

Planning Committee

Wednesday 5 February 2020

6.30 pm

Ground Floor Meeting Room G02 - 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

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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

Babysitting/Carers allowances

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

Access

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

Contact: Gerald Gohler on 020 7525 7420 or email: gerald.gohler@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 28 January 2020



Planning Committee

Wednesday 5 February 2020
6.30 pm

Ground Floor Meeting Room G02 - 160 Tooley Street, London SE1 2QH

Order of Business

| Item No. | Title | Page No. |
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| 1. | APOLOGIES | |
| | To receive any apologies for absence. | |
| 2. | CONFIRMATION OF VOTING MEMBERS | |
| | A representative of each political group will confirm the voting members of the committee. | |
| 3. | NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT | |
| | In special circumstances, an item of business may be added to an agenda within five clear days of the meeting. | |
| 4. | DISCLOSURE OF INTERESTS AND DISPENSATIONS | |
| | Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting. | |
| 5. | MINUTES | 1 - 4 |
| | To approve as a correct record the minutes of the meetings held on 8 January 2020. | |
| 6. | DEVELOPMENT MANAGEMENT | 5 - 8 |
| | 6.1. ST OLAVES NURSING HOME, ANN MOSS WAY, LONDON SE16 2TL | 9 - 60 |
| | 6.2. 840 OLD KENT ROAD, LONDON SE15 1NQ | 61 - 243 |

Item No.

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ANY OTHER 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.”

Date: 28 January 2020

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
Tel: 020 7525 5403

Planning Committee Clerk, Constitutional Team
Finance and Governance
Tel: 020 7525 7420



Planning Committee

MINUTES of the Planning Committee held on Wednesday 8 January 2020 at 6.30 pm
at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT: Councillor Martin Seaton (Chair)
Councillor Kath Whittam (Vice-Chair)
Councillor Barrie Hargrove
Councillor Hamish McCallum (Reserve)
Councillor Adele Morris
Councillor Margy Newens
Councillor Catherine Rose
Councillor Cleo Soanes

OFFICER SUPPORT: Simon Bevan (Director of Planning)
Jon Gorst (Legal Officer)
Colin Wilson (Head of Regeneration Old Kent Road)
Yvonne Lewis (Strategic Applications)
Alistair Huggett (Planning Projects Manager)
Pip Howson (Transport Policy)
Alex Oyebade (Transport Policy)
Michael Tsoukaris (Design and Conservation)
Victoria Crosby (Development Management)
Tom Weaver (Development Management)
Troy Davies (Development Management)
Gerald Gohler (Constitutional Officer)

1. APOLOGIES

There were apologies for absence from Councillor Damian O'Brien.

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 before the meeting:

- Addendum report relating to item 7.1.
- Members pack relating to item 7.1. and 7.2.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

The following members of the committee declared an interest:

Item 7.2 Tayo Situ House, 73 Commercial Way, London SE15 6FA

Councillor Cleo Soanes, non-pecuniary, as the development falls into her ward.

5. MINUTES

RESOLVED:

That the minutes of the meetings held on 30 October 2019, 5 November 2019 and 3 December 2019 be approved as correct records of the meetings and signed by the Chair.

6. TO RELEASE £700,000 (PLUS INDEXATION AND ACCRUED INTEREST) OF SECTION 106 MONIES TOWARDS PLAY AREA IMPROVEMENTS

The committee heard the introduction to the report by the officer. Members of the committee asked questions of the officer.

RESOLVED:

That the release of funds totalling £700,000 (plus interest and indexation) from the listed legal agreement and unilateral undertaking associated with the Chambers Wharf development towards the delivery of play area improvements within the Dickens Estate be agreed.

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.

7.1 840 OLD KENT ROAD, LONDON SE15 1NQ

Planning application number: 19/AP/1322

PROPOSAL:

Demolition of existing building and redevelopment of the site to provide a new building of up to 13 and 21 storeys in height (maximum height 73.60m above ground level). Redevelopment to comprise 168 residential units (Class C3), a 1,778 sqm (GIA) retail unit (Class A1) and a 52 sqm (GIA) flexible retail unit (Class A1/A3), with associated landscaping, car parking, servicing, refuse and plant areas, and all ancillary or associated works.

The chair explained that a lengthy addendum report had been tabled at the meeting and that councillors had not had sufficient time to consider the information contained therein.

A motion to defer the application to the next available committee date was moved, seconded, put to the vote and declared carried.

RESOLVED:

That the application be deferred to the next available committee date.

7.2 TAYO SITU HOUSE, 73 COMMERCIAL WAY, LONDON SE15 6FA

Planning application number: 19/AP/2196

PROPOSAL:

Construction of a four storey building to provide 50 extra care residential units linked to the existing facilities in Tayo Situ House and a dementia day care centre and community hub at ground floor. Relocation of the existing electrical substation and provision of the associated car parking, vehicle accesses, cycle parking and landscaping works.

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

An objector addressed the committee and responded to questions put by members of the committee.

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

At 8.23 the meeting adjourned for a three-minute comfort break.

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

There were no ward councillors present wishing to speak.

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

A motion to add a condition to those set out in the report was moved, seconded, put to the vote and declared carried.

A motion to grant the application was moved, seconded, put to the vote and declared carried.

RESOLVED:

1. That planning permission be granted, subject to:
 - a. The conditions set out in the report
 - b. An additional condition requiring the applicant to submit a travel plan, and
 - c. The applicant entering into an appropriate legal agreement.
2. That in the event that the requirements of (1c) are not met by 29 May 2020, the director of planning is authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 220 of the report.

The meeting ended at 8.44 pm.

CHAIR:

DATED:

| | | | |
|------------------------------------|--------------------------------|---------------------------------|--|
| Item No. 6. | Classification: Open | Date: 5 February 2020 | Meeting Name: Planning Committee |
| Report title: | | Development Management | |
| Ward(s) or groups affected: | | All | |
| From: | | Proper Constitutional Officer | |

RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
 - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for 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

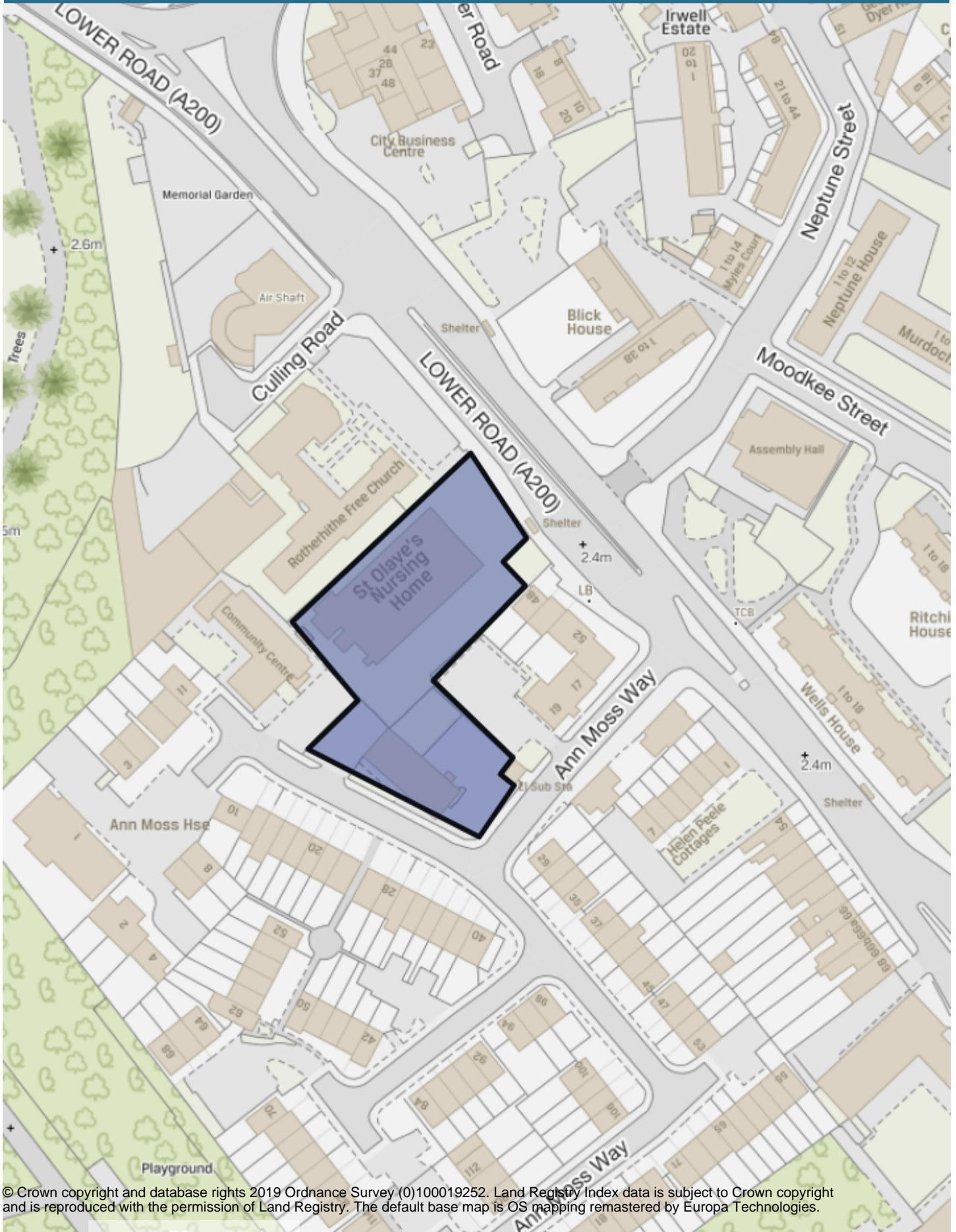
| Background Papers | Held At | Contact |
|--|--|--------------------------------------|
| Council assembly agenda 23 May 2012 | Constitutional Team 160 Tooley Street London SE1 2QH | Virginia Wynn-Jones 020 7525 7055 |
| Each planning committee item has a separate planning case file | Development Management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

APPENDICES

| No. | Title |
|------|-------|
| None | |

AUDIT TRAIL

| | | |
|---|---|--------------------------|
| Lead Officer | Chidilim Agada, Head of Constitutional Services | |
| Report Author | Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development | |
| Version | Final | |
| Dated | 27 January 2020 | |
| Key Decision? | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments sought | Comments included |
| Director of Law and Democracy | Yes | Yes |
| Director of Planning | No | No |
| Cabinet Member | No | No |
| Date final report sent to Constitutional Team | 27 January 2020 | |



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| Item No. 6.1 | Classification: Open | Date: 5 February 2020 | Meeting Name: Planning Committee |
| Report title: | Development Management planning application: Application 19/AP/1612 for: Full Planning Application Address: ST OLAVES NURSING HOME, ANN MOSS WAY, LONDON SE16 2TL Proposal: Demolition of the existing buildings on site (a derelict single storey nursing home and porta-cabins) and construction of two buildings (Building A - Part 4/Part 5/Part 6 storey building fronting Lower Road, Building B - Part 3/Part 4 storey building fronting Ann Moss Way) providing 62 residential units together with 2 wheelchair parking spaces and associated landscaping | | |
| Ward(s) or groups affected: | Rotherhithe | | |
| From: | Director of Planning | | |
| Application Start Date 20/06/2019 | | Application Expiry Date 19/09/2019 | |
| Earliest Decision Date 20/12/2019 | | | |

RECOMMENDATIONS

1. That the planning committee grant planning permission, subject to conditions and the applicant entering into an appropriate legal agreement; and
2. That in the event that the requirements of (1) are not met by 15 May 2020, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 134 of this report.

EXECUTIVE SUMMARY

3. Demolition of a care home (C2 use class) and ambulance station (Sui Generis) and construction of new residential development of 62 units is considered to be acceptable in land use terms as additional residential floor space would be created in the Canada Water Opportunity Area.
4. The proposal would provide 50% affordable housing, greatly exceeding the minimum requirement of 35%, as well as offering a policy compliant split of 26% social rented and 24% intermediate units.
5. 76 objections have been received. Amendments have been made to the proposal following review of neighbours' concerns. Refuse storage and collection has been adjusted to avoid the risk of bins being left on the street, public access to the play area has been offered to promote integration of the new development within the existing community, and design changes have been made to reduce the height of Block B in relation to Ann Moss Way

terrace properties.

6. The proposal would not cause significant harm to amenity of adjoining occupiers in terms of access to natural daylight, sunlight or causing overshadowing. The proposed residential blocks have also been designed in a way that avoids direct overlooking over short distances, and so the privacy of surrounding occupiers would be preserved.
7. The buildings have been designed to respond to their context while still making efficient use of land and delivering much needed housing. The proposal is considered to be of high design quality, which would positively contribute to the local area.
8. The proposal would result in increased vehicular activity on Ann Moss Way associated with servicing and deliveries, but it is considered that existing infrastructure is capable of accommodating the additional number of occupiers.
9. The proposed design would be highly energy efficient, exceeding expectations for carbon emission savings. It would also result in significant landscaping improvements and has the potential to result in ecology gain by providing bird and bat nests.
10. In summary, the proposed development would provide the following benefits:
 - Efficient use of currently vacant and disused brownfield land;
 - Provision of new high quality homes, including 50% affordable housing;
 - area high standard of design and residential quality;
 - Access to new play space for local children as well as occupiers of the development.

BACKGROUND INFORMATION

Site location and description

11. The application site contains the former Ann Moss Way Care Home and ambulance station which have been vacant since 2008. It is an L-shaped area, between Rotherhithe Evangelical Church to the north west, Chaucer Resource Centre to the west, Ann Moss Way residential terraces to the south and south west, and a block of residential flats on the corner of Ann Moss Way and Lower Road to the east of the site.



Location of the site

12. The application site is subject to the following development plan designations:
- Canada Water Action Area;
 - Canada Water Strategic Heating Area;
 - Suburban Density Zone;
 - Air Quality Management Area;
 - Public Transport Accessibility Level – 4;
 - Flood Risk Zone 3.

Adoption of the Draft New Southwark Plan would add a designation to the list set out above - the site would also be located within the Canada Water Opportunity Area.

13. The application site is not located within a conservation area, is not listed and is not located within the vicinity of any listed buildings. It does, however, sit within the protected view 5A.2 from Greenwich Park Wolfe statue to Tower Bridge of the London Plan Viewing Corridor.

Details of proposal



Proposed development

14. The proposed development seeks to deliver 62 residential units in two blocks with the following unit type composition:

| Unit Type | Private Units | Affordable Units | | Total |
|-----------------------|---------------|------------------|--------------|-----------|
| | | Social rent | Intermediate | |
| 1-bedroom | 8 | 4 | 9 | 21 |
| 2-bedroom | 18 | 0 | 7 | 25 |
| 3-bedroom | 5 | 10 | 1 | 16 |
| Total | 31 | 14 | 17 | 62 |
| Wheelchair adaptable | 2 | | 2 | 4 |
| Wheelchair Accessible | | 2 | | 2 |
| Total | | | | 6 |

15. All of the private and majority of the intermediate units would be located in the taller block, which on plans and in supporting documents has been identified as Block A. It would be a building ranging in height from four to six storeys located perpendicular to Lower Road and running parallel to Rotherhithe Evangelical Church to the north west.

16. Block B would be three to four storeys high and would be positioned along Ann Moss Way, directly opposite the existing two storey terrace of residential dwellings. Block B would contain all of the social rented units and the remaining intermediate units. On the ground floor it has been designed to resemble the frontage of terraced housing, while on the upper floors it would contain flats with deck access facing Block A.
17. Located between the two blocks is the communal amenity space as well as the play area. In addition, a roof terrace at fourth floor level has been designed to be accessible by residents together with a landscaped area on the north side of Block A, on the boundary with the Rotherhithe Evangelical Church.
18. Each of the proposed residential units would also have access to private outdoor amenity space in the form of a balcony, terrace or a garden.
19. The development would be car free apart from two disabled parking spaces provided at ground level with access from Ann Moss Way. 176 long stay and short stay cycle parking spaces are proposed to be distributed between a dedicated cycle storage space to the rear of Block A and an internal cycle storage space within Block B.
20. Following neighbour consultation and initial review of the proposal, some amendments as detailed below were made to the proposal:
 - Affordable housing offer was increased from 46% to 50% based on habitable rooms;
 - Height of Block B's elevation facing Ann Moss Way residential terrace was reduced;
 - Internal layouts of several units were adjusted to meet space requirements;
 - Mutual overlooking between future occupiers of Block A was mitigated by screens to balconies and obscured glazing to some windows.

Relevant planning history

21. 04/AP/0186 – Full planning application for:
Change of use to an ambulance station together with the provision of a tarmacked yard, ambulance bays, car parking spaces, new 6ft (1.8m) fence towards the rear of the site and new 6ft (1.8m) railings and gate to provide a new vehicular access onto Ann Moss Way.
Granted permission on 08/06/2004
22. No other planning applications have been submitted prior to the current one, however, several pre-application enquiries have been discussed in 2015, 2016, and again in 2018.

Relevant planning history of adjoining sites

23. 48 Lower Road (to the east of the site)
18/AP/1533 – Full planning application for:
Construction of a hip to gable rear dormer extension with Juliette balcony together with raising the existing roof ridge by 30 cm and installing two roof lights to front roof slope
Granted permission on 10/07/2018
24. Gate house, Ann Moss Way
17/AP/2094 – Prior Approval application for:
Change of use of existing offices (Use Class B1(a)) to 1 x 3 bedroom unit (Use Class C3)

Prior approval was granted on 19/07/2017

25. Community engagement consultation is currently taking place in relation to potential re-development of 1 Ann Moss Way, though a planning application has not yet been submitted.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

26. The main issues to be considered in respect of this application are:
- a) Principle of development;
 - b) Impact of proposed development on amenity of neighbours;
 - c) Housing mix and affordable housing;
 - d) Quality of accommodation;
 - e) Design;
 - f) Transport and highways;
 - g) Sustainable development implications;
 - h) Other matters
 - i) Planning obligations (S106 undertaking or agreement)

Adopted planning policy

National Planning Policy Framework (2019)

27. 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.
28. Paragraph 212 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 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

London Plan 2016

29. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
- Policy 3.3 - Increasing housing supply
 Policy 3.4 - Optimising housing potential
 Policy 3.5 - Quality and design of housing developments
 Policy 3.6 - Children and young people's play and informal recreation facilities

Policy 3.8 - Housing choice
 Policy 3.9 - Mixed and balanced communities
 Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 5.1 - Climate change mitigation
 Policy 5.2 - Minimising carbon dioxide emission
 Policy 5.3 - Sustainable design and construction
 Policy 5.7 - Renewable energy
 Policy 5.10 - Urban greening
 Policy 5.11 - Green roofs and development site environs
 Policy 5.12 - Flood risk management
 Policy 5.13 - Sustainable drainage
 Policy 5.15 - Water use and supplies
 Policy 5.21 - Contaminated land
 Policy 6.3 - Assessing effects of development on transport capacity
 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 7.5 - Public realm
 Policy 7.6 - Architecture
 Policy 7.14 - Improving air quality
 Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 - Biodiversity and access to nature
 Policy 7.21 - Trees and woodlands
 Policy 8.2 - Planning obligations
 Policy 8.3 - Community infrastructure levy

Core Strategy 2011

30. 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 11 - Open spaces and wildlife
 Strategic Policy 12 - Design and conservation
 Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

31. 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:

Policy 2.5 - Planning obligations
 Policy 3.1 - Environmental effects
 Policy 3.2 - Protection of amenity
 Policy 3.3 - Sustainability assessment
 Policy 3.4 - Energy efficiency
 Policy 3.6 - Air quality
 Policy 3.9 - Water
 Policy 3.11 - Efficient use of land
 Policy 3.12 - Quality in design
 Policy 3.13 - Urban design
 Policy 3.14 - Designing out crime
 Policy 3.28 - Biodiversity
 Policy 3.31 - Flood defences
 Policy 4.2 - Quality of residential accommodation
 Policy 4.3 - Mix of dwellings
 Policy 4.4 - Affordable housing
 Policy 4.5 - Wheelchair affordable housing
 Policy 4.6 - Loss of residential accommodation
 Policy 4.7 - Non self contained housing for identified user groups
 Policy 5.2 - Transport impacts
 Policy 5.3 - Walking and cycling
 Policy 5.6 - Car parking
 Policy 5.7 - Parking standards for disabled people

Canada Water Area Action Plan (2015)

32. Policy 6 - Walking and cycling
 Policy 8 - Vehicular traffic
 Policy 18 - Open spaces and biodiversity
 Policy 19 - Children's play space
 Policy 20 - Energy
 Policy 21 - New homes
 Policy 22 - Affordable homes
 Policy 23 - Family homes
 Policy 24 - Density of developments
 Policy 34 - S106 planning obligations and the community infrastructure levy

Supplementary Planning Guidance Documents

33. GLA Shaping Neighbourhoods: Play and informal recreation SPG 2012
 GLA Sustainable Design and Construction SPG 2014 Carbon dioxide off-setting
 GLA Energy Assessment Guidance (2018)
 GLA Affordable Housing and Viability SPD (2017)
 Sustainable Design and Construction SPD February (2009)
 2015 Technical Update to Residential Design Standards SPD
 Waste Management Guidance Notes for Residential Developments (2014)
 Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015)
 Development Viability SPD (2016)

Affordable Housing SPD (2008) and Draft Affordable Housing SPD (2011)

Emerging planning policy

Draft New London Plan

34. The draft New London Plan was published in November 2017 and the first and only stage of consultation closed in March 2018. Minor suggested changes to the plan were published in August 2018 and an Examination in Public (EIP) took place between January and May 2019. Further suggested changes to the Plan have been proposed by the Mayor and published in response to the EIP Panel of Inspector's matters at the examination sessions. The Inspector's report was published on 8 October 2019 and the 'Intend to Publish' version was issued on the 9 December 2019.

