. Expect to see a good proportion to be provided on Sheffield stands. The ground floor does not provide sufficient cycle parking provision. No audit of cycling infrastructure is provided in support of the application. It is recommended that such an audit, and funding toward any deficiencies highlighted, is secured by the Council. Funding towards a cycle hire docking station should also be sought.

#### Officers Response:

253. As discussed in the main section of the report, conditions securing details of cycle parking and Brompton cycle hire lockers are recommended.

#### Comment

254. The proposal for a car-free development is welcomed, but this will only be effective with the introduction of a controlled parking zone to which new residents will be made ineligible. It is therefore essential that the Council secure funding for this. There is inadequate provision of accessible parking space.

#### Officers Response:

255. Condition to restrict residents obtaining parking permits in any new CPZ is recommended and is considered sufficient in this instance.

#### Comment

256. The first phase of development on the Old Kent Road Opportunity Area must be accompanied by public transport improvements in the form of increased bus services. It would be necessary for this sum to be secured through a Section 106 agreement, but it can be paid in stages over five years. The first phase of development of the OA requires significant improvements to the environment for walking and cycling in order to support those modes. TfL has been developing a "Healthy Streets" scheme for



Old Kent Road. While at an early stage, an emerging scheme offers bus priority, walking and cycling improvements. TfL expects a share of that to be funded by the Council. Contributions towards local road bus priority improvements are also sought (bus operational infrastructure and minor station improvements) payable either through a Section 106 agreement or the Council's CIL subject to a funding agreement. TfL would expect the Council to identify and secure funding for pedestrian and cyclist improvements on local roads.

Officers Response:

257. In respect to the request for contributions to the bus services Officers have identified an agreed contribution. Major infrastructure improvements are to be delivered through CIL.

Comment

258. The travel plan does not contain any mode share targets and the measures to support sustainable and active travel modes are particularly poor. A revised Travel Plan could be secured by condition.

Officers Response:

259. Southwark Transport Planning Officers no longer require Travel Plans. The proposed Delivery Service Plan (DSP) bond is considered a more robust approach.

**London borough of Lewisham**

260. No objection in principle to development or the height of the building. The intensified land-use as proposed is in principle supportable in this context and would not impact on residents' amenity. However, would like condition securing high quality materials. A construction management plan should be secured via condition.
261. There is concern that the proposal may result in cumulative adverse impacts with respect to on-street parking supply in the area, which appears to be particularly stressed along Hornshay Street which is narrow. It is noted that the Transport Statement prepared by RGP dated August 2018 implies this will be a car-free development. This is welcome and should be secured by conditions of any planning permission and through an accompanying section 106 agreement. Impacts of the proposal on bus capacity should also be considered.
262. The additional cycle and pedestrian traffic to be generated and likely travelling towards and using the park at Bridgehouse Meadow, approximately 220m north-east of the site along Hornshay Street is a concern. It is recommended that the section 106 agreement presumed to accompany any planning permission granted for the scheme should secure a degree of highway improvements along Hornshay Street towards Bridgehouse Meadow to make passage along Hornshay Street towards Bridgehouse Meadow safer.

**Environment Agency**

263. No objection subject to conditions.

**Natural England**

264. No comments to make.

**London Underground Infrastructure Protection**

265. No comments to make

**Metropolitan Police Designing Out Crime officer**

266. This development is suitable to achieve Secured By Design accreditation and would seek to have a 'Secured by Design' condition for the whole development, attached to any permission that may be granted.

**Thames Water**

267. The proposed development is located within 15m of a strategic sewer and has recommended a condition on piling. No objections to the scheme.

**London Fire Brigade**

268. No comments on the specifics of this development.

**Community impact statement / Equalities Assessment**

269. 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.
270. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

271. The Council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
272. The Council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

### **Human rights implications**

273. 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.
274. This application has the legitimate aim of providing mixed commercial and residential development. 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.

### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/2327-301  Application file: 18/AP/2761  Southwark Local Development Framework and Development Plan Documents	Chief Executive's 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 5729 Council website: www.southwark.gov.uk

### **APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Wing Lau		
Version	Final		
Dated	07 June 2019		
Key Decision	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments included
Strategic Director of Finance & Governance		No	No
Strategic Director, Environment and Social Regeneration		No	No
Strategic Director of Housing and Modernisation		No	No
Director of Regeneration		No	No
Date final report sent to Constitutional / Community Council / Scrutiny Team			7 June 2019

**APPENDIX 1****Consultation undertaken****Site notice date:** 17/09/2018**Press notice date:** 20/09/2018**Case officer site visit date:** 17/09/2018**Neighbour consultation letters sent:** 14/09/2018**Internal services consulted:**

Ecology Officer

Economic Development Team

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

Flood and Drainage Team

HIGHWAY LICENSING

Highway Development Management

Housing Regeneration Initiatives

Waste Management

**Statutory and non-statutory organisations consulted:**

EDF Energy

Environment Agency

Greater London Authority

London Borough of Lewisham

London Fire &amp; Emergency Planning Authority

London Underground Limited

Metropolitan Police Service (Designing out Crime)

Natural England - London Region &amp; South East Region

Network Rail (Planning)

Thames Water - Development Planning

Transport for London (referable &amp; non-referable app notifications and pre-apps)

**Neighbour and local groups consulted:**

Flat 26 Leybourne House 19 Lovelinch Close SE15 1HL

Flat 79 Heversham House Tustin Estate SE15 1ES

Flat 78 Heversham House Tustin Estate SE15 1ES

Flat 77 Heversham House Tustin Estate SE15 1ES

Flat 82 Heversham House Tustin Estate SE15 1ES

Flat 81 Heversham House Tustin Estate SE15 1ES

Flat 80 Heversham House Tustin Estate SE15 1ES

Flat 76 Heversham House Tustin Estate SE15 1ES

Flat 72 Heversham House Tustin Estate SE15 1EN

Flat 71 Heversham House Tustin Estate SE15 1EN

Flat 70 Heversham House Tustin Estate SE15 1EN

Flat 75 Heversham House Tustin Estate SE15 1ES

Flat 74 Heversham House Tustin Estate SE15 1ES

Flat 42 Heversham House Tustin Estate SE15 1EL

65 Manor Grove London SE15 1EH

63 Manor Grove London SE15 1EH

61 Manor Grove London SE15 1EH

71 Manor Grove London SE15 1EH

69 Manor Grove London SE15 1EH

67 Manor Grove London SE15 1EH

59 Manor Grove London SE15 1EH

51 Manor Grove London SE15 1EH

49 Manor Grove London SE15 1EH

1 Hornshay Street London SE15 1HB

57 Manor Grove London SE15 1EH

55 Manor Grove London SE15 1EH

Flat 73 Heversham House Tustin Estate SE15 1ES  
 Flat 92 Heversham House Tustin Estate SE15 1ES  
 Flat 91 Heversham House Tustin Estate SE15 1ES  
 Flat 90 Heversham House Tustin Estate SE15 1ES  
 Flat 95 Heversham House Tustin Estate SE15 1ES  
 Flat 94 Heversham House Tustin Estate SE15 1ES  
 Flat 93 Heversham House Tustin Estate SE15 1ES  
 Flat 89 Heversham House Tustin Estate SE15 1ES  
 Flat 85 Heversham House Tustin Estate SE15 1ES  
 Flat 84 Heversham House Tustin Estate SE15 1ES  
 Flat 83 Heversham House Tustin Estate SE15 1ES  
 Flat 88 Heversham House Tustin Estate SE15 1ES  
 Flat 87 Heversham House Tustin Estate SE15 1ES  
 Flat 86 Heversham House Tustin Estate SE15 1ES  
 Flat 69 Heversham House Tustin Estate SE15 1EN  
 Flat 52 Heversham House Tustin Estate SE15 1EN  
 Flat 51 Heversham House Tustin Estate SE15 1EN  
 Flat 50 Heversham House Tustin Estate SE15 1EN  
 Flat 55 Heversham House Tustin Estate SE15 1EN  
 Flat 54 Heversham House Tustin Estate SE15 1EN  
  