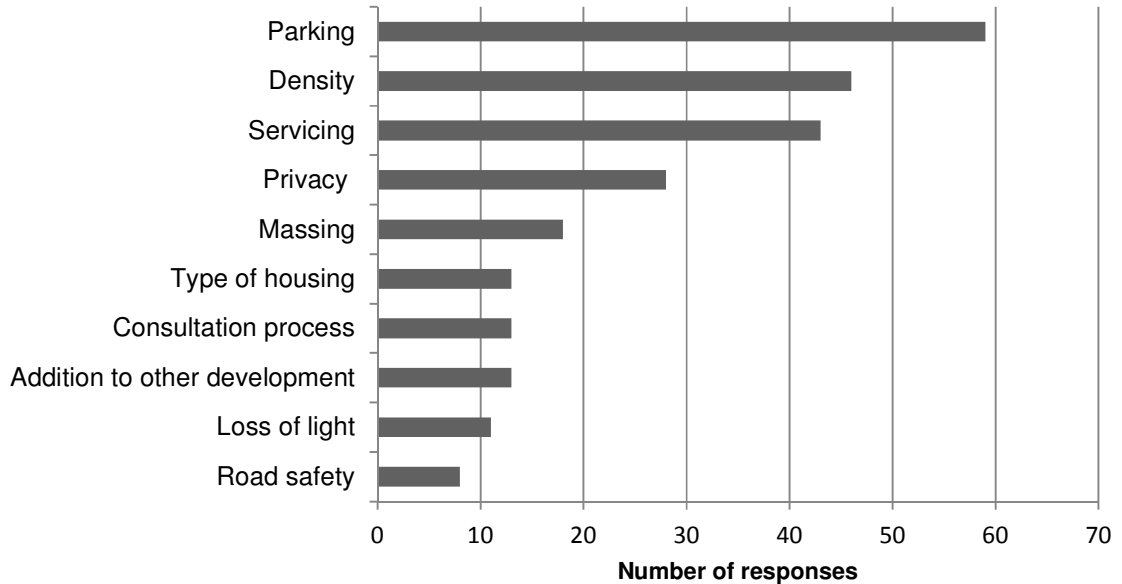
New Southwark Plan

35. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) in February 2018 and some Amended Policies were consulted on between January and May 2019. It is anticipated that the plan will be adopted in early 2020 following an Examination in Public (EIP). 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.

Summary of public consultation responses

36. In order to inform those most likely to be affected by the proposed development, letters were sent and site notices were put up within the vicinity of the site. As a result, 58 comments were received (57 of those being objections).
37. On 6 December, a re-consultation letter was sent to all those who were previously consulted and those who submitted comments. The re-consultation process was initiated in order to update neighbours about material changes that were made to the proposal during the planning application process. These changes included:
1. Changed description of development (referring to 62 rather than 61 units);
 2. Site boundary changes: site now includes a land parcel immediately next to 48 Lower Road as well as the land parcel on the south corner of Ann Moss Way;
 3. Addition of 1 shared ownership unit, and changes in flat types resulting in provision of 21 x 1 bedroom, 25 x 2 bedroom and 16 x 3 bedroom units with the tenure split of 50% affordable (26% social rent and 24% shared ownership) and 50% market sale units;
 4. Revision of refuse store in Block B providing direct access from Ann Moss Way.
38. As a result of the re-consultation process, 19 objections were received thus bringing the total number of objections to 76. The most common material planning concerns expressed by neighbours have been summarised in the chart below, while all other, more bespoke or non-material concerns are set out separately.

Main concerns



39. As shown above, the majority of those who have commented on the proposal are concerned about the impact the proposed development would have on the parking availability in the vicinity of the site. Many comments have expressed concern that the proposed development would be a car-free proposal, thus not allocating space for car parking. Neighbours consider it unlikely that the new residents would not have cars, and therefore are concerned that availability of parking in the vicinity of the site would be negatively affected.
40. In addition, it is mentioned that Ann Moss Way is one the rare areas in Canada Water that is not a Controlled Parking Zone. This leads to commuters parking their cars and walking to the Canada Water underground station. As a consequence, residents struggle to find parking spaces on the street at the moment.
41. In connection to the use of the existing streets surrounding the application site, concerns are also expressed that the proposed development would result in major issues regarding servicing of the area with an increased number of trips for deliveries and more refuse to be disposed of.
42. The third main concern is that the proposal is overly large and would exceed the density guidelines for the surrounding area. In connection to this, some people have expressed that this would lead to issues of overlooking, invasion of privacy, loss of access to daylight and sunlight. Objectors considered the development not to be in keeping with established character of the area which currently is formed of houses rather than flats, and so more houses rather than flats should be built. In addition, some neighbours are concerned that the impact of this proposal is being considered separately from that arising following a proposed development at 1 Ann Moss Way.
43. Other concerns expressed include:
- Noise and disturbance created during construction process;

- Pressure additional residents would put on local services such as GP, schools and public transport;
 - Loss of trees and insufficient landscaping to make up for it;
 - Separation between the proposed development and existing residents leading to creation of a gated community;
 - Separation of future residents based on tenure type;
 - Poor quality children's play space;
 - Negative impact on property prices surrounding the site;
 - Proposal would destroy the heritage of Michael Caine's childhood home located nearby;
 - Access for fire and other emergency services;
 - Air pollution arising from demolition of existing buildings.
44. Some of the other concerns, such as impact on property prices, are not planning matters that can be considered as objections when determining the planning application.

Principle of development

45. The application site contains two buildings - a care home (C2 use class) and a temporary ambulance station (sui generis), which have been vacant since 2008.
46. While Policy 4.7 of the Southwark Plan (2007) encourages development of new non self-contained housing (such as care homes), it does not preclude change of use that would result in loss of such facilities.
47. Policy 4.6 states that 'Development will not be permitted where it results in a net loss of residential floor space'. In this particular case, while the care home would be lost, it would give way to a re-development of the site for the purpose of new, general needs residential accommodation. The state of disrepair together with prolonged vacancy suggests that the property is unlikely to be used again for the purpose as a care home. The proposal would therefore not lead to net loss of residential accommodation and the proposed construction of new residential units in C3 class use is considered acceptable in land use terms.

Density

48. The proposal would result in creation of 189 habitable rooms on a site of 0.3ha. The density of the proposed development would therefore be 630 habitable rooms per hectare.
49. The site is located within the Suburban Density Zone which means that density of development is expected to be between 200 and 350 hr/ha as set out in Core Strategy. However, it is also explained in the Core Strategy that 'within opportunity areas and action area cores the maximum densities may be exceeded when developments are of an exemplary standard of design'.
50. The application site is located within the Canada Water Action Area but outside of its core area. It has been identified as the Canada Water Opportunity Area in the draft New Southwark Plan following designation of Canada Water as an Opportunity Area in the London Plan (2016). The proposed density is acceptable despite exceeding the Suburban Density Zone's guidelines as the proposed accommodation is of an exemplary standard for the reasons set out in the 'Quality of accommodation' section of this report.

Impact of proposed development on amenity of adjoining occupiers

Daylight and sunlight

51. One of the neighbours' concerns identified during the consultation process relates to the proposal's impact on access to natural daylight and sunlight.
52. In order to inform the assessment for such impact, the applicant has submitted a daylight and sunlight impact assessment carried out by their consultant PRP in accordance with BRE Guide and BS 8206-02: Lighting for buildings - Part 2: Code of practice for daylight (2008).

Daylight

53. In order to assess the impact on existing surrounding properties, a Vertical Sky Component (VSC) test has been carried out. In the first instance, the existing VSC of neighbouring windows is established to understand how much light the windows are receiving before any new development is constructed. In accordance with the BRE Guide a window with a VSC level of 27% is considered to be well lit.
54. The proposal is then modelled in relationship with the existing windows in order to determine how much of an impact it would have. If the VSC of the neighbouring windows falls below 27% in addition to more than a 20% reduction, a further analysis of the No Sky Line has to be carried out. The No Sky Line (NSL) analysis takes into account the layout of the affected room. If the reduction is again more than 20% of the former value, the arising reduction in daylight may be noticeable by occupiers of that habitable room.
55. The particular residential properties tested in order to establish the daylight impact are as follows:

| Address | VSC windows (pass) | NSL rooms (pass) | Overall |
|---------------------------|--------------------|------------------|---------|
| 12-34 (even) Ann Moss Way | 26 of 26 | 26 of 26 | Pass |
| 17 Ann Moss Way | 2 of 6 | 4 of 4 | Pass |
| 19 Ann Moss Way | 6 of 9 | 6 of 6 | Pass |
| 48 Lower Road | 6 of 8 | 4 of 4 | Pass |
| 50 Lower Road | 1 of 1 | 3 of 3 | Pass |
| 52 Lower Road | 8 of 13 | 7 of 7 | Pass |

56. The results show that 78% of the tested windows would pass the VSC test and would not be affected by the proposed development beyond the level recommended by the BRE guidance. In some cases the proposal would have a noticeable impact on individual windows, but when light is tested in the affected rooms through the NSL test, the impact would not be noticeable because rooms are served by more than one window.
57. During application determination process some minor design changes were made to Block B, which led to a decrease in the height of its front façade. VSC results were therefore improved leading to all windows at 12-34 (even) Ann Moss Way meeting the VSC test (3

windows did not initially pass the VSC test).

58. 13 Ann Moss Way, which is a commercial building, was tested for daylight impacts even though it is a less sensitive use and does not need to be as rigorously tested as residential premises. Nevertheless, the results show that windows to circulation space would be affected, but working space would continue receiving good levels of light.
59. Similarly, the impact on the Rotherhithe Free Church was also tested and it was concluded that the impact on those windows affected would be negligible.

Sunlight

60. Probable Sunlight Hours (PSH) test establishes whether windows are receiving at least 25% PSH throughout the year with at least 5% during the winter period (21 March to 21 September). Only those properties located within 90 degrees of due south of the property are tested. If the PSH value is reduced by the proposed development by more than 20%, the impact would be noticeable.
61. The following properties were identified as those requiring analysis in terms of sunlight impact:
 - 19 Ann Moss Way;
 - 48 Lower Road;
 - 50 Lower Road;
 - 52 Lower Road.
62. Out of all 26 windows tested, only one window at 52 Lower Road was found to fall under the BRE guideline for probable sunlight hours. The results show that the impact would be felt very marginally throughout most of the year, while it would become more apparent during the winter months. However, it is also noted that the window belongs to a bedroom, which is a room less reliant on access to sunlight due to its use primarily intended for sleeping. It is therefore considered that this impact on one neighbouring room is outweighed by the benefits delivered by the scheme.

Overshadowing of amenity space

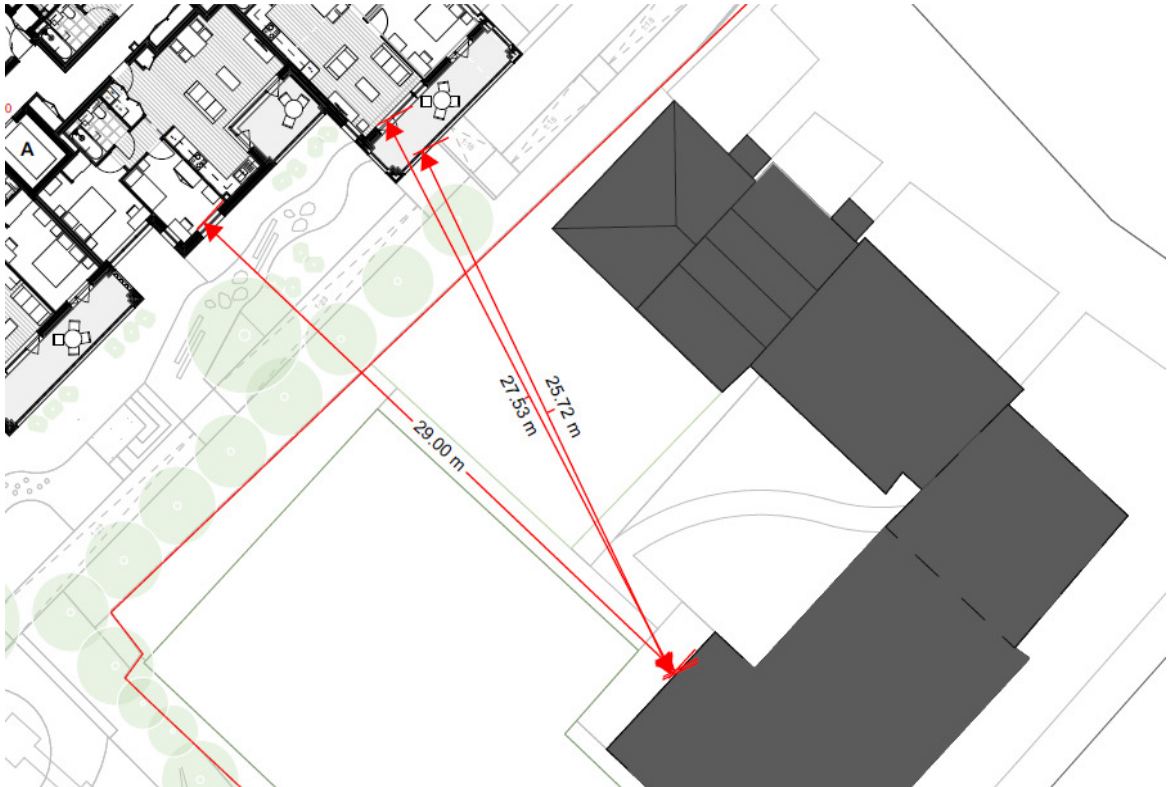
63. Lastly, 48, 50 and 52 Lower Road, as well as space belonging to Rotherhithe New Church, were tested for the potential impact arising from overshadowing of their open spaces. The results showed that all outdoor amenity spaces would continue to receive over two hours of sunlight on 21 March for more than 50% of the area, which is in accordance with BRE guidance and means that the proposal would not lead to detrimental overshadowing of surrounding open spaces.

Conclusion on daylight, sunlight and overshadowing assessment

64. In light of the above review of the submitted impact analysis, the proposal is considered to be a sensitive addition to the area, which would not cause harmful impact on the amenity of adjoining occupiers by way of reducing access to daylight, sunlight and causing overshadowing.

Outlook and privacy

65. Some adjoining residents are concerned about the impact on their privacy that may arise following construction of the proposed development. Residential Design Standards SPD contain guidelines for separation distances that should be sought in order to mitigate any overlooking that could cause privacy issues. It is suggested that 21 metres between windows should be achieved between rear elevations of buildings, and 12 metres should be achieved between front elevations (i.e. across the street).



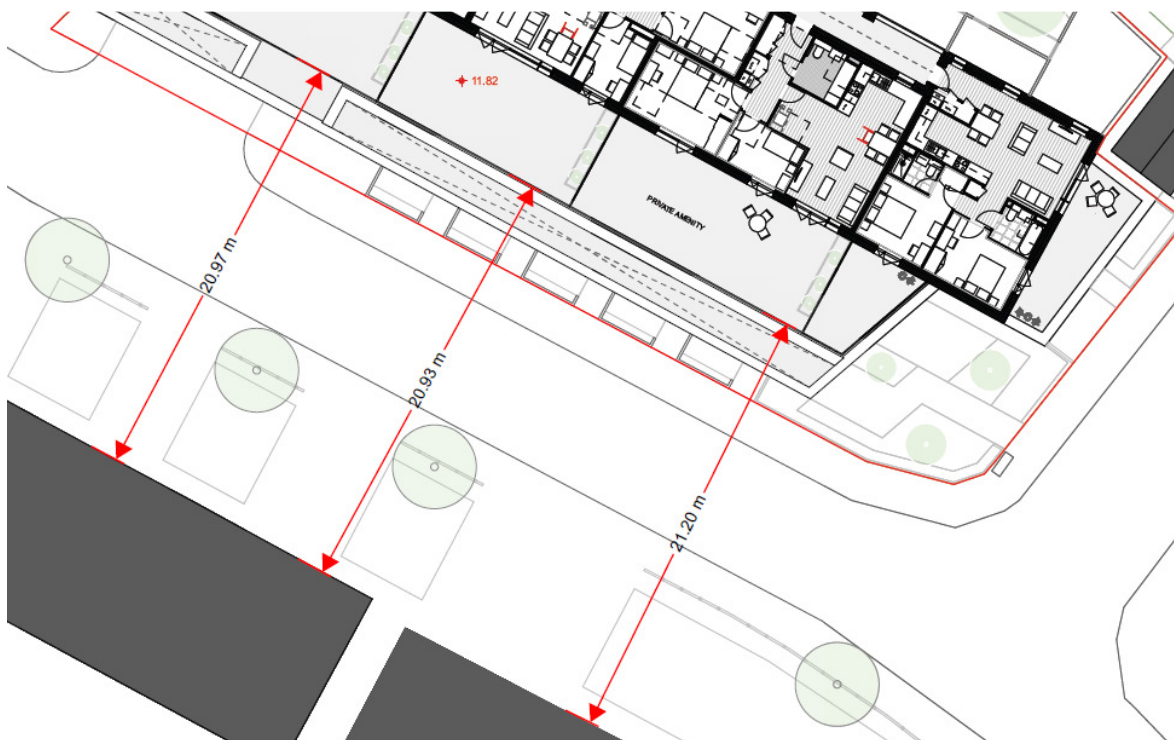
Distance between windows – first floor level

66. Block A would be located parallel to a north-west facing wall of windows belonging to 17 and 19 Ann Moss Way (there are no windows facing the site immediately adjacent to boundary – at 48 Lower Road). At ground floor level the smallest distance between windows would be 28.4m. On upper floors the new development would have one additional flat, located slightly closer to neighbouring properties, and closest distance between those windows would be 27.5m. The distance between the neighbouring windows and the edge of the closest located balcony of the proposed development would be 25.7m, also exceeding the 21m guideline as set out in the Residential Design Standards SPD. It is therefore considered unlikely that the privacy of neighbours living at 17 and 19 Ann Moss Way would be compromised.



Distance between windows – first floor level

67. Block B would be parallel to Ann Moss Way terrace, creating direct views between existing and proposed windows. However, the distance between windows would be a minimum of 18.4m, which would comfortably exceed the guideline set out in the Residential Design Standards.



Distance between balconies and neighbouring windows – fourth floor level

68. Some of the neighbours' objections have focused on the privacy impact on occupiers at Ann Moss Way terraced houses caused by the new occupiers overlooking the windows from the balconies at third floor level. However, the distance between the edge of the balconies would be larger than the distance between the first floor windows mentioned above, and also is in keeping with the guidelines set out in the Residential Design Standards.

Housing mix and affordable housing

The proposal is to create 62 new units, accommodated in two blocks.

Tenure split – units

| | Block A | Block B | Total |
|-------------------------|----------------|----------------|--------------|
| Social rent | - | 14 | 14 |
| Shared ownership | 11 | 6 | 17 |
| Market | 31 | - | 31 |
| Total | 42 | 20 | 62 |

Tenure split – habitable rooms

| | Block A | Block B | Total |
|-------------------------|----------------|----------------|--------------|
| Social rent | - | 56 | 56 (26%) |
| Shared ownership | 30 | 22 | 52 (24%) |
| Market | 106 | - | 106 (50%) |
| Total | 136 | 78 | 214 |

69. The Draft New Southwark Plan amended policy P1 ‘Social rented and intermediate housing’ requires new development to deliver minimum 10% shared ownership and minimum 25% social rented units. The proportion is calculated based on the number of habitable rooms rather than units.
70. The proposed 62 units would contain 214 habitable rooms. 56 habitable rooms would be in social rent tenure, 52 would be shared ownership and 106 would be market tenure. The proposal would therefore deliver 24% shared ownership and 26% social rented habitable rooms, meeting the requirements of the Draft New Southwark Plan policy and providing 50% of the new units as affordable, greatly exceeding the 35% minimum requirement.
71. In addition, the market and affordable units would be in blocks of equally high quality finish and would share communal amenity space as well as the play area in the centre of development.

Housing mix

72. The two proposed blocks would contain 21 x one-bedroom, 25 x two-bedroom and 16 x three-bedroom units.
73. Strategic Policy 7 ‘Family homes’ of the Core Strategy requires at least 60% of units to contain two or more bedrooms, at least 30% of units to contain three or more bedrooms if located in a Suburban Density Zone.
74. 66% of the proposed units would contain two or more bedrooms and 26% of the units would have 3 or more bedrooms. The proposal would therefore meet the requirement for two-bedroom units while falling slightly short of the 30% requirement by 4% for three-bedroom units (equating to 3 units).
75. Even though the proposal does not meet the 30% requirement, it is noted that ten of the 16 three-bedroom units currently offered would be for social rent, which would be a significant addition to the much needed social rented family unit stock. In addition, overall the proposal would provide 50% affordable housing in a development of high design quality. In light of all the benefits the scheme would deliver, the shortfall in three-bedroom units is acceptable.

Wheelchair units

76. Policy 4.3 'Mix of dwellings' of the Southwark Plan requires 10% of major development units to be wheelchair accessible. The proposal would include 6 new wheelchair units across all 3 tenure types, thus meeting the requirements of the policy.