 Flat 53 Heversham House Tustin Estate SE15 1EN  
 Flat 49 Heversham House Tustin Estate SE15 1EN  
 Flat 45 Heversham House Tustin Estate SE15 1EL  
 Flat 44 Heversham House Tustin Estate SE15 1EL  
 Flat 43 Heversham House Tustin Estate SE15 1EL  
 Flat 48 Heversham House Tustin Estate SE15 1EN  
 Flat 47 Heversham House Tustin Estate SE15 1EN  
 Flat 46 Heversham House Tustin Estate SE15 1EL  
 Flat 65 Heversham House Tustin Estate SE15 1EN  
 Flat 64 Heversham House Tustin Estate SE15 1EN  
 Flat 63 Heversham House Tustin Estate SE15 1EN  
 Flat 68 Heversham House Tustin Estate SE15 1EN  
 Flat 67 Heversham House Tustin Estate SE15 1EN  
 Flat 66 Heversham House Tustin Estate SE15 1EN  
 Flat 62 Heversham House Tustin Estate SE15 1EN  
 Flat 58 Heversham House Tustin Estate SE15 1EN  
 Flat 57 Heversham House Tustin Estate SE15 1EN  
 Flat 56 Heversham House Tustin Estate SE15 1EN  
 Flat 61 Heversham House Tustin Estate SE15 1EN  
 Flat 60 Heversham House Tustin Estate SE15 1EN  
 Flat 59 Heversham House Tustin Estate SE15 1EN  
 Flat 96 Heversham House Tustin Estate SE15 1ES  
 Unit 5 Canterbury Industrial Park SE15 1NP  
 Unit 4 Canterbury Industrial Park SE15 1NP  
 Unit 2 Canterbury Industrial Park SE15 1NP  
 Unit 1 Canterbury Industrial Park SE15 1NP  
 Unit 9 Canterbury Industrial Park SE15 1NP  
 Unit 12 Canterbury Industrial Park SE15 1NP  
 Flat 35 Kentmere House Tustin Estate SE15 1EG  
 Flat 34 Kentmere House Tustin Estate SE15 1EG  
 Flat 33 Kentmere House Tustin Estate SE15 1EG  
 Flat 38 Kentmere House Tustin Estate SE15 1EG  
 Flat 37 Kentmere House Tustin Estate SE15 1EG  
 Flat 36 Kentmere House Tustin Estate SE15 1EG  
 Iberia House Manor Grove SE15 1EQ  
 303 Ilderton Road London SE15 1NW  
 Unit 6 Canterbury Industrial Park SE15 1NP  
 Unit 13 Canterbury Industrial Park SE15 1NP  
 Unit 10 Canterbury Industrial Park SE15 1NP  
 Unit 3a Canterbury Industrial Park SE15 1NP  
 Unit 11 Canterbury Industrial Park SE15 1NP  
 Unit 8 Canterbury Industrial Park SE15 1NP  
 Flat 27 Kentmere House Tustin Estate SE15 1EG  
 Flat 5 Kentmere House Tustin Estate SE15 1EG  
 Flat 4 Kentmere House Tustin Estate SE15 1EG  
 Flat 3 Kentmere House Tustin Estate SE15 1EG  
 Flat 8 Kentmere House Tustin Estate SE15 1EG  
 Flat 7 Kentmere House Tustin Estate SE15 1EG  
 Flat 6 Kentmere House Tustin Estate SE15 1EG  
  