Quality of accommodation



Ground floor plan – Block A



Ground floor plan – Block B

77. All proposed units and individual rooms would meet the space standards set out in the Residential Design Standards SPD (2015). The range of proposed unit sizes is set out in the table below:

| | Proposal (sq.m) | Requirement (sq.m) |
|--------------------------|------------------------|---------------------------|
| 1B2P | 50.0 – 57.6 | 50 |
| 2B3P | 61.0 – 73.3 | 61 |
| 2B4P | 70.1 – 71.9 | 70 |
| 3B4P | 84.9 – 106.5 | 74 |
| 3B5P | 95.7 – 106.5 | 86 |
| 3B5P (maisonette) | 112.5 – 123.1 | 93 |

Accessibility

78. The application site is located within Flood Zone 3. In order to mitigate the risk of flooding and protect the future occupiers from immediate danger, the floor levels have been raised. Where steps have been proposed to provide access between changing levels, an alternative sloping ramp has also been proposed in order to allow for access by wheelchair users or those with less mobility. In addition, lift access has been proposed in both blocks to enable navigation throughout the buildings. The proposed design is therefore considered to be of acceptable quality in terms of accessibility and ease of use.

Outlook and aspect

79. Block A
81% of the units in Block A would be dual aspect flats. The block is linear in nature, which allows for the corners of the building to be utilised in a way that creates dual aspect units. In order to provide more than one aspect for the units in the middle of the block, distinctive bays have been created. This has allowed for at least one window to be added in a different direction to the main windows, increasing the opportunities for natural cross ventilation and extending the time that sunlight can access the units, though outlook from these windows would be limited. Where these windows are positioned in a way that directly faces balconies of other units within the block, obscured balustrades have been provided on the side of balconies to avoid direct overlooking and offer more privacy to occupiers.
80. Block B
90% of the units within this block would be dual or triple aspect flats, which has been made possible by the slightly unusual layout of maisonettes at ground and first floor levels whereby the ground floor level is a long and linear space with windows to the northeast and southwest while the upper floors faces either the northeast or the southwest direction. Flats on the upper floors of Block B feature a shallower profile created by the access deck on one side and balconies on the other. The two single aspect flats would be 1-bedroom units facing south. As such, even though outlook from the flat would be limited to one side, the quality of accommodation in terms of access to daylight and sunlight would be very good. In addition, the two flats would have access to south –facing small inset balconies, adding to the amenity and quality of accommodation of these units.

Daylight and sunlight

81. Block A – daylight
Apart from two kitchen-dining-living spaces on the ground, first and second floors as well as one kitchen-dining-living space on the third floor, all individual rooms would meet the guidelines set out in the BRE guidance based on the Average Daylight Factor test. The kitchen-dining-living rooms that would fall below the recommended internal daylight levels would do so due to their layout which takes an L-shaped form and wraps around an inset balcony. Less natural daylight is thus balanced against provision of private outdoor amenity space, which would receive good levels of daylight and sunlight. In addition, the inset nature of balconies is likely to offer more privacy not just for their users but also to neighbours due to fewer opportunities of overlooking. The kitchen-dining-living spaces that would receive less than recommended levels of daylight, would offer the benefit of access to private outdoor space and this compromise is therefore considered acceptable.
82. Block B – daylight
Apart from one bedroom on the second floor facing northeast which would fall below the recommended level of ADF by 0.07%, all other rooms would meet the BRE guidelines. The proposed design is therefore considered to be successful in providing an overall good level of natural daylight.
83. Block A – sunlight
Majority of the units on all floors would have windows facing within 90 degrees of due south, which would ensure that good levels of sunlight would be achieved. Nevertheless, two of the flats on each level would face mostly north leading to access to sunlight that would fall below that of recommendations contained in the BRE guidance. Nevertheless, the BRE guidance

suggests that in such cases mitigation measures such as offering enhanced views from the units can be used to improve the quality of accommodation. In this case, views of the north facing flats would out onto the landscaped area and occupiers would have access to private outdoor amenity space in the form of balconies. It is recognised that these flats would not receive great levels of sunlight, but they would receive good levels of daylight as discussed above. Overall it is considered that due to the site constraints and the aim of using the land as efficiently as possible, the shortcomings of a small number of units in terms of sunlight are acceptable.

84. Block B – sunlight

Majority of the living spaces on the upper floors of Block B would face southwest which would ensure that internal sunlight levels would be acceptable. The ground floor levels of the maisonettes, however, have been designed to separate kitchens from living rooms, placing living rooms on the less sunny side facing towards north east. While the living rooms would receive less sunlight, they have been design to have direct access to private outdoor space that also looks out onto children's play area. Having been design as family homes, this layout enables families to allow their children to play outside while providing opportunities for surveillance from within the living rooms of the maisonettes. In addition, the dining space within the kitchen has been placed closest to the south facing windows and would receive good levels of sunlight, giving an opportunity of occupiers to enjoy direct sunlight within their living space if they wish to do so.

Amenity and play space

85. *Private outdoor space*

Residential Design Standards outline the requirements for provision of private outdoor amenity space for each type of flats and houses. Flats with three or more bedrooms should provide a minimum of 10 sq.m of private outdoor space. Any units containing less than three bedrooms should provide 10 sq.m of private outdoor space. Where this is not possible, the shortfall can be added to the requirement to provide 50 sq.m of communal outdoor space. To qualify as outdoor space, any balcony or terrace should be at least three sq.m large.

86. All units that contain three or more bedrooms in the proposed development would have associated private amenity space in excess of 10 sq.m. Amenity space associated with 1-bedroom and two-bedroom flats range in size from 5 to 40.9 sq.m. Overall, the proposed design thus incorporates sufficiently large private amenity space for each of the units, thus resulting in high quality accommodation.

87. *Communal outdoor space*

Communal amenity space has been identified by the developer to be the space to the southeast and east, as well as the fourth floor roof terrace of Block A. Overall the identified communal amenity space would occupy 452 sq.m of the outdoor area, which would be sufficient to meet the 50 sq.m requirement and accommodate the shortfall of private outdoor space arising in the case of the units with less than 3 bedrooms. It is noted that the planted area to the north of Block A has not been counted towards the overall amount of amenity space, since it would provide visual amenity to the north-west facing flats, but would not be used as communal amenity space

88. *Play space*

In addition to communal space, children's play space would also be provided. A part of it would be located next to the main communal area to the southeast of Block A, while the

second, and larger, part of the space would be located to the north of Block B. The overall size of play space would be 263 sq.m which falls short of the 304 sq.m requirement in accordance with the London Plan Policy 3.6 'Children and young people's play' and the Mayor's Play and Informal Recreation SPG (2012). Considering the site's proximity to Southwark Park, the shortfall of 41 sq.m is deemed minimal and acceptable on site. Nevertheless, a financial contribution would be sought to account for the shortfall and to enable improvement of access to public play areas in the locality.

89. The play space would be accessible to the public during the day time, thus enhancing opportunities for play and integrating the proposed development into the local area.

Design

Townscape context

90. The site is currently occupied by a single storey former nursing home fronting onto Lower Road and a single storey portacabin on the southern corner which fronts onto Ann Moss Way. There is also a sub-station fronting onto Ann Moss Way. In its current condition, the site does not contribute positively to the quality of the surrounding townscape.



Site context along Lower Road and in cross-section perpendicular to Ann Moss Way and Lower Road

91. Rotherhithe Evangelical Free Church, a low rise neo-classical style building, is located immediately to the north of the site. To the south, on the corner of Lower Road and Ann Moss Way is a 1980's part four, part three storeys high block of flats. Ann Moss Way at the rear of the site is a typical 1980's suburban street of low rise (two storeys) terraced houses which terminates at a cul-de-sac.
92. While existing built form on the west side of Lower Road is characterised by its low-rise form, immediately across Lower Road from the site is Blick House, a 5 storey residential block of flats, positioned perpendicularly to Lower Road and accessed along Neptune Street.

Scale and mass

93. Block A would be perpendicular to Lower Road, thus reducing the mass that would face directly onto the road. The width of Lower Road would provide sufficient separation between the site and Blick House, reducing the visual impact of the added mass along this part of the road. Approaching the site from the south, views would gradually reveal the building, which would be partially obscured by the part 3, part 4 storey corner building on Ann Moss Way, reducing its visual impact on Lower Road.
94. Block B has been designed to step down in height to three storeys closer to the more low-rise residential terrace along Ann Moss Way. At four storeys the building would still be higher than the two-storey terrace immediately opposite; however, the top floor of Block B has been set back to visually reduce the massing while still making efficient use of land and delivering more housing.

Layout and landscaping

95. Within the site, the blocks have been positioned in an L-shaped relationship which maximises the use of the site whilst avoiding direct overlooking. Linear space alongside each block is designed as landscaped outdoor amenity space as well as children's play space. The linear relationship between the buildings and outdoor space creates good opportunities for passive surveillance, likely to benefit the use of children's play area.
96. On the north side of Block A, additional landscaped area is proposed, providing visual amenity and enhancing views for the occupiers on the north-west side of the building.

Detailed design



View of Block A from Neptune Street

97. Block A

The proposed building would be four to six storeys high. Although of a different scale than immediately adjacent buildings, its height is justified by the location of the site adjacent to a major road. Its massing has been fragmented by a series of protruding bays, creating interest and reducing the overall visual bulk of the building, as well as integrating private amenity space in the form of semi-enclosed balconies



View of Block B from Ann Moss Way

98. Block B

Block B would be three to four storeys high and would front onto Ann Moss Way. Its design has a complex form which allows most units to be dual aspect and which allows it to step down to three storeys in height along Ann Moss Way. Although the block would be of different form, scale and design, it would be successful in integrating with the smaller scale of the existing Ann Moss Way buildings.

99. Both buildings would be constructed in textured combination of brick in varied shades but with an overall appearance of light grey. Metal detailing (balustrades and window frames) in a distinctive colour would add interest. The choice of materials is considered appropriate within the context, and would result in a high quality finish. Nevertheless, a condition to secure further details about the proposed materials is recommended.

100. Overall it is considered that the proposal would result in the construction of well-proportioned, appropriately detailed buildings that are a successful response to the constraints of the site and that would be a positive addition to the existing urban environment along Lower Road and Ann Moss Way.

Transport and highways

Car parking

101. The application site is located within an area with a Public Transport Accessibility Level (PTAL) of 4, which indicates that there is good access to public transport in the area. The site is not located in a Controlled Parking Zone (CPZ), though a large CPZ covers the area immediately on the other side of Lower Road.
102. The proposed development would be car free except for two on-site disabled car parking spaces. These spaces would be accessed directly from Ann Moss Way.
103. A transport statement has been submitted with the application. It contains a parking survey together with a trip generation study in order to establish how the development would affect parking availability in the immediate area.
104. The parking survey has been carried in accordance with the guidance of the Lambeth Methodology. It covers an area within 200m radius of the site and includes findings from two weekdays (Thursday and Friday) based on a survey done at 0040 and 0430 respectively.
105. One of the main concerns raised by adjoining residents relates to the impact the proposed development would have on parking availability in the area, considering that parking is not controlled and that, according to residents, it is already very difficult to find an available parking space.
106. The parking stress survey shows that, during the days of the survey, most parking spaces along Ann Moss Way were indeed occupied. However, it is also noted that majority of the houses that are located closest to the site benefit from off-street parking. The majority of neighbours are therefore unlikely to be significantly affected because they would continue having access to their personal parking space.
107. Ann Moss Way is within the area covered by the Rotherhithe Movement plan that includes projects to improve the transport network in the area. Introduction of a CPZ to Ann Moss Way is one of the future projects, subject to results of a local consultation. It is understood that a consultation process is likely to start in March 2020, which then may lead to introduction of a CPZ to Ann Moss Way. In light of this information, and to address neighbours' concerns about the impact of proposed development on parking availability in the area, it is recommended to include a clause in the S106 agreement that would preclude the future occupiers of the proposed development to apply for parking permits if the CPZ is introduced.

Cycle parking

108. A total of 176 cycle parking spaces would be provided in the form of two-tier cycle racks within a cycle store on the southwest corner of the development. This would exceed the requirements of the New Southwark Plan and the New London Plan.
109. However, the type of cycle storage proposed would be two tier rack, which is not the most accessible way of storing a bike. A condition is therefore recommended to request details of an amended cycle storage space configuration, which replaces some of the two tier racks with Sheffield stands, which would provide a more accessible opportunity for storing some of

the bikes.

Servicing

110. *Refuse collection*

The refuse storage area for both buildings is located within Block B, on the southwest corner of the site, and would be directly accessible from Ann Moss Way. The refuse collection would therefore take place directly from within the store, by collectors being able to wheel the bins out of it and back in without the necessity to leave them on the street. This is an arrangement arrived at following the public consultation process and in response to concerns raised by neighbours about the initially proposed approach of leaving the bins on the pavement on the day of collection. This arrangement is considered acceptable as it would avoid the environmental nuisance related to bins left of the street.

111. *Deliveries*

Deliveries or any other servicing will also take place from Ann Moss Way because parking or stopping of vehicles nearby the site is not allowed on the Lower Road side due to double yellow lines as well as a bus stop that is located immediately outside the site. While this would result in some additional vehicular movement along Ann Moss Way, the small number of deliveries is not expected to cause significant disruption to the use of the road. Furthermore, it is proposed to re-locate two of the on-street parking spaces outside of what would become the delivery and servicing point at Block B to the area which is currently designated as an entrance to the ambulance site. The existing dropped kerb would be reinstated and 'Keep Clear' marking would be removed.

112. *Works to the highway*

If permission is granted for the proposed development, the applicant will be required to enter into a S278 agreement with the Highway Authority and carry out the following works which are required to enable the proposed use:

- Repave the footways including new kerbing fronting the development on Lower Road and Ann Moss Way using materials in accordance with Southwark's Streetscape Design Manual;
- Construct vehicle crossover on Ann Moss Way to current SSDM standards;
- Remove the two redundant "keep clear" markings outside the previously used emergency access on Ann Moss Way and reinstall two parking spaces;
- Introduce a length of double yellow lines south east of the vehicle crossing on Ann Moss Way to facilitate loading/unloading;
- Reinststate the redundant crossover on Ann Moss Way as footway;
- Promote a traffic management order to amend the parking restrictions within the vicinity of the site;
- Repair any damages to the highway within the vicinity of the site due to construction activities.

Sustainable development implications

113. An energy statement has been submitted with the application setting out the 'Be Lean, Be Clean, Be Green' hierarchy of establishing the carbon emissions' footprint and reducing it as much as possible in accordance with Policy 5.2 of the London Plan.

114. The statement shows that energy efficiency measures such as lighting and heating controls as well as use of more energy efficient materials in construction would help deliver 15.3% savings in the 'Be Lean' category.
115. Possibilities to connect to an existing district heating network have been considered as part of the 'Be Clean' category. A district heating network has not yet been established, but the site is located within the strategic district heating area and so is required to be future proofed and design for connection to the network in the future, in accordance with the Canada Water Area Action Plan. Measures such as providing space for future installation of Plate Heat Exchangers and provision for capped flow and return connection in the energy centre have been provided to meet the requirement of the action plan.
116. Finally, to meet the requirements of the 'Be Green' Category, the proposal includes installation of 192 monocrystalline photovoltaic panels on the roofs of the buildings, which would achieve 39.7% carbon dioxide savings.
117. In total, 55% on-site savings of carbon emissions would be secured through the proposed design, which is in accordance with the London Plan requirement to achieve the minimum of 35% savings on the site. The policy ultimately requires all residential development eliminate all carbon emissions, thus to make up for the shortfall of 45%, the applicant is required to pay a financial contribution of £61,020.00 to enable further carbon dioxide reduction projects to take place in Southwark.

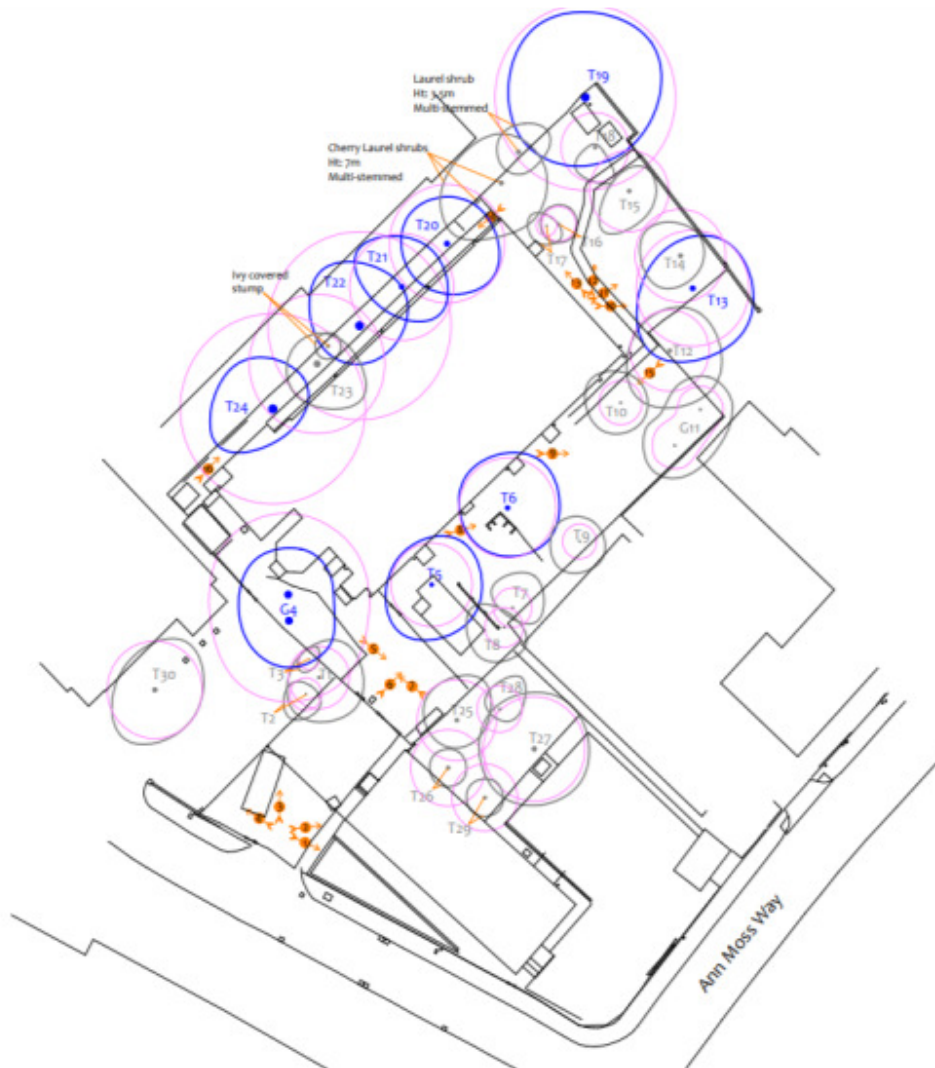
Other matters

Ecology

118. An ecological appraisal as well as a bat survey has been submitted with the application. In light of the submitted information, it is considered that the proposed development is unlikely to have a negative impact on the existing ecology of the site and its surrounding area, and has the potential to result in ecological gain and improvements by providing bird and bat nesting facilities as well as green roofs and appropriate landscaping. Conditions requesting further details of these ecological improvement measures are recommended.

Trees

119. The application site is not located in a conservation area and none of the trees currently located within the site are protected by a tree protection order. The proposed works will lead to loss of some of the existing trees. A tree survey and impact assessment has been submitted with the application to establish the current context and recommend any mitigation works that may be required due to the loss of trees and to protect any retained trees during construction.



Tree survey

120. Four Category B trees (G4, T5, T6, T13) and fourteen small, low quality Category C trees (T1, T3, T7, T8, T9, T10, G11, T12, T14, T15, T16, T17, T18, T23) would be removed to make way for the proposed development. Minor pruning is proposed to be carried out on four retained trees (T2, T19, T20 and T22), and replacement of hard surface with soft surface around root protection areas would take place in relation to four trees (T20, T21, T22, T24). Foundations are proposed within the Root Protection Area of three trees (T19, T22, T24), however, the foundation design is unlikely to cause harm to the trees.
121. The proposed landscaping strategy includes planting of 28 new trees, partially mitigating the loss of some of the existing trees, but still resulting in the net loss of 1316cm stem girth. The loss of identified trees is acceptable, as long as a financial contribution of £19,605 is made to enable new tree planning in the vicinity of the site.

Flood Risk

122. The application site is located in Flood Risk Zone 3 and an area benefitting from flood defences. Whilst the site is protected by the River Thames tidal flood defences up to a 1 in 1000 (0.1%) chance of flooding in any year, the most recent flood modelling (December 2017) shows that the site is at risk if there was to be a breach in the Thames Barrier defences.
123. A flood risk assessment has been submitted to account for the risk and suggest any mitigation measures that could be put in place. One of the measures is raising the finished floor levels to 3.72m above AOD for Block A and 2.35m above AOD for Block B. This measure is recognised as acceptable by the Environmental Agency as well as the council's Flood and Drainage team. A condition is recommended to ensure that finished floor levels for the ground floor of Block A are not lowered below 3.72m AOD and the first floor level of Block B (where sleeping accommodation is proposed) is not lower than 5.38m AOD.
124. A drainage strategy has been submitted to inform how any surface water management would take place. An attenuation tank has been proposed as part of the drainage plan, while other possible measures recommended in the FRA have not been adopted. A condition is therefore recommended to request submission of a more detailed drainage strategy that would take into account the recommended sustainable drainage measures such as green roofs, rain gardens and rainwater harvest facilities.

Secured by design

125. Following consultation with local residents who raised concerns about the new development being secluded from the surrounding area, the applicant has offered to amend the proposal by providing public access from Lower Road to the play area during the day. The entrance gate would be locked in the evening at which time only residents of the new development would have access into the property. A condition is recommended to request further details about the management of access into the site as well as specification of boundary treatment, including the access gate.