 53 Manor Grove London SE15 1EH  
 25 Manor Grove London SE15 1EQ  
 23 Manor Grove London SE15 1EQ  
 21 Manor Grove London SE15 1EQ  
 3 Manor Grove London SE15 1EQ  
 29 Manor Grove London SE15 1EQ  
 27 Manor Grove London SE15 1EQ  
 19 Manor Grove London SE15 1EQ  
 11 Manor Grove London SE15 1EQ  
 1 Manor Grove London SE15 1EQ  
 73 Manor Grove London SE15 1EH  
 17 Manor Grove London SE15 1EQ  
 15 Manor Grove London SE15 1EQ  
 13 Manor Grove London SE15 1EQ  
 Arch 57 Ilderton Road SE15 1NW  
 321-343 Ilderton Road London SE15 1NW  
 349 Ilderton Road London SE15 1NW  
 10 Manor Grove London SE15 1SX  
 2 Hornshay Street London SE15 1HB  
 Pilgrims Way Junior And Infant School Manor Grove SE15 1EF  
 8 Manor Grove London SE15 1SX  
 12 Manor Grove London SE15 1SX  
 6 Barnaby House Manor Grove SE15 1AN  
 5 Barnaby House Manor Grove SE15 1AN  
 4 Barnaby House Manor Grove SE15 1AN  
 9 Barnaby House Manor Grove SE15 1AN  
 8 Barnaby House Manor Grove SE15 1AN  
 7 Barnaby House Manor Grove SE15 1AN  
 3 Barnaby House Manor Grove SE15 1AN  
 Living Accommodation 224 Ilderton Road SE15 1NT  
 Unit 3b Canterbury Industrial Park SE15 1NW  
 313-320 Ilderton Road London SE15 1NW  
 2 Barnaby House Manor Grove SE15 1AN  
 1 Barnaby House Manor Grove SE15 1AN  
 31 Manor Grove London SE15 1EQ  
 Flat 25 Heversham House Tustin Estate SE15 1EL  
 Flat 24 Heversham House Tustin Estate SE15 1EL  
 Flat 23 Heversham House Tustin Estate SE15 1EL  
 Flat 28 Heversham House Tustin Estate SE15 1EL  
 Flat 27 Heversham House Tustin Estate SE15 1EL  
 Flat 26 Heversham House Tustin Estate SE15 1EL  
 Flat 22 Heversham House Tustin Estate SE15 1EL  
 Flat 7 Heversham House Tustin Estate SE15 1EJ  
 Flat 6 Heversham House Tustin Estate SE15 1EJ  
 Flat 5 Heversham House Tustin Estate SE15 1EJ  
 Flat 21 Heversham House Tustin Estate SE15 1EL  
 Flat 9 Heversham House Tustin Estate SE15 1EJ  
 Flat 8 Heversham House Tustin Estate SE15 1EJ  
 Flat 38 Heversham House Tustin Estate SE15 1EL  
 Flat 37 Heversham House Tustin Estate SE15 1EL  
 Flat 36 Heversham House Tustin Estate SE15 1EL  
 Flat 41 Heversham House Tustin Estate SE15 1EL  
 Flat 40 Heversham House Tustin Estate SE15 1EL  
 Flat 39 Heversham House Tustin Estate SE15 1EL  
 Flat 35 Heversham House Tustin Estate SE15 1EL  
 Flat 31 Heversham House Tustin Estate SE15 1EL  
 Flat 30 Heversham House Tustin Estate SE15 1EL  
 Flat 29 Heversham House Tustin Estate SE15 1EL  
 Flat 34 Heversham House Tustin Estate SE15 1EL  
 Flat 33 Heversham House Tustin Estate SE15 1EL  
 Flat 32 Heversham House Tustin Estate SE15 1EL  
 Flat 4 Heversham House Tustin Estate SE15 1EJ  
 7 Manor Grove London SE15 1EQ  
 5 Manor Grove London SE15 1EQ  
 47 Manor Grove London SE15 1EQ  
 Flat 1 Heversham House Tustin Estate SE15 1EJ  
 301 Ilderton Road London SE15 1NW  
 9 Manor Grove London SE15 1EQ  
 45 Manor Grove London SE15 1EQ

Flat 2 Kentmere House Tustin Estate SE15 1EG  
 Tustin Community Centre 328 Ilderton Road SE15 1NT  
 Flat 98 Heversham House Tustin Estate SE15 1ES  
 Flat 97 Heversham House Tustin Estate SE15 1ES  
 Flat 1 Kentmere House Tustin Estate SE15 1EG  
 224 Ilderton Road London SE15 1NT  
 Unit 7 Canterbury Industrial Park SE15 1NP  
 Flat 23 Kentmere House Tustin Estate SE15 1EG  
 Flat 22 Kentmere House Tustin Estate SE15 1EG  
 Flat 21 Kentmere House Tustin Estate SE15 1EG  
 Flat 26 Kentmere House Tustin Estate SE15 1EG  
 Flat 25 Kentmere House Tustin Estate SE15 1EG  
 Flat 24 Kentmere House Tustin Estate SE15 1EG  
 Flat 20 Kentmere House Tustin Estate SE15 1EG  
 Flat 11 Kentmere House Tustin Estate SE15 1EG  
 Flat 10 Kentmere House Tustin Estate SE15 1EG  
 Flat 9 Kentmere House Tustin Estate SE15 1EG  
 Flat 19 Kentmere House Tustin Estate SE15 1EG  
 Flat 18 Kentmere House Tustin Estate SE15 1EG  
 Flat 17 Kentmere House Tustin Estate SE15 1EG

37 Manor Grove London SE15 1EQ  
 35 Manor Grove London SE15 1EQ  
 33 Manor Grove London SE15 1EQ  
 43 Manor Grove London SE15 1EQ  
 41 Manor Grove London SE15 1EQ  
 39 Manor Grove London SE15 1EQ  
 Flat 19 Heversham House Tustin Estate SE15 1EJ  
 Flat 18 Heversham House Tustin Estate SE15 1EJ  
 Flat 17 Heversham House Tustin Estate SE15 1EJ  
 Flat 3 Heversham House Tustin Estate SE15 1EJ  
 Flat 20 Heversham House Tustin Estate SE15 1EJ  
 Flat 2 Heversham House Tustin Estate SE15 1EJ  
 Flat 16 Heversham House Tustin Estate SE15 1EJ  
 Flat 12 Heversham House Tustin Estate SE15 1EJ  
 Flat 11 Heversham House Tustin Estate SE15 1EJ  
 Flat 10 Heversham House Tustin Estate SE15 1EJ  
 Flat 15 Heversham House Tustin Estate SE15 1EJ  
 Flat 14 Heversham House Tustin Estate SE15 1EJ  
 Flat 13 Heversham House Tustin Estate SE15 1EJ  
 126 Crystal Palace Road London SE22 9ER

**Re-consultation: 07/03/2019**

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

Economic Development Team  
Flood and Drainage Team

**Statutory and non-statutory organisations**

Environment Agency  
Greater London Authority  
London Underground Limited  
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**

Flat 1 Heversham House Tustin Estate SE15 1EJ  
Flat 26 Leybourne House 19 Lovelinch Close SE15 1HL  
126 Crystal Palace Road London SE22 9ER



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## RECOMMENDATION LDD MONITORING FORM REQUIRED

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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.

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<b>Applicant</b>	TLS (Ilderton Road) Ltd	<b>Reg. Number</b>	18/AP/2761
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/2327-301
<b>Recommendation</b>	Grant subject to Legal Agreement and GLA		

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### Draft of Decision Notice

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

Demolition of existing buildings and construction of part 13 / part 14 storey building (plus basement) comprising 48 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.

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:** 301-303 ILBERTON ROAD, LONDON, SE15 1NW

**In accordance with application received on 21/08/2018**

**and Applicant's Drawing Nos.** Existing plans

2364\_PL\_010\_1  
2364\_PL\_020\_1  
2364\_PL\_030\_1

Proposed plans

2364\_PL\_099\_1  
2364\_PL\_100\_4  
2364\_PL\_101\_4  
2364\_PL\_102\_4  
2364\_PL\_103\_4  
2364\_PL\_104\_4  
2364\_PL\_105\_3  
2364\_PL\_106\_3  
2364\_PL\_107\_3  
2364\_PL\_108\_3  
2364\_PL\_109\_3  
2364\_PL\_110\_3  
2364\_PL\_111\_3  
2364\_PL\_112\_2  
2364\_PL\_113\_2  
2364\_PL\_115\_2