Land contamination

126. Council's environmental protection team have reviewed the proposal and have not requested any further information regarding land contamination, nor have any conditions been recommended.

Air quality

127. An air quality assessment has been submitted with the application to assess the impact on existing adjoining occupiers arising from construction of the proposed development as well as the quality of access to clean air for the future occupiers of the two buildings.
128. Modelling results show that mitigation measures during the construction process will be required to make sure that the impact is reduced to negligible. A construction management plan would be required to be submitted and assessed not only for demolition but also for construction of the proposal. The construction management plan would take into account the air quality mitigation measures recommended in the submitted report.
129. Some of the flats with windows at ground and first floor levels facing Lower Road are more likely to experience higher levels of nitrogen dioxide, which can have an adverse impact on

health. As such, mitigation measures would have to be introduced. Environmental Protection Team have recommended a condition that would require the applicant to submit full details of internal ventilation that would help ensure intake of clean air in flats where opening windows onto Lower Road would not be recommended.

130. Lastly, the proposal would meet the building and transport emission benchmarks in order to meet the air quality neutral nature of major development as required by Policy 7.14 of the London Plan.

Construction management

131. Due to the scale and location of development, a condition is recommended to require the applicant to submit a construction and environmental management plan prior to commencement of any works on site.

CIL

132. The proposal is liable for Mayoral and Southwark CIL. The party responsible to pay CIL must submit CIL Form 1 (Assumption of Liability) and CIL Form6 (Commencement Notice) at least a day prior to material operations start on site.

Planning obligations (S.106 undertaking or agreement)

133. The required obligations and contributions would be secured through a S106 legal agreement within the council:
- Provision as well as monitoring of affordable housing;
 - Play space contribution of £6,191.00;
 - Employment During Construction provisions;
 - S278 agreement under the Highways Act;
 - Contributing to process the Traffic Regulation Order to provide a double yellow line restriction over a two-car length of the kerbside;
 - Carbon offset payment of £61,020.00;
 - Car Club Membership (3 years) for residents;
 - Considerate Construction Scheme;
 - Legal fees;
 - Contribution towards the feasibility study to establish an appropriateness of implementing a CPZ and if the study confirms that a CPZ would be appropriate, contribution towards the CPZ implementation).
134. In the event that a satisfactory legal agreement has not been entered into by 15 May 2020 it is recommended that the director of planning be authorised to refuse planning permission, if appropriate, for the following reason:

The proposal, by failing to secure appropriate planning obligations through the completion of a S106 agreement fails to ensure the delivery of affordable housing, secure highway works to mitigate the impacts of development, provide a carbon offset payment as well as other financial contributions that make the proposal acceptable in accordance with saved policy 2.5 of the Southwark Plan 2007, strategic policy 14 of the Core Strategy and policy 8.2 of the London Plan, and the Planning Obligations and Community Infrastructure Levy SPD 2015.

Conclusion on planning issues

135. In light of the above, the proposal is considered acceptable as it would create two new residential blocks in an area which is predominantly residential in nature. The proposal itself would be of high design as well as internal accommodation quality, and it is also considered unlikely that it would cause any significant detrimental impact on the amenity of surrounding occupiers. The transport impact has been considered in light of a parking survey and modelling study as well as a servicing strategy, and is concluded that the impact is acceptable in light of the benefits of creating 62 new residential units, of which 50% would be affordable housing. Overall it is therefore considered that the proposal would utilise a disused plot of land, making efficient use of it by providing a much needed new residential development of high quality.

Consultations

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

Consultation replies

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

Community impact statement / Equalities Assessment

138. 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.
139. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

140. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
141. 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

142. 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.
143. This application has the legitimate aim of providing 62 residential dwellings. 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

| Background Papers | Held At | Contact |
|---|--|--|
| Site history file: 540-15 Application file: 19/AP/1612 Southwark Local Development Framework and Development Plan Documents | Place and Wellbeing Department 160 Tooley Street London SE1 2QH | Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 7708 Council website: www.southwark.gov.uk |

APPENDICES

| No. | Title |
|------------|----------------|
| Appendix 1 | Consultation |
| Appendix 2 | Recommendation |

AUDIT TRAIL

| | | |
|---|-----------------------------------|--------------------------|
| Lead Officer | Simon Bevan, Director of Planning | |
| Report Author | Lasma Putrina, Planning Officer | |
| Version | Final | |
| Dated | 23 January 2020 | |
| Key Decision | No | |
| CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER | | |
| Officer Title | Comments Sought | Comments included |
| Strategic Director of Finance and Governance | No | No |
| Strategic Director of Environment and Leisure | No | No |
| Strategic Director of Housing and Modernisation | No | No |
| Director of Regeneration | No | No |
| Date final report sent to Constitutional Team | | 23 January 2020 |

APPENDIX 1**CONSULTATION****CONSULTATION UNDERTAKEN****Notices:**

- Site Notice: • A Site Notice was displayed on 05/07/2019
- Press Notice: • A Press Notice was published on 27/06/2019

Consultation Letters to Neighbours and Local Groups:Recipient Address:Response rc'd:

| | |
|--|------------|
| • 7 Ann Moss Way, London, SE16 2TL | |
| • 7 Ann Moss Way, London, SE16 2TL | |
| • 11 Ann Moss Way, London, SE16 2TL | |
| • 11 Ann Moss Way, London, SE16 2TL | |
| • Nursing Development Team, Ann Moss Way, London | |
| • Nursing Development Team, Ann Moss Way, London | |
| • First Floor Flat, 54-64 Culling Road, London | |
| • First Floor Flat, 54-64 Culling Road, London | |
| • 5 Ann Moss Way, London, SE16 2TL | |
| • 5 Ann Moss Way, London, SE16 2TL | |
| • 36 Ann Moss Way, London, SE16 2TL | |
| • 36 Ann Moss Way, London, SE16 2TL | |
| • 34 Ann Moss Way, London, SE16 2TL | |
| • 34 Ann Moss Way, London, SE16 2TL | |
| • 38 Ann Moss Way, London, SE16 2TL | |
| • 38 Ann Moss Way, London, SE16 2TL | |
| • 3 Ann Moss Way, London, SE16 2TL | 25.07.2019 |
| • 3 Ann Moss Way, London, SE16 2TL | |
| • 40 Ann Moss Way, London, SE16 2TL | |
| • 40 Ann Moss Way, London, SE16 2TL | |
| • 128 Ann Moss Way, London, SE16 2TJ | 25.07.2019 |
| • 128 Ann Moss Way, London, SE16 2TJ | 20.12.2019 |
| • 50 Ann Moss Way, London, SE16 2TL | 25.07.2019 |
| • 50 Ann Moss Way, London, SE16 2TL | |
| • 110 Ann Moss Way, London, SE16 2TJ | 25.07.2019 |
| • 110 Ann Moss Way, London, SE16 2TJ | |
| • 53 Ann Moss Way, Rotherhithe, London | 25.07.2019 |
| • 53 Ann Moss Way, Rotherhithe, London | |
| • 110 Ann Moss Way, London, SE16 2TJ | 25.07.2019 |
| • 110 Ann Moss Way, London, SE16 2TJ | |
| • 27 Eric Avenue, Emmer Green, Reading | 25.07.2019 |
| • 27 Eric Avenue, Emmer Green, Reading | |
| • 26 Ann Moss Way, London, SE16 2TL | 26.07.2019 |
| • 26 Ann Moss Way, London, SE16 2TL | |
| • 51 Ann Moss Way, Southwark, London | 26.07.2019 |
| • 51 Ann Moss Way, Southwark, London | |
| • 81 Ann Moss Way, London, SE16 2TJ | 26.07.2019 |
| • 81 Ann Moss Way, London, SE16 2TJ | |
| • 5 Bridge Wharf, 156 Caledonian Road, London | 26.07.2019 |
| • 5 Bridge Wharf, 156 Caledonian Road, London | |
| • 81 Ann Moss Way, London, SE16 2TJ | 26.07.2019 |
| • 81 Ann Moss Way, London, SE16 2TJ | |
| • 66 Ann Moss Way, London, SE16 2TL | 26.07.2019 |
| • 66 Ann Moss Way, London, SE16 2TL | |
| • 26 Ann Moss Way, London, SE16 2TL | 25.07.2019 |
| • 26 Ann Moss Way, London, SE16 2TL | |
| • 24 Ann Moss Way, London, SE16 2TL | 26.07.2019 |
| • 24 Ann Moss Way, London, SE16 2TL | |
| • 28 Ann Moss Way, London, SE16 2TL | 26.07.2019 |
| • 28 Ann Moss Way, London, SE16 2TL | |
| • 32 Ann Moss Way, London, SE16 2TL | |
| • 32 Ann Moss Way, London, SE16 2TL | |
| • 30 Ann Moss Way, London, SE16 2TL | 24.07.2019 |

- 30 Ann Moss Way, London, SE16 2TL 16.12.2019
- 22 Ann Moss Way, London, SE16 2TL 26.07.2019
- 22 Ann Moss Way, London, SE16 2TL
- 14 Ann Moss Way, London, SE16 2TL
- 14 Ann Moss Way, London, SE16 2TL
- 12 Ann Moss Way, London, SE16 2TL
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- 20 Ann Moss Way, London, SE16 2TL
- 18 Ann Moss Way, London, SE16 2TL 24.07.2019
- 18 Ann Moss Way, London, SE16 2TL
- 9 Ann Moss Way, London, SE16 2TL 25.07.2019
- 9 Ann Moss Way, London, SE16 2TL 06.12.2019
- 10 Ann Moss Way, London, SE16 2TL
- 10 Ann Moss Way, London, SE16 2TL
- Flat 1, 52 Lower Road, London
- Flat 1, 52 Lower Road, London
- 50 Lower Road, London, SE16 2TP
- 50 Lower Road, London, SE16 2TP
- Flat 2, 52 Lower Road, London
- Flat 2, 52 Lower Road, London
- Flat 4, 52 Lower Road, London
- Flat 4, 52 Lower Road, London
- Flat 3, 52 Lower Road, London
- Flat 3, 52 Lower Road, London
- 48 Lower Road, London, SE16 2TP
- 48 Lower Road, London, SE16 2TP
- St Olaves Nursing Home, Ann Moss Way, London
- St Olaves Nursing Home, Ann Moss Way, London
- Rotherhithe Ambulance Station, Ann Moss Way, London
- Rotherhithe Ambulance Station, Ann Moss Way, London
- Gate House, Ann Moss Way, London
- Gate House, Ann Moss Way, London
- 29 Ann Moss Way, London, SE16 2TJ 26.07.2019
- 29 Ann Moss Way, London, SE16 2TJ 20.12.2019
- 25 Ann Moss Way, London, SE16 2TH 26.07.2019
- 25 Ann Moss Way, London, SE16 2TH
- Flat 2, 19 Ann Moss Way, London
- Flat 2, 19 Ann Moss Way, London
- Flat 1, 19 Ann Moss Way, London
- Flat 1, 19 Ann Moss Way, London
- Flat 3, 19 Ann Moss Way, London
- Flat 3, 19 Ann Moss Way, London
- The Chaucer Community Resource Centre, 13 Ann Moss Way, London
- The Chaucer Community Resource Centre, 13 Ann Moss Way, London
- 52 Culling Road, London, SE16 2TN
- 52 Culling Road, London, SE16 2TN
- Flat 3, 17 Ann Moss Way, London
- Flat 3, 17 Ann Moss Way, London
- Flat 6, 52 Lower Road, London
- Flat 6, 52 Lower Road, London
- Flat 5, 52 Lower Road, London
- Flat 5, 52 Lower Road, London
- Flat 7, 52 Lower Road, London

- Flat 7, 52 Lower Road, London
- Flat 2, 17 Ann Moss Way, London
- Flat 2, 17 Ann Moss Way, London
- Flat 1, 17 Ann Moss Way, London
- Flat 1, 17 Ann Moss Way, London
- 28 Ann Moss Way, 28, London 24.07.2019
- 28 Ann Moss Way, 28, London
- 62 Ann Moss Way, London, SE16 2TL 24.07.2019
- 62 Ann Moss Way, London, SE16 2TL
- 35, Ann Moss Way, London 24.07.2019
- 35, Ann Moss Way, London
- 59 Ann Moss Way, London, SE16 2TJ 24.07.2019
- 59 Ann Moss Way, London, SE16 2TJ
- 35 Ann Moss Way, Surrey Quays, London 24.07.2019
- 35 Ann Moss Way, Surrey Quays, London
- 56 Ann Moss Way, London, SE16 2TL 24.07.2019
- 56 Ann Moss Way, London, SE16 2TL
- 52 Ann Moss Way, London, SE162TL 24.07.2019
- 52 Ann Moss Way, London, SE162TL
- 6 Ann Moss Way, London, SE16 2TL 24.07.2019
- 6 Ann Moss Way, London, SE16 2TL
- 91, Ann Moss Way, London 24.07.2019
- 91, Ann Moss Way, London
- 18, Ann Moss Way, London 25.07.2019
- 18, Ann Moss Way, London
- 78 Ann Moss Way, Canada Water, SE16 2TL 25.07.2019
- 78 Ann Moss Way, Canada Water, SE16 2TL
- 87 Ann Moss Way, London, SE16 2TA 25.07.2019
- 87 Ann Moss Way, London, SE16 2TA
- 77 Ann Moss Way, London, SE16 2TJ 25.07.2019
- 77 Ann Moss Way, London, SE16 2TJ 19.12.2019
- 46 Ann Moss Way, London, SE16 2TL 25.07.2019
- 46 Ann Moss Way, London, SE16 2TL 13.12.2019
- 48 Ann Moss Way, London, SE16 2TL 25.07.2019
- 48 Ann Moss Way, London, SE16 2TL
- 88 Ann Moss Way, London, SE16 2TL 25.07.2019
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- 29 Ann Moss Way, London, SE16 2TJ 26.07.2019
- 29 Ann Moss Way, London, SE16 2TJ
- 29 Ann Moss Way, London, SE16 2TJ 26.07.2019
- 29 Ann Moss Way, London, SE16 2TJ
- The Gate House, Ann Moss Way, London, SE16 2TL 26.07.2019
- The Gate House, Ann Moss Way, London, SE16 2TL
- 108 Ann Moss Way, London, SE16 2TJ 26.07.2019
- 108 Ann Moss Way, London, SE16 2TJ
- 59 Ann Moss Way, London, SE16 2TJ 26.07.2019
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- 59 Ann Moss Way, London, SE16 2TJ
- 59 Ann Moss Way, London, SE16 2TJ 26.07.2019
- 59 Ann Moss Way, London, SE16 2TJ
- Flat F, 2 Ann Moss Way, London 26.07.2019
- Flat F, 2 Ann Moss Way, London

- 56 Ann Moss Way, London, SE16 2TL 26.07.2019
- 56 Ann Moss Way, London, SE16 2TL
- 57 Ann Moss Way, Rotherhithe, SE16 2TJ 26.07.2019
- 57 Ann Moss Way, Rotherhithe, SE16 2TJ
- 70 Ann Moss Way, Rotherhithe, London 26.07.2019
- 70 Ann Moss Way, Rotherhithe, London
- Flat B, 2 Ann Moss Way, London 27.07.2019
- Flat B, 2 Ann Moss Way, London
- 11 Garden Road, Bromley, BR1 3LU 27.07.2019
- 11 Garden Road, Bromley, BR1 3LU 20.12.2019
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- 100 Ann Moss Way, London, SE16 2TJ 27.07.2019
- 100 Ann Moss Way, London, SE16 2TJ
- Flat 65 Sirius House, Seafarer Way, London 27.07.2019
- Flat 65 Sirius House, Seafarer Way, London
- 72 Ann Moss Way, London, SE16 2TL 29.07.2019
- 72 Ann Moss Way, London, SE16 2TL
- 50 Lower Road, London, Southwark 19.12.2019
- 26 Toronto House, Surrey Quays Road, London

Re-consultation Letters to Neighbours and Local Groups:

Recipient Address:

Date Letter Sent:

- 7 Ann Moss Way, London, SE16 2TL
- 11 Ann Moss Way, London, SE16 2TL
- Nursing Development Team, Ann Moss Way, London
- First Floor Flat, 54-64 Culling Road, London
- 5 Ann Moss Way, London, SE16 2TL
- 36 Ann Moss Way, London, SE16 2TL
- 34 Ann Moss Way, London, SE16 2TL
- 38 Ann Moss Way, London, SE16 2TL
- 3 Ann Moss Way, London, SE16 2TL
- 40 Ann Moss Way, London, SE16 2TL
- 128 Ann Moss Way, London, SE16 2TJ 20.12.2019
- 50 Ann Moss Way, London, SE16 2TL
- 110 Ann Moss Way, London, SE16 2TJ
- 53 Ann Moss Way, Rotherhithe, London
- 110 Ann Moss Way, London, SE16 2TJ
- 27 Eric Avenue, Emmer Green, Reading
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- 26 Ann Moss Way, London, SE16 2TL
- 24 Ann Moss Way, London, SE16 2TL
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- 32 Ann Moss Way, London, SE16 2TL
- 30 Ann Moss Way, London, SE16 2TL 16.12.2019

- 22 Ann Moss Way, London, SE16 2TL
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 - Flat 7, 52 Lower Road, London
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 - 62 Ann Moss Way, London, SE16 2TL
 - 35, Ann Moss Way, London
 - 59 Ann Moss Way, London, SE16 2TJ
 - 35 Ann Moss Way, Surrey Quays, London
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- 46 Ann Moss Way, London, SE16 2TL 13.12.2019
- 48 Ann Moss Way, London, SE16 2TL
- 88 Ann Moss Way, London, SE16 2TL
- 68 Ann Moss Way, London, SE16 2TL
- 29 Ann Moss Way, London, SE16 2TJ
- 29 Ann Moss Way, London, SE16 2TJ
- The Gate House, Ann Moss Way, London, SE16 2TL
- 108 Ann Moss Way, London, SE16 2TJ
- 59 Ann Moss Way, London, SE16 2TJ
- 59 Ann Moss Way, London, SE16 2TJ
- 59 Ann Moss Way, London, SE16 2TJ
- Flat F, 2 Ann Moss Way, London
- 56 Ann Moss Way, London, SE16 2TL
- 57 Ann Moss Way, Rotherhithe, SE16 2TJ
- 70 Ann Moss Way, Rotherhithe, London
- Flat B, 2 Ann Moss Way, London
- 11 Garden Road, Bromley, BR1 3LU 20.12.2019
- 100 Ann Moss Way, London, SE16 2TJ
- Flat 65 Sirius House, Seafarer Way, London
- 72 Ann Moss Way, London, SE16 2TL
- 50 Lower Road, London, Southwark 19.12.2019
- 26 Toronto House, Surrey Quays Road, London

Consultation Letters to Internal Consultees:

No consultation was carried out with internal consultees.

| <u>Name of Internal Consultee:</u> | <u>Date Letter Sent:</u> | <u>Reply Received?</u> |
|--|--------------------------|------------------------|
| • Design and Conservation Team [Formal] | 05.12.2019 | No |
| • Ecology | 05.12.2019 | YES |
| • Highways Development and Management | 05.12.2019 | YES |
| • Flood Risk Management & Urban Drainage | 05.12.2019 | No |
| • Urban Forester | 05.12.2019 | YES |
| • Waste Management | 05.12.2019 | No |

Consultation Letters to External Consultees:

No consultation was carried out with external consultees.

| <u>Name of External Consultee:</u> | <u>Date Letter Sent:</u> | <u>Reply Received?</u> |
|---|--------------------------|------------------------|
| • EDF Energy | 05.12.2019 | No |
| • Environment Agency | 05.12.2019 | No |
| • London Fire & Emergency Planning Authority | 05.12.2019 | No |
| • Natural England - London & South East Region | 05.12.2019 | No |
| • Metropolitan Police Service (Designing Out Crime) | 05.12.2019 | No |
| • Transport for London | 05.12.2019 | No |
| • Thames Water | 05.12.2019 | No |

| SITE VISIT | |
|--------------------------------------|------------|
| Case officer site visit date: | 05.07.2019 |

APPENDIX 2

DEVELOPMENT MANAGEMENT – OFFICER REPORT – RECOMMENDATION

Permission is subject to the following Approved Plans Condition:

1. The development shall be carried out in accordance with the following approved plans:

| Reference no.: | Plan/document name: | Rev. | Received on: |
|----------------|---|------|--------------|
| 3327_PL(90)004 | Site Layout as Proposed | A | 19.11.2019 |
| 3327_PL(20)101 | Ground Floor Plan - 2.35 AOD | C | 05.12.2019 |
| 3327_PL(20)102 | Ground Floor Plan - 3.72 AOD | C | 05.12.2019 |
| 3327_PL(20)103 | First Floor Plan | C | 05.12.2019 |
| 3327_PL(20)104 | Second Floor Plan | C | 05.12.2019 |
| 3327_PL(20)105 | Third Floor Plan | C | 05.12.2019 |
| 3327_PL(20)106 | Fourth Floor Plan | B | 19.11.2019 |
| 3327_PL(20)107 | Fifth Floor Plan | B | 19.11.2019 |
| 3327_PL(20)108 | Roof Plan | B | 19.11.2019 |
| 3327_PL(20)201 | Site Elevations Block A - Northeast | B | 19.11.2019 |
| 3327_PL(20)202 | Site Elevations Block A - AA & BB | B | 19.11.2019 |
| 3327_PL(20)203 | Site Elevations Block A - Northwest & Southeast | B | 19.11.2019 |
| 3327_PL(20)204 | Site Elevations Block A - Southwest, CC, DD & EE | B | 19.11.2019 |
| 3327_PL(20)205 | Site Elevations Block B - Southwest, FF & GG | C | 05.12.2019 |
| 3327_PL(20)206 | Site Elevations Block B - HH & II | C | 05.12.2019 |
| 3327_PL(20)207 | Site Elevations Block B - JJ & KK | C | 05.12.2019 |
| 3327_PL(70)101 | Flat Type 1-1B2P - Block A | A | 19.11.2019 |
| 3327_PL(70)102 | Flat Type 2-1B2P - Block A | B | 19.11.2019 |
| 3327_PL(70)103 | Flat Type 3-1B2P - Block A | B | 19.11.2019 |
| 3327_PL(70)104 | Flat Type 4*-1B2P - Block A | B | 19.11.2019 |
| 3327_PL(70)105 | Flat Type 5-2B3P - Block A | A | 19.11.2019 |
| 3327_PL(70)106 | Flat Type 6-2B3P - Block A | A | 19.11.2019 |
| 3327_PL(70)107 | Flat Type 7-2B3P - Block A | B | 19.11.2019 |
| 3327_PL(70)108 | Flat Type 8-2B3P - Block A | A | 19.11.2019 |
| 3327_PL(70)109 | Flat Type 9-2B4P - Block A | B | 19.11.2019 |
| 3327_PL(70)110 | Flat Type 10-2B4P - Block A | B | 19.11.2019 |
| 3327_PL(70)111 | Flat Type 11-2B4P - Block A | A | 19.11.2019 |
| 3327_PL(70)112 | Flat Type 12-2B4P - Block A | A | 19.11.2019 |
| 3327_PL(70)113 | Flat Type 13-3B4P - Block A | B | 19.11.2019 |
| 3327_PL(70)114 | Flat Type 14-1B2P - Block A | | 31.05.2019 |
| 3327_PL(70)115 | Flat Type 15-2B3P - Block A | | 31.05.2019 |
| 3327_PL(70)116 | Flat Type 16-3B4P - Block A | A | 31.05.2019 |
| 3327_PL(70)201 | Flat Type 1-1B2P - Block B | B | 19.11.2019 |
| 3327_PL(70)202 | Flat Type 2-1B2P - Block B | B | 19.11.2019 |
| 3327_PL(70)203 | Flat Type 3-1B2P - Block B | B | 19.11.2019 |
| 3327_PL(70)204 | Flat Type 4-1B2P - Block B | A | 19.11.2019 |
| 3327_PL(70)205 | Flat Type 5-2B3P - Block B | A | 19.11.2019 |
| 3327_PL(70)206 | Flat Type 6-2B3P - Block B | A | 19.11.2019 |
| 3327_PL(70)207 | Flat Type 7-2B4P - Block B | A | 19.11.2019 |
| 3327_PL(70)208 | Flat Type 8-3B5P - Block B | A | 19.11.2019 |
| 3327_PL(70)209 | Flat Type 9-3B5P - Block B | A | 19.11.2019 |
| 3327_PL(70)210 | Flat Type 10-3B5P - Block B | B | 19.11.2019 |

| | | | |
|----------------|--|---|------------|
| 3327_PL(70)211 | Flat Type 11-3B5P - Block B | B | 19.11.2019 |
| 3327_PL(70)212 | Duplex Type 12-3B5P - Block B | B | 19.11.2019 |
| 3327_PL(70)213 | Duplex Type 13-3B5P - Block B | B | 19.11.2019 |
| 3327_PL(70)214 | Duplex Type 14-3B5P - Block B | B | 19.11.2019 |
| 3327_PL(70)215 | Duplex Type 15-3B5P - Block B | B | 19.11.2019 |
| 3327_PL(70)216 | Flat Type 16-2B4P - Block B | B | 19.11.2019 |
| 3327_PL(70)217 | Flat Type 17-2B4P - Block B | B | 19.11.2019 |
| 3327_PL(40)201 | Detailed Elevation Block A – Bay Study 1 | B | 19.11.2019 |
| 3327_PL(40)202 | Detailed Elevation Block A - Bay Study 2 | B | 19.11.2019 |
| 3327_PL(40)203 | Detailed Elevation Block A - Bay Study 3 | B | 19.11.2019 |
| 3327_PL(40)204 | Detailed Elevation Block A - Bay Study 4 | B | 19.11.2019 |
| 3327_PL(40)205 | Detailed Elevation Block A - Bay Study 5 | B | 19.11.2019 |
| 3327_PL(40)206 | Detailed Elevation Block A - Bay Study 6 | B | 19.11.2019 |
| 3327_PL(40)207 | Detailed Elevation Block B - Bay Study 1 | B | 19.11.2019 |
| 3327_PL(40)208 | Detailed Elevation Block B - Bay Study 2 | B | 19.11.2019 |
| 3327_PL(40)209 | Detailed Elevation Block B - Bay Study 3 | C | 05.12.2019 |
| 3327_PL(40)210 | Detailed Elevation Block B - Bay Study 4 | C | 05.12.2019 |
| 3327_PL(40)211 | Detailed Elevation Block B - Bay Study 5 | B | 19.11.2019 |

Reason:

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

Time limit condition

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

3. Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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 contained in the method statement. Following the pre-commencement meeting 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 2019 and strategic policies 11 'Open spaces and wildlife', 12 'Design and conservation', 13 'High environmental standards' of The Core Strategy 2011, and Saved Policies 3.2 'Protection of amenity'; 3.12 'Quality in design', 3.13 'Urban design' and 3.28 'Biodiversity' of The Southwark Plan 2007

Pre-commencement condition

4. Prior to works commencing, full details of proposed planting of 27 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.

Reason: To ensure appropriate implementation of a tree planting plan in accordance with The National Planning Policy Framework 2019 and strategic policies 11 'Open spaces and wildlife', 12 'Design and conservation', 13 'High environmental standards' of The Core Strategy 2011, and Saved Policies 3.2 'Protection of amenity'; 3.12 'Quality in design', 3.13 'Urban design' and 3.28 'Biodiversity' of The Southwark Plan 2007.

Pre-commencement condition

5. No works shall commence until the applicant has submitted full details of the proposed surface water drainage incorporating Sustainable Drainage Systems (SuDS), including detailed design, size and location of attenuation units and details of flow control measures. The drainage system should incorporate a range of SuDS as outlined in the Flood Risk Assessment prepared by Waterman (dated 24.04.2019), including biodiverse green roofs, rain gardens and rainwater harvesting. The strategy should achieve a reduction in surface water runoff rates as detailed in the Flood Risk Assessment during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance. The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. The site drainage must be constructed to the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Policy 5.13 'Sustainable drainage' of the London Plan 2016.

Pre-commencement condition

6. No development shall take place, including any works of demolition, until a Construction Method Statement and Environmental Plan has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The Statement shall provide for:

The parking of vehicles of site operatives and visitors;

Loading and unloading of plant and materials;

Storage of plant and materials used in constructing the development;

Site traffic controls - Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;

Arrangements for direct responsive contact for nearby occupiers with the site management during construction (signage on hoardings, newsletters, resident's liaison meetings);

Wheel washing facilities;

A detailed specification of construction works including consideration of all environmental impacts and the identified remedial measures, including comprehensive noise/dust suppression measures and continuous monitoring of noise and airborne particulates in locations to be agreed with the Council's Environmental Protection Team;

Waste Management - Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations;

Working hours;

Transport and highways impacts.

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

Reason:

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of pollution and 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 2019.

Above grade condition

7. The use hereby permitted shall not be begun until full particulars and details of a scheme for the internal ventilation of the development which shall include; appropriately located plant, inlets and outlets; filtration and treatment of incoming air as appropriate to ensure it meets the national standards for external air quality; plant noise output levels; and a management and maintenance plan have been submitted to and approved by the LPA. The development shall be carried out in accordance with the approval given.

Reason: In order that the Local Planning Authority may be satisfied that the ventilation, ducting, filtration/treatment and ancillary equipment is incorporated as an integral part of the development in the interests of residential amenity in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and Saved Policy 3.2 'Protection of amenity' of the Southwark Plan 2007.

Above grade condition

8. Before the first occupation of the building hereby permitted, a Service Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority. The submitted management plan should include details for management of refuse collection within the site as well as details for managing public access to the play area.

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 Policies 3.14 'Designing out crime' and 5.2 'Transport Impacts' of the Southwark Plan 2007.

Above grade condition

9. Before any above grade work hereby authorised begins, details of the means of enclosure for all internal and external site boundaries 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 the interests of visual and residential amenity in accordance with: the National Planning Policy Framework 2019; Strategic Policy 12 'Design and conservation' of the Core Strategy 2011; Saved Policies 3.2 'Protection of amenity', 3.12 'Quality in design', and 3.13 'Urban design' of the Southwark Plan 2007.

Above grade condition

10. Before any above grade work hereby authorised begins, details (1:50 scale drawings) of the facilities to be provided for the secure and covered storage of cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities
-

provided shall be retained and the space used for no other purpose, and the development shall not be carried out otherwise in accordance with any such approval given.

Reason: 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.

Above grade condition

11. Before any above grade work hereby authorised begins, details of security measures shall be submitted and approved in writing by the Local Planning Authority.

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.

Above grade condition

12. Before any above grade work hereby authorised begins, details of the biodiversity (green) roofs shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green) roofs shall be:

- a) biodiversity based with extensive substrate base (depth 80-150mm);
- b) laid out in accordance with agreed plans; and
- c) 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) roofs 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.

Works to install the biodiversity (green) roofs 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 upon:

- a) receiving the details of the green roofs and Southwark Council agreeing the submitted plans; and subsequently
- b) receiving a post completion assessment to confirm that biodiversity (green) roofs 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 2.18 'Green Infrastructure: the Multifunctional network of green and open spaces', 5.3 'Sustainable design and construction', 5.10 'Urban greening' and 5.11 'Green roofs and development site environs' of the London Plan 2016; Strategic Policy 11 'Open spaces and wildlife' of the Core Strategy 2011, and Saved Policy 3.28 'Biodiversity' of the Southwark Plan 2007.

Above grade condition

13. Before any above grade work hereby authorised begins, a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), 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.

The scheme shall include the following elements: biodiversity (green) roofs, bat and bird nesting features and landscaping.

Reason: To ensure the protection of wildlife, support habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with policies 5.10 'Urban greening' and 7.19 'Biodiversity and access to nature' of the London Plan 2016, Saved Policy 3.28 'Biodiversity' of the Southwark Plan 2007 and Strategic Policy 11 'Open spaces and wildlife' of the Southwark Core Strategy 2011.

Above grade condition

14. Prior to above grade works commencing material samples of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority. In addition a 1 sq.m sample panel of brickwork, mortar and pointing shall be made available on site for inspection by the LPA. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason: In order to ensure 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 The National Planning Policy Framework 2019, Strategic Policy 12 'Design and conservation' of the Core Strategy 2011 and Saved Policies 3.12 'Quality in design' and 3.13 'Urban design' of The Southwark Plan 2007.

Above grade condition

15. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme (including play area) 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, as well as play equipment), 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: To ensure a delivery of a high quality landscaping scheme in accordance with the National Planning Policy Framework 2019; Strategic Policies 11 'Open spaces and wildlife', 12 'Design and conservation' and 13 'High environmental standards' of the Core Strategy 2011, and Saved Policies 3.2 'Protection of amenity', 3.12 'Quality in design' 3.13 'Urban design' and 3.28 'Biodiversity' of the Southwark Plan 2007.

Compliance condition

16. Any external lighting system installed at the development shall comply with the limits outlined in the following
-

Sky Glow ULR [Max %] - 5.0

Light intrusion (into windows) Ev [lux] - Pre-curfew: 10; Post-curfew: 2;

Luminaire intensity I [candelas] - Pre-curfew: 10,000; Post-curfew: 1,000;

Building luminance pre-curfew - Average L(cd/sq.m): 10

1. ULR = Upward Light Ratio of the Installation is the maximum permitted percentage of luminaire flux that goes directly into the sky.
2. Ev = Vertical Illuminance in Lux - measured flat on the glazing at the centre of the window.
3. I = Light Intensity in Candelas (cd)
4. L = Luminance in Candelas per Square Metre (cd/m²)
5. Curfew = the time after which stricter requirements (for the control of obtrusive light) will apply - 23.00hrs in this case.

Reason: To protect the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2019, Strategic Policies 12 'Design and conservation' and 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.

Compliance condition

17. The windows pertaining to flat types A-1B2P Type 1, A-2B3P Type 8, A-2B4P Type 10, A-3B4P Type 13 as identified on plans 3327_PL(70)101_A, 3327_PL(70)108_B, 3327_PL(70)110_A, 3327_PL(70)113_B shall be obscure glazed and either top or bottom hung and shall not be replaced or repaired otherwise than with obscure glazing.

Reason:

In order to protect the privacy and amenity of nearby occupiers from undue overlooking 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.

Compliance condition

18. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (April 2019; WIE14209-100-R-1-2-1-FRA) prepared by Waterman Infrastructure and Environment Ltd.

In accordance with the FRA and the drawing 'Ground Floor Plan - 3.72 m AOD' (3327_PL(20)102_) the finished floor levels must not be set lower than:

- 3.72m AOD for the ground floor of Block A;
- 5.38m AOD for the first floor of Block B; this is the lowest floor level that will have sleeping accommodation.

Reason: To ensure: the development is designed safely in reference to flood risk in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 'High environmental standards' of the Core Strategy 2011 and Saved Policy 3.9 'Water' and 3.31 'Flood defenses' of the Southwark Plan 2007.

Compliance condition

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

Bedrooms - 30dB LAeq, T* and 45dB LAFmax

Living rooms - 30dB LAeq, T**

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

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

Reason: To ensure that the occupiers 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.

Compliance condition

20. Privacy screens shall be installed to one side of balconies to flat types A-1B2P Type 3, A-1B2P Type 4, A-2B3P Type 6, A-2B4P Type 12, A-3B4P Type 16 as identified on plans 3327_PL(70)103_B, 3327_PL(70)104_B, 3327_PL(70)106_B, 3327_PL(70)112_B, 3327_PL(70)116_A and shall be retained thereafter.

Reason:

In order to protect the privacy and amenity of nearby occupiers from undue overlooking 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.

Compliance condition

21. Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawing 3327_PL(20)102_C hereby approved and shall be made available for use by the occupiers of the dwellings. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason: To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with the National Planning Policy Framework 2019; Strategic Policy 13 'High environmental standards' of the Core Strategy 2011, and Saved Policies 3.2 'Protection of amenity' and 3.7 'Waste Reduction' of the Southwark Plan 2007.

Compliance condition

22. Details of bird and bat 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 6 bat bricks/tubes, 6 House Sparrow terraces and 6 internal Swift nesting bricks shall be provided. Details shall include the exact location, specification and design of the habitats. The boxes/bricks shall be installed 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 nesting boxes/bricks shall be installed strictly in accordance with the details so approved and shall be maintained as such thereafter.

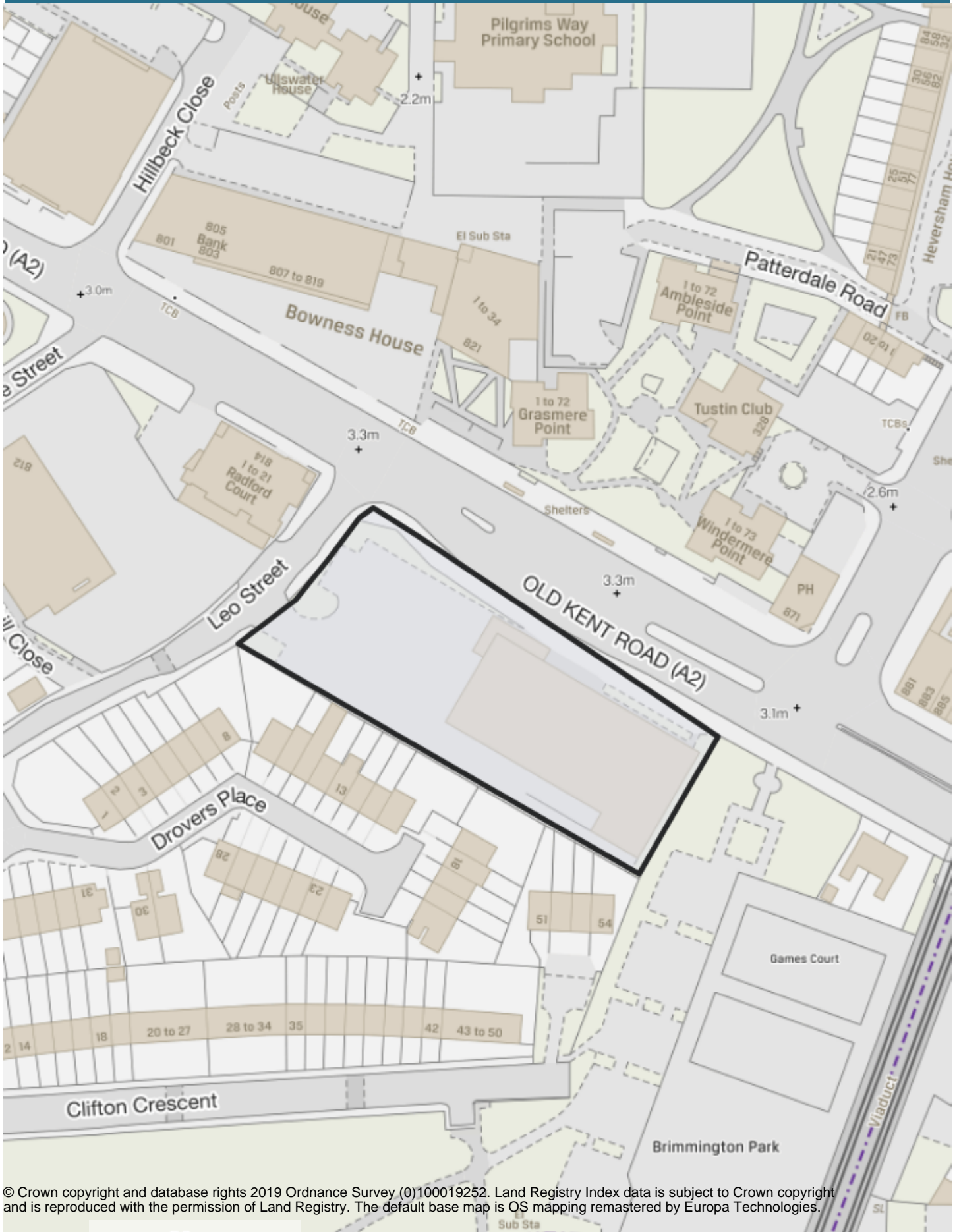
Discharge of this condition will be granted upon:

- a) receiving the details of the nest/roost features and mapped locations and Southwark Council agreeing the submitted plans; and subsequently
- b) receiving a post completion assessment 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 'Urban greening' and 7.19 'Biodiversity and access to nature' of the London Plan 2016, Saved Policy 3.28 'Biodiversity' of the Southwark Plan 2007 and Strategic Policy 11 'Open spaces and wildlife' of the Southwark Core Strategy 2011.

Informative notes to the applicant relating to the proposed development

1. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
 2. There are water mains crossing or close to the site. Thames Water do NOT permit the building over or construction within 3m of water mains. If significant works are planned near the Thames Water's mains (within 3m), Thames Water will need to check that the development does not reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services in any other way. The applicant is advised to read the Thames Water guide on working near or diverting pipes.
 3. The proposed development is located within 15m of Thames Water's underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read Thames Water's guide 'working near our assets' to ensure works are in line with the necessary processes that need to be followed if works above or near Thames Water pipes or other structures are to take place.
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| Item No. 6.2 | Classification: Open | Date: 5 February 2020 | Meeting Name: Planning Committee |
| Report title: | Development Management planning application: Application 19/AP/1322 for: FULL PLANNING APPLICATION Address: 840 OLD KENT ROAD, LONDON SE15 1NQ Proposal: Demolition of existing building and redevelopment of the site to provide a new building of up to 13 and 21 storeys in height (maximum height 73.60m above ground level). Redevelopment to comprise 168 residential units (Class C3), a 1,778 sqm (GIA) retail unit (Class A1) and a 52 sqm (GIA) flexible retail unit (Class A1/A3), with associated landscaping, car parking, servicing, refuse and plant areas, and all ancillary or associated works. | | |
| Ward(s) or groups affected: | Old Kent Road | | |
| From: | Director of Planning | | |
| Application Start Date 26/04/2019 | | Application Expiry Date 26/07/2019 | |
| Earliest Decision Date 20/06/2019 | | | |

RECOMMENDATION

1.
 - a) That planning permission be granted, subject to conditions and referral to the Mayor of London, and the applicant entering into an appropriate legal agreement by no later than the 5 August 2020.
 - b) That the environmental information be taken into account as required by Regulation 30 of the Town and Country Planning (Environmental Impact Assessments) Regulations 2017.
 - c) 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 this report.
 - d) In the event that the requirements of (a) are not met by 5 August 2020 that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 490 of this report.