2364\_PL\_400\_5  
2364\_PL\_401\_4  
2364\_PL\_402\_4  
2364\_PL\_403\_4  
2364\_SK022

2364\_PL\_500\_3  
2364\_PL\_501\_3

2364\_PL\_600\_1

Habitable room schedule summary

## Unit type room area summary

## Supporting documents

Design and Access Statement, Planning statement, Daylight, sunlight and overshadowing assessment, Transport Statement, Travel Plan, Bat survey report, Desk Study report, Townscape and visual impact assessment, Energy Statement, Flood risk assessment and indicative surface water strategy, Delivery and servicing management plan, Basement impact assessment, Archaeological desk based assessment, Arboricultural appraisal and implications assessment, Air quality assessment, Noise impact assessment, Sustainability assessment, Addendum to statement appendix verified views, Swept path analysis 7.5t panel van, Swept path analysis ambulance, 2364\_SK024, 2364\_SK026, 2364\_SK027, 2364\_PL\_403\_3

**Subject to the following thirty-six 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:

2364\_PL\_099\_1  
 2364\_PL\_100\_4  
 2364\_PL\_101\_4  
 2364\_PL\_102\_4  
 2364\_PL\_103\_4  
 2364\_PL\_104\_4  
 2364\_PL\_105\_3  
 2364\_PL\_106\_3  
 2364\_PL\_107\_3  
 2364\_PL\_108\_3  
 2364\_PL\_109\_3  
 2364\_PL\_110\_3  
 2364\_PL\_111\_3  
 2364\_PL\_112\_2  
 2364\_PL\_113\_2  
 2364\_PL\_115\_2

2364\_PL\_400\_5  
 2364\_PL\_401\_4  
 2364\_PL\_402\_4  
 2364\_PL\_403\_4  
 2364\_SK022

2364\_PL\_500\_3  
 2364\_PL\_501\_3

2364\_PL\_600\_1

## Habitable room schedule summary

## Unit type room area summary

## 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 No development shall take place, including any works of demolition, until a written Construction Environmental

Management Plan (CEMP) for the site has been devised and submitted with the application. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:

A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;  
 Compliance with the GLA guidance on Non-Road Mobile Machinery;  
 Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc., together with air and noise monitoring to demonstrate that potential impacts are being successfully controlled;  
 Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);  
 A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme;  
 Details of the routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc; and  
 Details of accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

All demolition and construction work shall then be undertaken in strict accordance with the CEMP and relevant codes of practice, unless otherwise agreed 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 unnecessary pollution or nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012

- 4 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 5 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 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 Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

- 7 The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations (including facilitative pruning specifications and supervision schedule) contained in the Arboricultural Method Statement. All tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

**Reason**

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1) A site investigation scheme, based on the Desk Study Report, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site. 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

**Reason:**

For the protection of Controlled Waters. The site is located over a Secondary Aquifer and it is understood that the site may be affected by historic contamination.

- 9 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

**Reason:**

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

- 10 Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

**Reason:**

Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

**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 Before any work above grade hereby approved begins, 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, and practical completion of the B1 (c) fit out for each phase shall be at the same time, or before the practical completion of the residential component of the same phase.

#### Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with 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 and the National Planning Policy Framework 2018.

- 12 Samples of all external facing materials to be used in the carrying out of this permission shall be presented to the Local Planning Authority and approved in writing before any above grade works, in connection with this permission is commenced. 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 in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

- 13 Bay studies at a scale of 1:20 of facades from parapet to ground, including window design, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work (excluding demolition) in connection with this permission is commenced. 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 as to the quality of the design and details in accordance with saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

- 14 Section detail-drawings at a scale of 1:5 through:  
the facades and balconies;  
parapets and roof edges; and  
heads, cills and jambs of all openings  
to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced (excluding demolition); 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 as to the quality of the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan 2007.