EXECUTIVE SUMMARY

Site at 840 Old Kent Road:



Existing land use (Paragraph 8)

1459 sqm of retail – 68 retail car parking spaces

Proposed Development (Paragraphs 9 -16)

- 168 homes
- 1778 sqm of A1 retail floorspace
- 52 sqm of A1/A3 retail/café floorspace
- 36% Affordable (Social 26%, Intermediate 10%)
- 390 sqm of podium space (340 sqm children's play space, 50 sqm amenity)
- 66 retail car Parking Spaces
- 284 Cycle Parking spaces (New London Plan and New Southwark Plan compliant)
- £359,160 of the S106 agreement is secured to upgrade Brimington Park
- 126 of 168 homes are dual aspect equating to 75% of the overall units
- Buildings of 13 (+49.60m AOD) and 21 (73.40m AOD) storeys in height
- Estimated Community Infrastructure Levy of circa £3,177,067.02

Current site

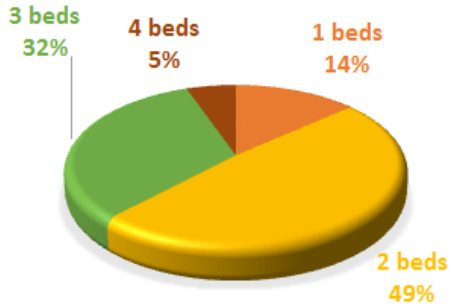


Proposed site



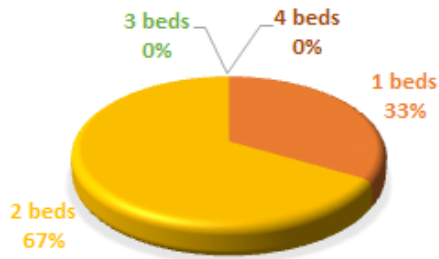
Affordable Housing (Paragraphs 116-124):

Unit mix – Social



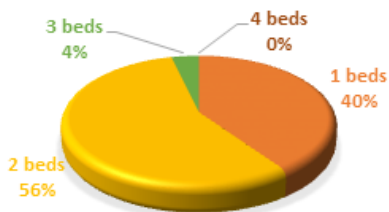
| UNIT SCHEDULE | 1 BED | 2 BED | 3 BED | 4 BED | TOTAL |
|---------------|-------|-------|-------|-------|-------|
| SOCIAL RENT | 5 | 18 | 12 | 2 | 37 |

Unit mix – Intermediate



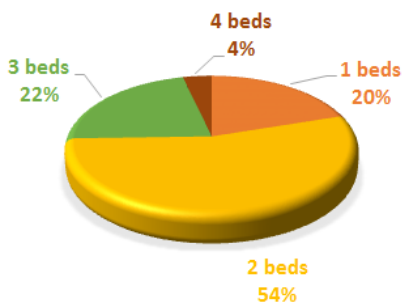
| UNIT SCHEDULE | 1 BED | 2 BED | 3 BED | 4 BED | TOTAL |
|---------------|-------|-------|-------|-------|-------|
| INTERMEDIATE | 6 | 12 | - | - | 18 |

Unit mix – Private



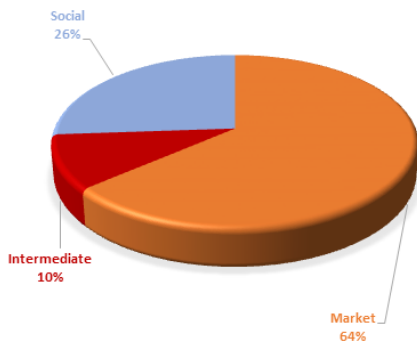
| UNIT SCHEDULE | 1 BED | 2 BED | 3 BED | 4 BED | TOTAL |
|---------------|-------|-------|-------|-------|-------|
| PRIVATE HOMES | 45 | 62 | 6 | - | 113 |

Total unit mix

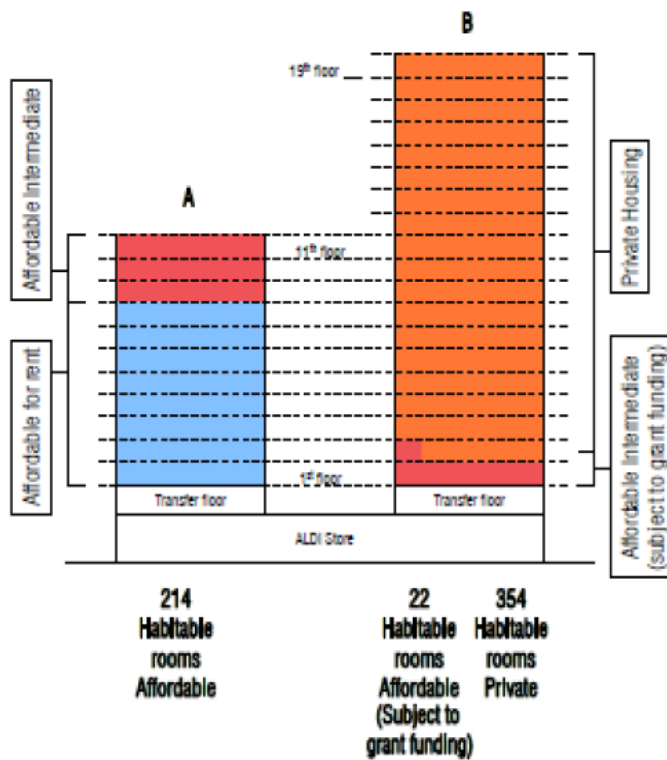


| UNIT SCHEDULE | 1 BED | 2 BED | 3 BED | 4 BED | TOTAL |
|---------------|-------|-------|-------|-------|-------|
| TOTAL No. | 56 | 92 | 18 | 2 | 168 |
| TOTAL % | 33% | 55% | 11% | 1% | |

Habitable Rooms by Tenure and Tenure mix (Paragraphs 229-234):



| TENURE | HABITABLE ROOMS | | UNITS | |
|--------------|-----------------|-----|-------|-----|
| | No. | % | No. | % |
| MARKET | 376 | 64% | 113 | 67% |
| SOCIAL | 154 | 26% | 37 | 22% |
| INTERMEDIATE | 60 | 10% | 18 | 11% |
| TOTAL | 590 | | 168 | |

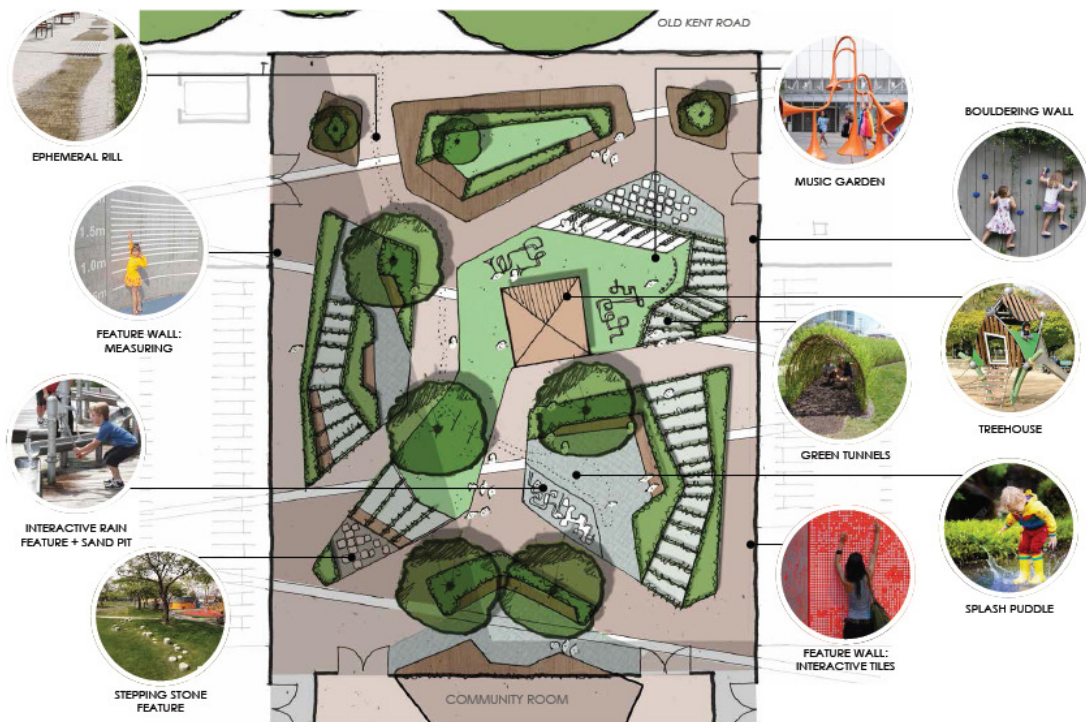


Residential Design – Dual Aspect (Paragraphs 245-247):

Dual aspect figures

| | DUAL ASPECT AFFORDABLE HOMES | DUAL ASPECT PRIVATE HOMES | DUAL ASPECT TOTAL HOMES |
|-------|------------------------------|---------------------------|-------------------------|
| TOTAL | 46 of 55 (83%) | 80 of 113 (71%) | 126 of 168 (75%) |

Podium Amenity Space (Paragraphs 175-176 & 273-277):



- 390 sqm of podium space comprising of 340 sqm of children's play space and 50 sqm of amenity space. To the rear is a community hall/room providing a further 50 sqm

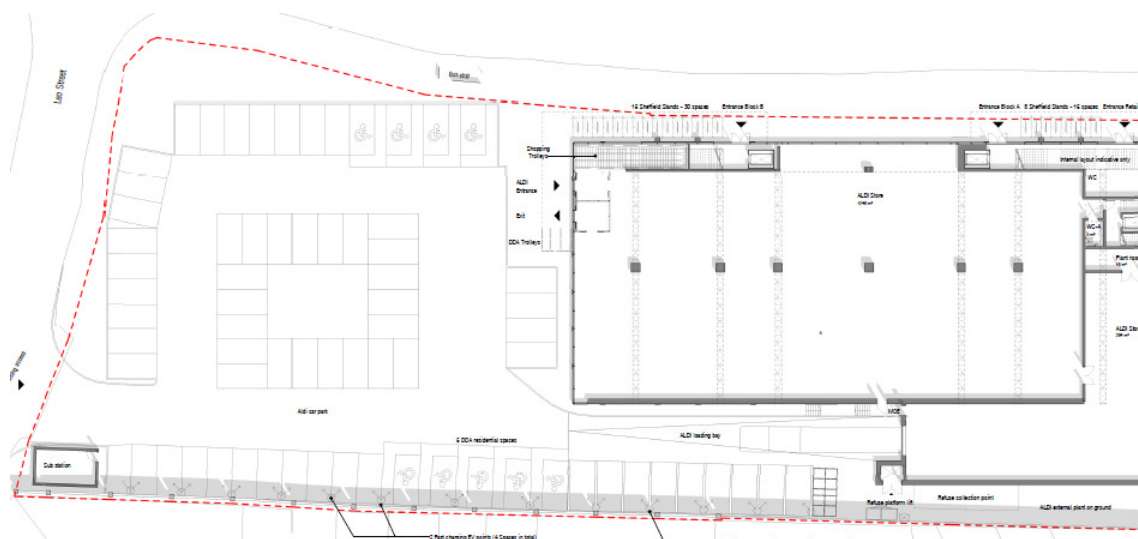
Sustainability:

Energy (Paragraphs 472-482)

- The proposed heating in the building will be provided via a communal Air Source Heat Pump system.
- This will be designed so that it can be connected SELCHP District wide heating network that is currently being developed by the GLA and Veolia. This future connection would further reduce CO2 emissions.
- London Plan Policy seeks to achieve at least a 35% reduction of co2 emissions above current building regulation, this development achieves 37%
- A Carbon offset payment of £199,200.00 has been agreed within the S106 agreement

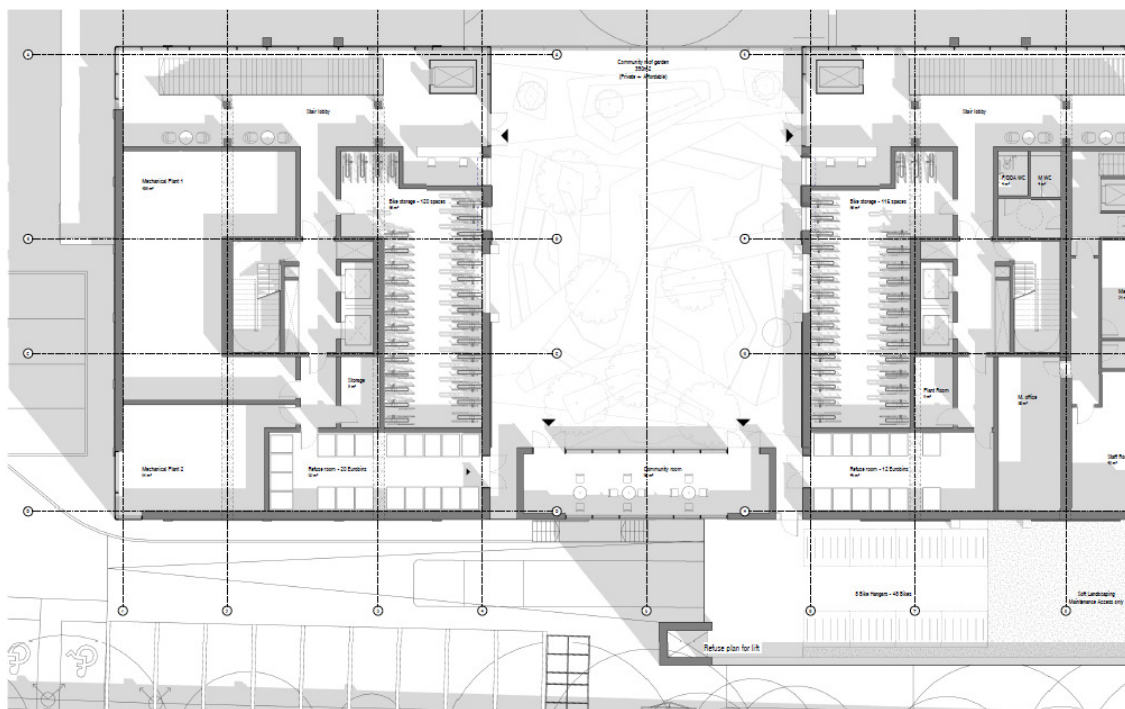
Electric vehicle provision

- 25 new electric charging points provided along the southern edge of the car parking arrangement
- 4 of the 25 charging points to be rapid charging



Car and Cycle Parking (Paragraphs 388-391 & 399-405)

- Residential aspect of the development is car free
- 284 cycle parking spaces compliant with new London Plan and new Southwark Plan standards



Trees (Paragraphs 185-187)

- The development results in the removal of 8 on-site trees and one off-site tree.
- The trees that are removed include 1 A category Whitebeam tree, 5 B category trees consisting of Maple, Lime and Sycamore trees, and 3 C category Maple and Sycamore trees.
- 10 trees will be replanted, including the off-site tree



Active frontages:

- New frontages created on the Old Kent Road and Brimmington Park
- Enhanced relationship between the application site and Brimmington Park

Old Kent Road frontage existing



Old Kent Road frontage proposed



Brimmington Park frontage existing



Brimmington Park frontage proposed

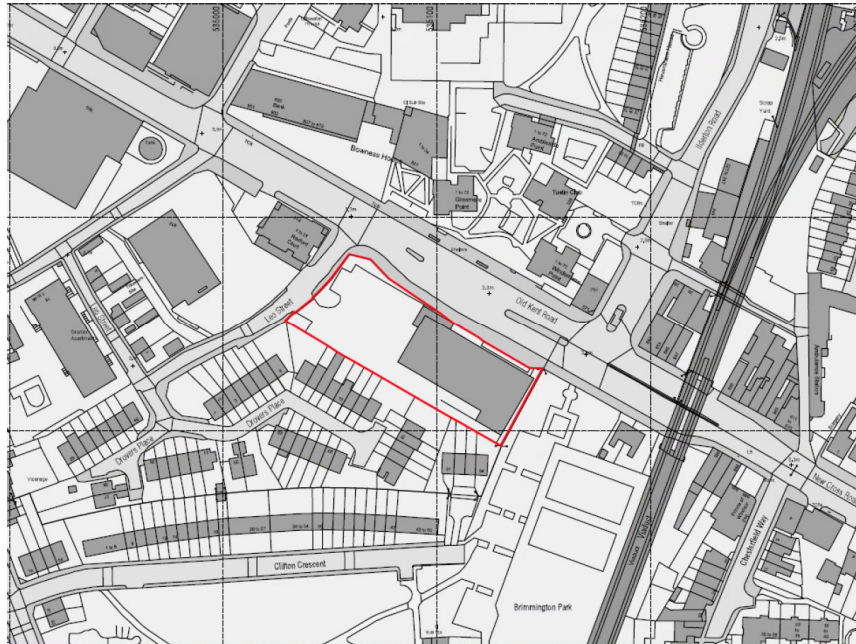


BACKGROUND INFORMATION

Site location and description

2. The subject site is a rectangular parcel of land located on the southern side of Old Kent Road comprising of 0.46 hectares. A single storey Aldi store is located on site in Use Class A1 with a Gross Internal Area of 1,459sqm. At the north-western end of the site is the associated car parking space for customer use that comprises of 68 spaces including four blue-badge spaces.
3. To the southeast of the site is Brimington Park, Leo Street borders the site from the northwest, the Tustin Estate and Old Kent Road/Ilderton Road junction is located adjacent, with dwellings along Drovers Place and Clifton Crescent, including a listed row of terraced dwellings along Clifton Crescent are located to the rear of the site. The site location plan below demonstrates the site within the surrounding context.

Image: Site Plan



4. Regarding the context of the site in relation to transport options and accessibility, on the Public Transport Accessibility Level, (PTAL), a rating of 4 is achieved which demonstrates above average accessibility to public transport options. Along the Old Kent Road pavement outside of the application site is Bus Stop WA which accommodates six Transport for London (TfL) bus routes (21, 53, 172, 453, N21, N53). Approximately 1.4 miles north of the site is the Bermondsey Underground Station on the Jubilee Line with the Queens Road Peckham and New Cross Gate Station located 0.3 miles and 0.6 miles away respectively.
5. The location of the site along the Old Kent Road is likely to result in an increase of the PTAL rating given that the proposed Bakerloo Line Extension (BLE) would provide another transport option and link to the site and surrounding area.
6. The application site is within the boundaries of the Old Kent Road Opportunity Area within sub-section OKR17. This sub-section is known as 'South of Old Kent Road (760, 812 and 840 Old Kent Road, Toys'R'Us and Aldi Stores'. The OKR17 allocation has a total site area of two hectares with an indicative capacity for the creation of 1,700 new

homes and 316 new jobs. The intention of this allocation is to provide retail uses at ground floor, and residential and other uses to the upper floors.

7. The Old Kent Road Area Action Plan (OKR AAP) directly references the subject site as being available for redevelopment subject to securing a solution that enables trading to continue whilst the redevelopment of the site is undertaken.
8. The table below demonstrates the existing area schedule on the application site.

Table: Existing Area Schedule

| | |
|-----------|-------|
| Occupier | Aldi |
| Use Class | A1 |
| Sqm (GIA) | 1,459 |

Details of Proposal

9. Planning permission is sought for the comprehensive redevelopment of the application site to facilitate the demolition of the existing single storey building and construction of a 13-storey block and a 21-storey block accommodating a retail unit in Use Class A1, and flexible retail unit in Use Class A1/A3 at ground level and 168 residential units in Use Class C3 on the upper floors. Additional works within the scheme propose landscaping, car parking, cycle parking, and servicing, refuse and plant areas.
10. The development comprises a total of 16,997sqm of Gross Internal Area floor space including residential, retail and flexible retail, and other associated back of house and ancillary areas. The table below sets out the proposed floor space areas within each individual use class identified above.

Table: Proposed land uses

| Land Use | Use Class | GIA |
|-----------------|-----------|--------|
| Residential | C3 | 15,167 |
| Flexible Retail | A1/A3 | 52 |
| Retail | A1 | 1,778 |

11. The proposal would facilitate the provision of 36% affordable housing units within the scheme comprising 72% Social Rent at no more than HCA rent cap levels inclusive of service charge and 28% for Shared Ownership. There is potential for the delivery of 40% affordable homes subject to grant funding. In line with the aspirations of section OKR17 within the AAP that subject to the securing of a solution that allows the Aldi store on site to continue trading during the development phase, a separate application has been created under planning reference 19/AP/1766 that proposes a scheme to facilitate a temporary Aldi store.
12. Upon completion of the overall development, 66 car parking spaces (including four blue-badge spaces) will be facilitated for the new high-quality Aldi store with a further five surface level blue badge spaces will be accommodated for the residential dwellings. Furthermore, there is a provision of 25 electric charging points of which four of to be rapid charging points.
13. The provision of cycle parking on site will total 284 long stay cycle spaces (184 spaces

for private housing, 100 for affordable housing) for the residential aspect of the development. Short stay spaces provided along the Old Kent Road frontage that would facilitate both retail and residential visitors to the site. The short stay spaces would consist of 23 Sheffield stands equating to 46 short stay spaces.

14. The following diagrams and tables demonstrate the tenure mix that is proposed for the development. 55 units form the 36% of the overall development that will be affordable, with 37 units provided for Social Rent, and 18 for Intermediate. The affordable mix provides a total of 83% dual aspect affordable apartments with the private units offering 73%. The scheme has potential to provide a further six intermediate units that can improve the affordable unit provision to 40% subject to grant funding.
15. Across the whole site, the housing mix would be as follows:

Table: Housing mix

| Unit size | No. of homes | % of homes |
|-----------|--------------|------------|
| Studio | 0 | 0% |
| 1 bed | 56 | 33.3% |
| 2 bed | 92 | 54.7% |
| 3 bed | 18 | 10.8% |
| 4 bed | 2 | 1.2% |
| Total | 168 | 100% |

16. The amenity and play space for the residents of the development is required by a shared communal garden on the transfer floor consisting of 390 sqm of space consisting of 340 sqm for playspace, with a further 50 sqm facilitated for general amenity space. At the rear of the communal garden is an enclosed community space designated for small gatherings at a size of 50 sqm and providing seats and tables within. Doorstep play will be provided on the terrace in the form of sculptural play elements and seating as well as graphics set within the resin bound gravel surface to promote informal and imaginative play. All of the play provision will be subject to a condition requiring details to be approved. The close proximity of Brimington Park will allow for additional open space and play provision for a range of age groups. The developer will be contributing £359,160 to upgrade the park. Public realm improvements along Old Kent Road will include the provision of new planters and seating between the retained mature trees, shrub and herbaceous planting within and to the perimeter of the car park.

Revisions and amendments

17. A number of amendments were made during the course of the application as a result of consultation responses and negotiation with officers. These revisions and amendments are fully incorporated into this report. Due to the nature of the revisions, re-consultation was not required.
18. The most significant changes and revisions were as follows:
 - Increase from 35% to 36% Affordable units with the potential to provide 40% subject to funding;
 - Reduction of units from 170 to 168
 - Increase in amenity space on the podium from 315 sqm to 390 sqm
 - Increase in cycle spaces from 170 to 284 spaces

- Introduction of 2no. 4 bedroom units to the housing mix
- Indicative cladding material incorporated into the design.

Relevant planning history

19. The application site has been subject to one planning application of note which is detailed below:

13/AP/0366

'Installation of aluminium backed non-illuminated vinyl graphic signage measuring 1.8m in height x 45.6m width along the Old Kent Road Elevation'

Decision: Granted

Pre-application advice

20. Pre-application advice was provided in advance of the submission of this application, details of which are held electronically by the Local Planning Authority. A number of meetings were held with the applicant and discussions centred around the provision of affordable housing, the height and massing of the proposals, the re-provision of the Aldi store, access and servicing, the materials of the scheme preserving the appearance of the terraced row of Listed Buildings in Clifton Crescent, the amenity space and play space, the quality of the residential accommodation and potential impacts upon surrounding occupiers.

Scoping opinion

21. An environmental impact assessment scoping opinion was not required for this development.

Planning history of adjoining sites

22. The council has received a number of planning applications recently in the Old Kent Road Opportunity Area. These include the following:

23. 18/AP/0564 16 Peckham Park Road and 1 Livesey Place

Application type: FULL

24. Demolition of existing buildings and construction of a part three, part four storey building with retail and warehouse (A1) use on the ground floor and 5 residential units (3 x 2-bedroom and 2 studio flats) on upper floors.

25. Decision: Granted with Grampian Condition (3 August 2018).

26. 17/AP/2773 Malt Street Regeneration Site, Land Bounded By Bianca Road, Latona Road, Haymerle Road, Frensham Street, and Malt Street

Application type: FULL and OUTLINE

27. Hybrid application comprising a full planning application for Phase 1 (the "Detailed Component") and outline planning permission (the "Outline Component") for Phases 2

and 3:

28. Detailed Component (Phase 1):
29. 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 and 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.
30. Outline Component (Phase 2 and 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.
31. Decision: Resolution to grant, subject to a legal agreement, referral to the Mayor of London and Secretary of State (3rd June 2019).
32. 18/AP/0897 Ruby Triangle Site, Land bounded by Old Kent Road, Ruby Street and Sandgate Street
- Application type: FULL
33. 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 community 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.
34. Decision: Granted (6 June 2019)
35. 18/AP/3246 Land at Cantium Retail Park, 520 Old Kent Road
- Application type: FULL
36. Demolition of existing buildings and redevelopment of the site to provide a new

basement level and buildings ranging from 3 to 48 storeys in height (max height 159.05m above ground level) comprising up to 1,113 residential units (Class C3), up to 5,659 sq. m of office floorspace (Class B1(a)), up to 2,228 sq. m of retail floorspace (Class A1), up to 2,336 sq. m of flexible space including use within Classes A1, A3, B1(a), B1(b), D1, D2 and / or Sui Generis (Theatre) within Block B and up to 596 sq. m of flexible space within Classes A1, A2 and / or A3 within Block C together with associated access, car parking, landscaping and infrastructure works.

37. Decision: Resolution to grant, subject to a legal agreement, referral to the GLA and Secretary of State (5th March 2019).

38. 17/AP/4596 13-14 Frensham Street, (Nye's Wharf)

Application Type: FULL

39. Demolition of existing buildings and erection of mixed-use scheme comprising 321sqm (GIA) of flexible A1, A2, A3, A4, B1, D1 and D2 floorspace and 882sqm (GIA) of B1 floorspace at ground and mezzanine levels; with 153 Residential units (Class C3) above in two blocks ranging from 9 to 18 storeys with hard and soft landscaping and associated infrastructure works, including three disabled spaces and cycle parking.

40. Decision: Resolution to grant, subject to a legal agreement and referral to the GLA (3rd September 2018).

41. 17/AP/4612 49-53 Glengall Road

Application type: FULL

42. Demolition of all existing buildings and structures (excluding some of the facades along Glengall Road and Bianca Road and the industrial chimney) and erection of a part 6, 8 and 15 storey mixed-use development comprising 3,855 sqm (GIA) of flexible workspace (Use Class B1) and 181 residential units (Use Class C3) with amenity spaces and associated infrastructure.

43. Decision: Resolution to grant, subject to a legal agreement, referral to the GLA and Secretary of State (15th January 2019).

44. 18/AP/3551 Southernwood Retail Park

Application type: FULL and OUTLINE

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

46. 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.

47. 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.

48. Decision: Resolution to grant, subject to legal agreement, and referral to GLA (28 May 2019).

KEY ISSUES FOR CONSIDERATION

Summary of main issues

49. The main issues to be considered in respect of this application are:
- Environmental impact assessment;
 - Aldi temporary store
 - Affordable housing;
 - Design, layout, heritage assets and tall buildings including views;
 - Public realm, landscaping and trees;
 - Housing mix including wheelchair housing;
 - Quality of accommodation;
 - Density;
 - Impact of proposed development on amenity of adjoining occupiers and surrounding area;
 - Transport;
 - Noise and vibration;
 - Planning obligations (S.106 undertaking or agreement);
 - Mayoral and Borough community infrastructure levy (CIL);
 - Sustainable development implications;
 - Energy;
 - Ecology;
 - Air quality;
 - Ground conditions and contamination;
 - Water resources and flood risk;
 - Archaeology;
 - Wind microclimate;
 - Light pollution;
 - Health Impact Assessment;
 - Socio-economic impacts;
 - Equalities and human rights;
 - Statement of community involvement; and
 - Other matters.

Legal context

50. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.

51. There are also specific statutory duties in respect of the public sector equalities duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Planning policy

52. The statutory development plans for the Borough comprise the National Planning Policy Framework 2019, London Plan 2016, Southwark Core Strategy 2011, and saved policies from The Southwark Plan (2007 - July). The site falls within the area covered by the draft Old Kent Road Area Action Plan (draft OKR AAP).

Planning policy designations

53. The application site is found within the following planning policy designations:
- The Old Kent Road Opportunity Area;
 - Draft OKR AAP site OKR 17;
 - The Urban Density Zone;
 - Old Kent Road Archaeological Priority Zone;
 - The Air Quality Management Area;
 - Public Transport Accessibility Level (PTAL) of 4;
 - Extended background area (Wider Setting Consultation Area) of LVMF views 2A.1, 3A.1, and 6A.1 and
 - Flood Zone 3.
54. The nearest Conservation Area is Caroline Gardens which is located approximately 170 metres to the west of the subject site.
55. To the south of the site lies the Grade II Terraced row of dwellings and attached railings of nos. 1-50 Clifton Crescent, approximately 50-60 metres away.
56. This application should be determined in accordance with the development plan unless material considerations indicate otherwise; and the following national framework, regional and local policy and guidance are particularly relevant.

Adopted policy

National Planning Policy Framework

57. 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.
58. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
59. Section 2 - Achieving sustainable development
 Section 5 - Delivering a sufficient supply of homes
 Section 6 - Building a strong, competitive economy
 Section 7 - Ensuring the vitality of town centres
 Section 8 - Promoting healthy and safe communities
 Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land
 Section 12 - Achieving well-designed places
 Section 14 - Meeting the challenge of climate change, flooding and coastal change
 Section 15 - Conserving and enhancing the natural environment
 Section 16 - Conserving and enhancing the historic environment

60. National Planning Policy Guidance (2014) is a web-based resource which brings together planning guidance on various topics into one place.

London Plan 2016

61. The London Plan is the regional planning framework and was adopted in 2016. The most relevant policies are those listed below.
62. Policy 3.1 Ensuring Equal Life Chances for All
 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 3.16 Protection and Enhancement of Social Infrastructure
 Policy 4.3 Mixed use development and offices
 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 7.8 Heritage assets and archaeology
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy
63. 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". 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.
64. 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.

Mayoral SPGs

65. The following Mayoral SPGs are relevant to the consideration of this application:
66. Homes for Londoners (2017)
 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)

Core Strategy 2011

67. 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 3 - Shopping, leisure and entertainment
 Strategic policy 4 - Places for learning, enjoyment and healthy lifestyles
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (July) - Saved Policies

68. 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
 1.5 - Small businesses
 2.2 - Provision of new community facilities
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction
 3.9 - Water

- 3.11 - Efficient use of land
- 3.12 - Quality in design
- 3.13 - Urban design
- 3.14 - Designing out crime
- 3.15 - Conservation of the Historic Environment
- 3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- 3.19 – Archaeology
- 3.20 – Tall Buildings
- 3.22 – Important Local Views
- 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 (SPDs)

69. The following Southwark SPDs are relevant to the consideration of this application:

Development Viability SPD (2016)
 Technical Update to the Residential Design Standards SPD (2015)
 Section 106 Planning Obligations/CIL SPD (2015)
 Affordable housing SPD (2008 - Adopted and 2011 - Draft)
 Residential Design Standards SPD (2011)
 Sustainable Transport SPD (2010)
 Sustainable design and construction SPD (2009)
 Sustainability assessments SPD (2009)

Emerging Planning Policy

Draft New London Plan

70. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019. Further suggested changes to the Plan have been proposed by the Mayor and published in response to the EIP Panel of Inspector's matters at the examination sessions. The Inspector's recently completed their report, however, given the stage of preparation it can only be attributed moderate weight.
71. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for 12,000 homes and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

New Southwark Plan

72. For the last six 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) in February 2018 and some Amended Policies were consulted on

between January and May 2019. It is anticipated that the plan will be adopted in early 2020 following an Examination in Public (EIP). 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. The New Southwark Plan is now online (16/01/2020) and has been submitted to the Secretary of State for its formal examination in public. The submitted allocation for OKR 17 has been reduced 1700 homes to 900 homes which will be reflected in the draft submission of the OKR AAP.

Old Kent Road Area Action Plan (OKR AAP/OAPF)

73. 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 four years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed limited weight.
74. Whilst acknowledging this 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 17 which covers the area bounded by Ilderton Road, Asylum Road and Old Kent Road. Requirements for this allocation site include the re-provision of existing retail floorspace in Use Class A, and to provide residential or office space above the employment space and frontages along Old Kent Road activated through provision of retail (A Class), business (B Class) or community uses (D Class). Also relevant to OKR17 and the subject site are the requirements to provide a relationship between the site and Brimington Park to the south.

Equalities

75. The Equality Act (2010) provides protection from discrimination for the following protected characteristics: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership. Section 149 of the Equality Act 2010 places the Local Planning Authority under a legal duty to have due regard to the advancement of equality in the exercise of its powers, including planning powers. Officers have taken this into account in the assessment of this application and Members must be mindful of this duty, inter alia, when determining all planning applications. In particular Members must pay due regard to the need to:
- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act; and
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
76. As set out in the Essential Guide to the Public Sector Equality Duty (2014), “the duty is on the decision maker personally in terms of what he or she knew and took into account. A decision maker cannot be assumed to know what was in the minds of his or her officials giving advice on the decision”. A public authority must have sufficient

evidence in which to base consideration of the impact of a decision.

77. Whilst it is acknowledged that the site to the northwest of this development is a travellers site. Given that the subject site does not directly adjoin the property as Leo Street is located between the properties, it is not considered that this development would adversely affect the travellers site. Therefore, no adverse impacts to any groups with protected characteristics have been identified.

Other equality impacts

78. The Strategic Housing Market Assessment (SHMA) prepared on behalf of a number of South East London boroughs states that Southwark, together with Lewisham, has the most ethnically mixed population in the South East London sub-region. Compared to the population at large a very high proportion of Black households (70%) are housed in the social/affordable rented sector. These groups could therefore stand to benefit from the proposed affordable housing, which would include social rented units. The provision of communal amenity spaces to be shared by different tenures would also contribute to the potential for increased social cohesion. This is a positive aspect of the scheme.
79. Proposed enhancements to the streetscape on Old Kent Road would prioritise the movement of pedestrians and promote “healthier, active lives” in accordance with draft Policy AAP 10 of the draft OKR AAP.
80. The proposed development would also generate additional opportunities for local employment. The proposed development would deliver 1778 sqm (GIA) A class floorspace on the ground floor with an ancillary flexible A1/A3 unit of 52 sqm, which represents an increase of 371 sqm over the existing A floorspace.

Conclusion on equality impacts

81. The proposed development would not result in any adverse equality impacts in relation to the protected characteristics of religion or belief and race as a result of the re-provision of the Aldi store with an ancillary A1/A3 unit, and upper floor residential units. Notwithstanding that the development would result in a significant change to the site, officers are satisfied that equality implications have been carefully considered throughout the planning process and that Members have sufficient information available to them to have due regard to the equality impacts of the proposal as required by Section 149 of the Equality Act 2010 in determining whether planning permission should be granted.
82. The proposed development would undoubtedly result in a significant change to the site. The public sector equality duty does not prevent change but it is important that the council consider the acceptability of the change with a careful eye on the equality implications of that change given its duty under Section 149 of the Equality Act 2010. The council’s duty is to have due regard to the objectives identified above when making its decision. In the present context, this means focusing carefully on how the proposed change would affect those with protected characteristics and ensuring that their interests are protected and equality objectives promoted as far as possible.

Environmental impact assessment

83. An environmental impact assessment (EIA) screening was submitted under planning reference 19/AP/0971. This was carried out in accordance with Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

84. The development would introduce more than 150 dwellinghouses, and was therefore necessary to assess the potential impact of the proposal against Schedule 3 of the EIA Regulations. This was to determine whether the proposed development should be subject to a formal EIA, taking into account a number of factors relating to the characteristics of the development, its location, and the types and characteristics of the potential impacts.
85. Based on the required assessment, no significantly likely impacts were identified and it was considered that the development would not impact upon the environment virtue of factors such as its nature, size and location. Given this assessment the conclusion was that the proposed development did not constitute EIA development and therefore an assessment is not required with this application.

Temporary Aldi store

86. The subject site currently facilitates a single storey Aldi store and associated at grade car parking. In order to successfully develop the site, the scheme put forward proposes a temporary store that would enable Aldi to continue trading during construction and after. It is important to note that in detailing OKR 17 within the Draft OKR AAP (Page 130), it is stated that *'The Aldi site is available for re-development, subject to finding a solution that enables the store to continue trading'*
87. The Temporary store is subject to a separate planning application under reference 19/AP/1766. As part of the joint proposal to redevelop the site and retain an area to accommodate a temporary Aldi store, the proposed car parking will be reduced to 26 spaces during the lifespan of the temporary store. Officers have reviewed the temporary store proposal and are of the view that it is acceptable in terms of servicing and highways considerations. It would satisfy the policy requirements of the OKR AAP to maintain continuous trading on the site, and should this scheme be approved Members are asked to agree that the director of planning be allowed to determine this application using their delegated powers.

Image: Relationship between the temporary Aldi store and the proposed development.



Principle of development in terms of land use

88. The NPPF (2019) offers a number of key principles that emphasise a focus on driving and supporting sustainable economic development to facilitate the delivery of new homes and commercial business units etc. The application site is located within the Old Kent Road Opportunity Area. In locations such as this, both London Plan and Southwark Plan policies strive for higher density, high quality mixed use developments which assist in addressing the need for new homes and ranges of employment

opportunities.

89. In the draft OKR AAP, the site is identified as falling within Proposal Site OKR17. The draft site allocation states that redevelopment on this site must:
- Replace existing employment space including retail floorspace (A Class);
 - Provide residential flats or office space above the employment space
 - Provide on site servicing.
 - Confirms that the Aldi site is available for redevelopment subject to a solution that allows the store to continue trading.
90. The existing use on the site (Aldi supermarket) is not considered to maximise the potential of this Opportunity Area Proposal Site. The proposed replacement of the Aldi supermarket with the provision of a mixed A1/A3 Use Class Unit, and the delivery of 168 new homes would deliver major regeneration benefits that are further discussed in the proceeding parts of this report.

Image: OKR Sub Area 4, showing Site Allocation OKR 17 at the bottom of the picture.



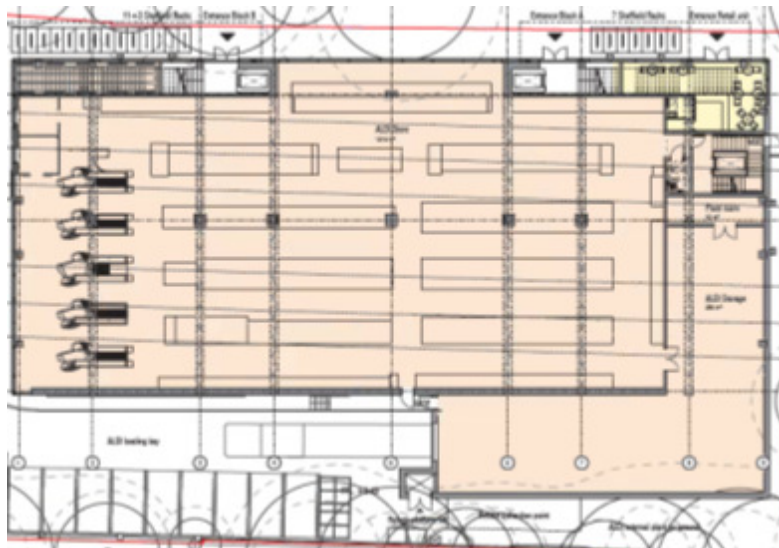
Image: Subject site within the OKR area.



Employment re-provision (no net loss)

91. The existing floor space of Aldi on the application site comes to a total of 1,459 sqm (GIA). The development would provide an additional 319 sqm of A1 floor space for a total of 1778 sqm (GIA). A further 52 sqm is provided for a flexible A1/A3 Unit. Overall, this represents an uplift of 371 sqm (GIA) of A class floor space compared with the existing provision.

Image: Employment floor space proposed at ground floor



Job Creation

92. Whilst it is acknowledged that the major use on the ground floor of the site is the re-provision of the Aldi store, a mixed use A1/A3 unit is proposed to the southeast corner of the ground floor. The new Aldi store will create 10 FTE new local jobs (50 in total) with the flexible unit creating further jobs once an appropriate business is found to occupy the unit.

93. LBS's Local Economy Team (LET) recognises that there would be uplift in employment floor space. The development is projected to deliver sustained jobs to unemployed Southwark residents, and includes short courses and construction industry apprentices during the construction phase, or meets the Employment and Training Contribution. All LET recommendations would be secured through the Section 106 agreement. If any of these expectations were not to be achieved, financial contributions would be sought in accordance with the council's Planning Obligations and CIL SPD. An Employment, Skills and Business Support Plan would also be secured through the Section 106 Agreement.

Assessment of main town centre uses

94. The site is not currently within a designated town centre. It does however fall within the boundary of the new town centre proposed in emerging policy in the draft New Southwark Plan (under Policy P30, Town and Local Centres) and draft OKR AAP. In the AAP Consultation Summary, published in January 2019, this was updated to show two new designated town centres. Given the direction of the draft London Plan, these are likely to be "District Centres".
95. Two new designated centres are proposed in the emerging plan in order to better meet the needs of existing and new residents and workers in the Old Kent Road area. The new centres would include retail, leisure, entertainment and recreation facilities in a significantly more attractive and accessible environment. The proposals under consideration here would help to contribute to the vitality and viability of the new centre within which they would sit.
96. Acknowledging its limited weight, draft NSP Policy P30 states that town centre uses will be permitted in town centres where:
- The scale and nature is appropriate to the role and catchment of the centre; and
 - A Use Classes are retained or replaced by an alternative use that provides a service to the general public, and would not harm the vitality and viability of the centre; and
 - The development would not harm the amenity of surrounding occupiers or result in a concentration of uses that harms the character of the area; and
 - The development provides an active use at ground floor in locations with high footfall; and
 - Large schemes for town centre uses that are 1,000 sqm or more provide public toilets, public drinking fountains and public seating.
97. The existing retail (A1 use class) offer on the site is the Aldi supermarket, which has a floor area of 1,459 sqm (GIA). This would be retained and increased to 1,778 sqm with an additional flexible unit proposes an A1/A3 mix accommodating a further 52 sqm. It is therefore considered that the development would provide a sufficient uplift in retail provision on site. In retaining the Aldi store within a larger floorspace, the development would keep a unit that offers a sufficient service to the surrounding community and the provision of an additional flexible unit creates variety to the function of the Aldi supermarket whereby the unit can offer a service to the customers shopping at Aldi. The proposal would therefore result in a clear benefit to the surrounding area, and contribute to the vision for OKR17 within the Old Kent Road Area.
98. In terms of the allocation sites identified in the draft NSP, the application site is found within NSP 72 (840 Old Kent Road – Aldi store). NSP 72 states that development here should provide new homes, and offer either A1, A2, A3, or A4 Uses. Additionally,

redevelopment of the site could facilitate community and employment uses within Use Class D and B, respectively. Furthermore, NSP 72 states that development in the area will need to respond positively to the objectives of the AAP and should reinforce the high street by delivering a new part of the town centre.