- 15 Before any above grade work hereby authorised begins, details of security measures 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 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 16 Before any above grade work hereby authorised begins details and drawings of the facilities to be provided for the secure and covered storage of cycles including cycle hire lockers 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 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 17 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.

- 18 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) 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 (green/brown) 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 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 policies saved policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core strategy.

- 19 Before any above grade work hereby authorised begins, details of the green walls shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.

The green wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the Walls and Southwark Council agreeing in writing the submitted plans.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy

- 20 Final designs should achieve a surface water runoff rate of 2.5 l/s and associated attenuation volumes, proposed in the applicant's 'Flood Risk Assessment & Indicative Surface Water Drainage Strategy' (133334-R1(1)-FRA). Appropriate Sustainable Drainage Systems (SuDS) should be used, such as permeable paving proposed in the indicative strategy, although Southwark's preference is for 'green' SuDS such as rain gardens or bioretention areas.

Reason:

To limit surface water discharges to the sewer network to estimated greenfield runoff rates, or as close as possible, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan.

- 21 Prior to commencement of works above grade, details of Swift nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 12 No. nesting bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Swift nesting bricks shall be installed strictly in accordance with the details so approved, 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 Policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core strategy.

- 22 Prior to works commencing above grade, full details of all proposed planting of three highways trees shall be submitted to and approved in writing by the Local Planning Authority. This 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.

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 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 23 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including details of the play space, 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 play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

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 Chapters 8, 12, 15 & 16 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**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.

- 24 Before the first occupation of the building hereby permitted, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities 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 2019, 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

- 25 Prior to occupation of the development hereby authorised begins, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned balconies), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

**Reason:**

This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site. This is an mandatory criteria of BREEAM (LE5) to monitor long term impact on biodiversity a requirement is to produce a Landscape and Habitat Management Plan

**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.

- 26 The residential accomodation hereby approved shall not be occupied until the ground and first floor commercial units have been fitted out in accordance with the approved B1(c) fit out details, 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 residential accommodation has been occupied, in accordance with the National Planning Policy Framework 2019, 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 No roof plant, equipment or other structures, other than as 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[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] 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 2019, 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.

- 28 Any deliveries or collections to the commercial units shall only be between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

**Reason:**

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 29 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<sub>Δ</sub>, 30 dB LAeq T\*, typical noise levels of 45dB LAFmax T \*

Living rooms- 35dB LAeq T<sub>Δ</sub>

Dining room - 40 dB LAeq T<sub>Δ</sub>

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

Δ - 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 strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2019.

- 30 The Rated 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 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 31 The habitable rooms within the development sharing a party ceiling/floor element with 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 as a predicted LAeq noise level. A written report including noise level predictions shall be submitted to and approved by the Local planning Authority prior to any above grade works taking place. Prior to occupation of any homes or commencement of the commercial use, details of the proposed ceiling/floor construction, including likely sound insulation performance shall be submitted to the Local Planning Authority for approval in writing. The development shall be carried out in accordance with the approval given and shall be permanently maintained thereafter.

**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 accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2019.

- 32 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within any future controlled parking zone in Southwark in which the application site is situated.

**Reason**

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 33 Before any above grade work hereby authorised begins, a detailed Delivery and Servicing Management Plan (DSMP) detailing how all elements of the site are to be serviced has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

**Reason**

To ensure compliance with The National Planning Policy Framework 2019, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 34 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:**

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

- 35 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

**Reason:**

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

- 36 The development hereby permitted shall be constructed to include the energy efficiency measures and photovoltaic panels as stated in XCO2 for TLS Investments dated August 2018 and submitted with the application.

All measures and technologies shall remain for as long as the development is occupied.

Reason:

To ensure the development complies with the National Planning Policy Framework 2019 , Strategic Policy 13 High Environmental Standards of the Core Strategy and Policy 5.7 Renewable Energy of the London Plan.

**Statement of positive and proactive action in dealing with the application**

The pre-application service was used for this application and the advice given has been followed in part.

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OPEN		MUNICIPAL YEAR 2019-20	
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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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List Updated: 21 May 2019