99. Again, acknowledging its very limited weight, draft OKR AAP Policy AAP 7, Town Centres, Leisure and Entertainment, identifies the subject site as falling within a district centre and identifies the uses that would be appropriate, including retail, community, leisure, cultural and offices above shops. Furthermore, Policy AAP7 of the Draft OKR AAP notes that generally within the Old Kent Road (not just in town centres) development should seek to increase both the quantum and types of retail, provide a mix of sizes of unit and provide a range of shop sizes including supermarkets.
100. The site is within the OKR 17 site allocation in the draft OKR AAP, which seeks the re-provision of existing retail floorspace in Use Class A, and to provide residential or office space above the employment space whilst incorporating a relationship between the subject site and Brimington Park to the rear of the site.
101. The Southwark Retail Study 2015 and the 2018 Old Kent Road update provide a robust and credible evidence base to inform the council's work on the NSP and AAP. This identified that Old Kent Road is the dominant destination for comparison shopping in the borough, and the proposal to introduce new designated centres supports future capacity and growth. In retaining the food supermarket on site, the proposal would preserve the vitality of the town centre area that forms part of OKR 17, and would offer an additional flexible unit that provides an extra food and drink option to users of the Aldi store. It is therefore considered that the proposed development would make a positive contribution to this objective.
102. In light of the above, it is clear that emerging policy and the existing evidence base for the Old Kent Opportunity Road area support mixed use development and the designation of the Old Kent Road as a high street and town centre. Noting however, that the site doesn't sit within a currently designated town centre, the NPPF, London Plan and Strategic Policy 3 of the Core Strategy, all require applications for "Town Centre" uses over a certain size, outside defined town centres to undertake a sequential approach to site selection, demonstrating that there would be no unacceptable impacts to any defined town centres.
103. The NPPF states that when assessing applications for retail, leisure and office development outside town centres, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floor space threshold, or if there is no locally set threshold, the default threshold should be 2,500 sqm. Southwark has no adopted local threshold.
104. The proposals under consideration would incorporate a mix of residential and retail uses to the site. The retail use is concentrated on the ground floor of the proposed buildings. A breakdown of non residential land uses proposed is set out in detail in Section 24 of this report, but to summarise it consists of 1,830 sqm (GIA) of non residential floor space. 1,778 sqm of this would be for the Aldi Supermarket in A1 Use, and 52 sqm would be for the flexible A1/A3 unit. The total of 1,830 sqm falls comfortably below the 2,500 sqm threshold set in the NPPF and draft London Plan. As such, and given the direction of travel in the emerging NSP and OKR AAP, it is not considered that a sequential test is necessary in this instance, and the retail uses proposed are supported.

105. The maximum 1,830 sqm of town centre uses proposed would be complementary to the delivery of the major components in the scheme, which are housing and retail uses. They would activate the ground floor frontages, particularly onto Brimington Park to the southeast, and Old Kent Road to the north. It is therefore considered that the proposed scheme would not create adverse impacts for the wider area or any other defined town centre.
106. The provision of this floor space would also contribute to the uplift in employment discussed above, which would further intensify the contribution of the proposal to the local economy.

Independent retail

107. Draft NSP Policy 28 and London Plan policy 4.9 Local Shops state that development must incorporate well designed and flexible units suitable for small and independent businesses. The ground floor plan proposed demonstrates that the flexible A1/A3 unit would be sited in the south eastern corner of the floorplan with access provided from Old Kent Road, next to seven Sheffield Stands. The ease of access and location of the unit fronting Old Kent Road makes the flexible unit an attractive space within the development. The Legal Agreement will also require the submission and approval of a Retail Marketing Strategy to ensure that local independent businesses are targeted first.

Enhancement of Brimington Park

108. To the south and south east of the subject site is Brimington Park. £359,160 is proposed to be provided and the contribution is to the council's project to improve Brimington Park. This contribution would help fund the upgrading of existing sports facilities, refurbishing of changing rooms, provide a new sports pitch, and improve the landscaping throughout Brimington Park. The extensive planting is also considered to provide a range of seasonal interest and ecological benefits. As detailed drawings come forward as required by condition, the relationship between the development and park will be part of the finalised drawings to be agreed in writing with LBS. The council's plan for the park has gone through a first round of consultation with the current design shown below. The council will review the design following responses from the public with a view to go to a second round of consultation in the coming months.

Image: Layout of Brimington Park



Provision of housing, including affordable housing

109. The scheme would deliver 168 new homes, including policy compliant affordable housing (36% by habitable room with the option to increase the provision to 40% subject to grant funding). This is a significant positive aspect of the scheme. There is a pressing need for housing in the borough. Policy 3.3 of the London Plan supports the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy and emerging policy in the draft new London Plan, NSP and draft OKR AAP.

Prematurity

110. 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.

111. Refusal of planning permission on grounds of prematurity would seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”
112. The most up to date adopted development plan document pertinent to the Old Kent Road is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing led growth. The draft OKR 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 draft New London Plan aspirations for industrial land and employment are addressed. The scheme under consideration here 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 NSP and the 2016 and 2017 draft OKR AAPs and the 2018 draft New London Plan. It is not therefore considered to be premature.

Conclusion on land use

113. The scheme would deliver major regeneration benefits, including a significant contribution to the borough’s housing stock, a policy compliant level of affordable housing, job creation, high quality retail space, and flexible space, and contribution to the enhancement of the nearby Brimington Park. In light of the above, it is considered that the development, in land use terms, is acceptable, and its contribution to the Old Kent Road and surrounding area should be supported.
114. In relation to town centre uses, whilst the proposed development would introduce main town centre uses outside a currently designated town centre, the proposals would fall below the threshold set out in the NPPF, and would not be to the detriment of other designated centres. In addition, they would also help deliver the draft OKR AAP’s aspirations to create two new designated centres in Old Kent Road. Together, the mix of uses proposed would help to create a vibrant, genuine mixed use neighbourhood.

Affordable housing and development viability

Affordable housing

115. In summary, the proposed scheme would deliver 55 affordable homes to the borough’s housing stock. When calculated as habitable rooms, this represents a policy compliant 36% affordable housing offer. Again, this has the potential to increase to 61 affordable homes subject to grant funding. In line with draft New Southwark Plan Policy P1, 26% of the all proposed habitable rooms would be for social rent (at least 25% is required by policy), and 10% would be intermediate with a potential to increase to 14% subject to grant funding.
116. Southwark Plan Saved Policy 4.4 requires at least 35% of all new housing to be provided as affordable housing. Of that 35%, there is a requirement for 50% social housing and 50% intermediate housing in the Old Kent Road Action Area. The adopted London Plan (2017) sets a strategic requirement of 60% social housing and 40% intermediate housing. Emerging New Southwark Plan Policy P1 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.

117. The requirement for social housing set out in the New Southwark Plan is higher than the London Plan and the saved Southwark Plan policy given the acute need for social housing in Southwark. Approximately 57% of the borough's total affordable housing need is for intermediate housing to meet the housing needs of lower and middle income residents. However, the most acute affordable housing need is for social rented housing to meet the needs of homeless households living in unsuitable temporary accommodation such as bed and breakfasts or overcrowded conditions. Overcrowding is strongly related to poor physical and mental health and can strain family relationships. Children in overcrowded homes often achieve poorly at school and suffer disturbed sleep. Social rented housing is vital to social regeneration as it allows residents who cannot afford suitable market housing to remain close to their families, friends and employment. For this reason draft Policy P1 of the New Southwark Plan requires a minimum 25% of homes to be provided as social rented housing, which the proposed development complies with.
118. In accordance with the council's Affordable Housing SPD, rooms that are over 27.5sqm have been counted twice for the purposes of calculating affordable housing. This accounts for large open plan living room spaces that include kitchens and dining areas.
119. In total, 590 habitable rooms would be provided. 214 of these would be affordable habitable rooms, which would equate to an overall provision of 36% and is therefore fully policy compliant and a very positive aspect of the scheme. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
120. With regard to tenure split, out of the total 590 habitable rooms, 154 would be social rented (26%), 60 would be intermediate (10%) with the possibility of a further 22 habitable intermediate rooms (4%) subject to grant funding. This exceeds the requirement for 25% of homes to be social rented.

Table: Tenure Split

| Tenure | Habitable Rooms | | Units | |
|---------------|-----------------|--------|-------|--------|
| | No. | % | No. | % |
| Private | 376 | 63.72% | 113 | 67.26% |
| Social rented | 154 | 26.12% | 37 | 22.02% |
| Intermediate | 60 | 10.16% | 18 | 10.71% |
| Total | 590 | | 168 | |

121. All 37 social rented homes would be delivered in Building A, with views over Brimington Park to the rear. The 18 intermediate homes (24 if grant funding is secured) would be delivered in both buildings. All 113 private homes will be located in Building B. The Section 106 Legal Agreement would secure the delivery of these units
122. As with all Old Kent Road schemes, service charge costs to social rent tenants would be capped within social rent cap levels. This would be required in the Section 106 and confirmed when a registered social landlord is on board.
123. A contribution of £8,338.05 (a charge of £193.90 per affordable home) has been agreed towards affordable housing monitoring and maintained provision of these units,

and would be secured by the legal agreement.

Development viability

124. Southwark's Development Viability SPD requires a Financial Viability Appraisal (FVA) to be submitted for all planning applications which trigger a requirement to provide affordable housing. The FVA should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements.
125. This application is therefore accompanied by a FVA, which was reviewed by independent consultants on behalf of the council. An addendum report was also received from the applicant during the course of the application, which provided clarification on a number of points raised by the independent consultant, and responded to revisions to the scheme, including raising the level of affordable housing from 35% to 36% (by habitable rooms) on the basis of securing grant funding.
126. The Independent Consultant's review and subsequent addendum report concludes that the application scheme would produce a return below the target rate of return (profit on GDV) and therefore the maximum reasonable affordable housing provision has been proposed.
127. In the addendum to their FVA, the applicant proposes a blended rate of return on a present day basis of 17.53% profit on GDV. Due to the deficit against the benchmark land value, the sales value will need to grow by 20%, accompanied by a reduction in costs of 10% to mitigate the deficit.
128. The FVA addendum sets out sensitivity analysis on the viability of the proposals, to demonstrate the changes in sales values and construction costs that would be required to make the scheme viable. This sensitivity analysis indicates that the proposals could potentially become viable (with a policy compliant level of affordable housing) with significant growth required to achieve this.
129. The site would benefit from the wider regeneration of the area, including the Bakerloo Line Extension, which would boost sales and have a major impact on the area. Consultation on the BLE has been undertaken and is ongoing and construction could start in 2023 and thus the scheme would be likely to directly benefit from increases in residential pricing in the longer term.
130. The sensitivity analysis also considered the possibility of increasing the level of affordable housing to 40% by accessing GLA housing grant. The analysis indicates that a 15% reduction in building costs and a 15% increase in sales values would be required in order for the development to be technically viable in planning terms when providing Southwark's policy target quantum and tenure of affordable housing at 40%.
131. The entrances to both blocks would be identical. They would be accessible to all tenures from street level. Similarly, the shared space at podium level and the communal room would all be fully accessible to all tenures.

Conclusion on affordable housing

132. In conclusion, the level of affordable housing proposed is a very positive aspect of the proposals. The scheme would deliver 36% affordable housing with the potential to increase to 40% subject to GLA grant funding. The 36% affordable housing offer is

therefore considered deliverable on this basis and terms to secure the affordable housing would be included in the legal agreement, together with an early stage viability review.

Design considerations

133. 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 3.12 ‘Quality in design’ of the Southwark Plan asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments. This 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. With specific reference to tall buildings, Policy 7.7 of the London Plan (2016), ‘Location and Design of Tall and Large Buildings’ and Saved Policy 3.20 of the Southwark Plan sets out design requirements for tall buildings, both of which are discussed in further detail in the following paragraphs.
134. The emerging design policy in the New Southwark Plan includes P12, Design Quality and P14 Tall Buildings. P12 states that development must provide, amongst other things, high standards of design with appropriate fabric, function and composition. P14 sets out a series of tests for tall buildings (defined as significantly taller than surrounding buildings or their context). It also states that the highest tall buildings will be located in areas where there is the greatest opportunity for regeneration, including Opportunity Areas, such as the Old Kent Road.

Site layout

135. The proposed site layout would comprise one single urban block, with two distinct residential buildings (referred to as Building A and Building B) above a ground floor Aldi Supermarket. There would be shared external amenity space on the transfer floor/podium above the supermarket. This level would provide 390 sqm of external amenity space with a 50 sqm community hall proposed, for a total amenity area of 440 sqm.
136. The amenity area would be centralised on top of the ground floor supermarket and between the two buildings. Each building at this level provides non-residential uses such a transfer between buildings as well as bicycle and refuse storage, concierge, meeting rooms and mechanical plant.
137. Regarding public realm improvements, the development would incorporate the provision of a green link between the subject site and Brimington Park. This involves the enhancement of the existing street scene including the provision of new seating areas and planting that reinforces the existing character of the area. Furthermore, new planting is proposed within the car park perimeter with a landscaped podium created for the residents of the development to enjoy. The total amount of public realm at ground floor would be 56 sqm.
138. A contribution to the improvements of Brimington Park will be provided by the applicant in the range of £359,160 given the shortfall of play space, private amenity and public open space within the development of the subject site.

Image: Site layout and interaction with Brimington Park



Image: Ground floor layout

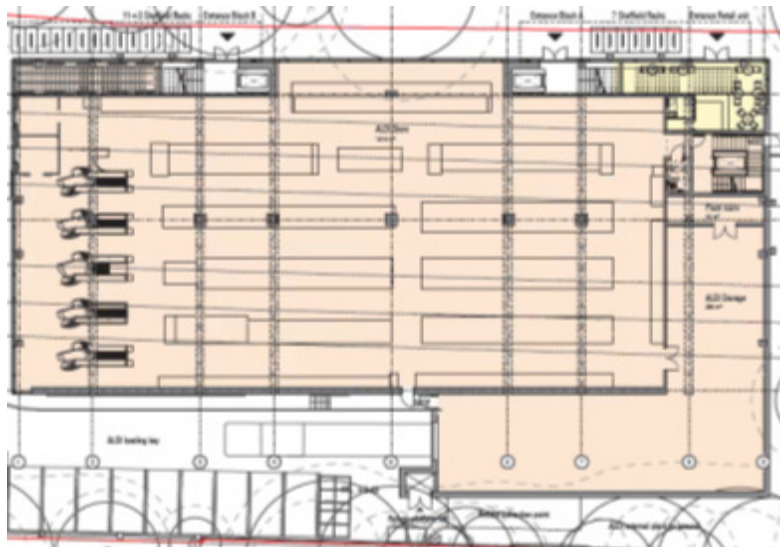


Image: Active frontage Old Kent Road



Elevation - Continuous active frontage along Old Kent Road

139. The ground floor layout would be outward-looking, with active frontages along Old Kent Road and to the southeast, looking towards Brimington Park. The existing Aldi does not provide an active frontage or overlooking of the Old Kent Road, so this represents a major benefit of the scheme under consideration. The active frontages take the form of corner retail entrances, two residential entrances, and the Aldi store.
140. The result of the ground floor design would be a variety of street character throughout the development, with appropriate levels of activity on each edge of the urban block. A condition requiring a shop front design strategy is recommended to ensure that all necessary details, including signage and lighting, are considered and delivered in a high quality manner.
141. It is considered that the neighbouring Brimington Park would be addressed by the active frontages with the flexible A1/A3 unit on the corner of the subject site facing Brimington Park providing a unit that would allow for residents and customers to take food and drink and use the opportunity for sitting out within the park. The active frontages would enable a strong relationship between the development and the park with the improved landscape and public realm proposals on the development site facilitating a stronger presence along the Old Kent Road.
142. In addition to the new public realm and enhanced frontages, the proposed car parking area will be enhanced with new trees and landscaping. This will assist in further enhancing the appearance of the site from Old Kent Road and the relationship with Brimington Park.

Height Scale and Massing (including consideration of Tall Buildings)

Image: The development, viewed from Old Kent Road



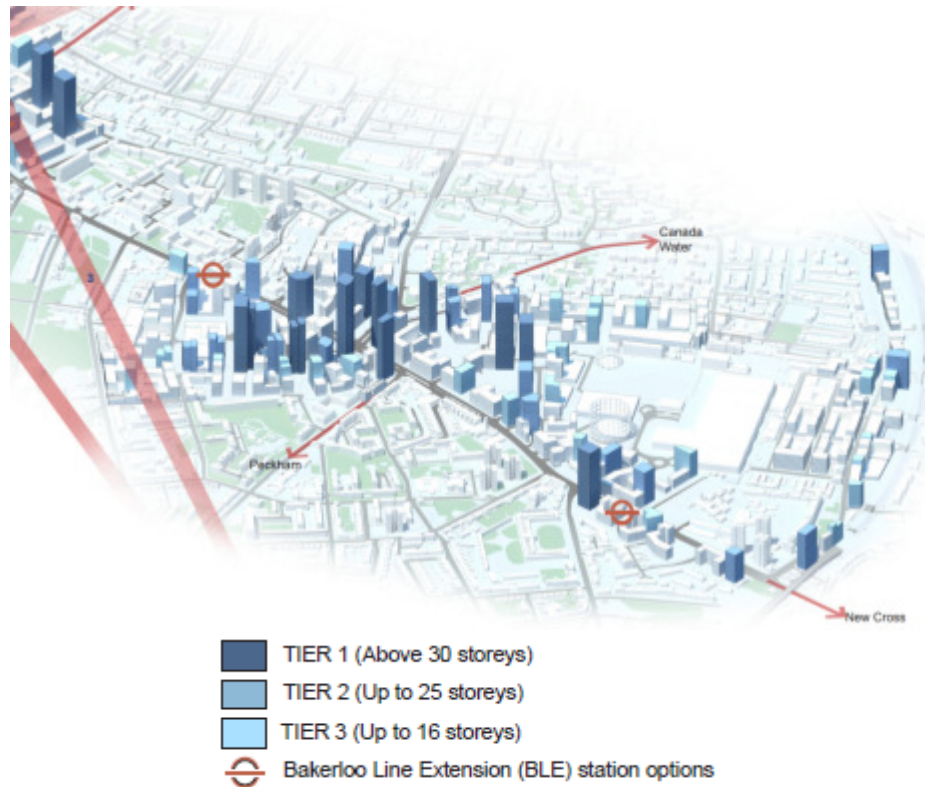
143. The heights of the two buildings range from 13 storeys to Building A (+49.60m AOD) at the southeast end, to 21 storeys for Building B (+73.40m AOD) towards the Leo Street junction. The siting of the buildings, complete with the podium and transfer floor have been appropriately located within the site to ensure breaks in the massing that would allow natural light into and views out of the proposed residential accommodation. Additionally, the buildings would also be located and oriented to achieve appropriate privacy and outlook between adjacent homes. This is discussed in further detail elsewhere in this report.

144. The proposed massing strategy places the tallest building, Building B, on the northwest area of the site, marking the junction of the edge of the development and the proposed location of where the temporary Aldi store will be located, and what will become a possible further phase of development on site. Building B would be ground plus 20 storeys. Building A is located towards the southern boundary of the site, nearby to the shared boundary with Brimington Park.

Draft OKR AAP

145. Policy 8 of the draft OKR AAP sets out a tall building strategy, the OKR 'Stations and Crossings' that should be adhered to in order to maximise the potential of the Old Kent Road. 'Tier One' buildings represent developments that exceed 30 storeys in height. These developments are proposed to be sited in the vicinity of the proposed BLE stations, to mark their city wide significance and optimise the use of land in the most accessible locations. A 'Tier Two' development proposes building heights within the range of 16 to 25 storeys. The strategic locations of Tier Two buildings located along important crossings and junctions of the Old Kent Road, and near to the boundary between Ilderton Road, New Bermondsey and the Old Kent Road. Building B, at a height of 21 storeys is compliant with the height range proposed within the AAP.
146. The AAP states that other buildings in the area will vary in height from eight to 16 storeys depending on their immediate context. Given the nearby Tustin Estate towers and the location of the site to the north of Brimington Park, the proposed height of Building A meets the requirements of the draft OKR AAP.

Image: The 'Stations and Crossings Strategy in the draft OKR AAP



147. In line with the draft OKR AAP, the design of the tall buildings would be exemplary, with careful consideration of their impact on the skyline. The separation distance

between the two buildings above the ground floor successfully enables the development to provide amenity and play space on the podium and transfer floor, with the distances between the buildings permitting daylight to penetrate in between the blocks to existing residential properties nearby, and would also allow for natural daylight to reach key habitable windows within the development.

London Plan (2016)

148. As the development would be substantially taller than its existing surroundings, it would be defined as a tall building in the adopted London Plan (2016). 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, the Old Kent Road Opportunity Area is, in principle, an appropriate location for tall buildings which optimise housing delivery and regeneration benefits. The proposed development is considered to achieve both, whilst also meeting the other requirements of London Plan Policy 7.7.
149. National, Regional, and Local Policy state that the impact of tall buildings in sensitive locations, including the settings of conservation areas and listed buildings should be given particular consideration. Although the proposed development is not within a conservation area, it is important to note that, given the heights of the buildings proposed, they would be visible from a number of sensitive locations. These include the row of Grade II Listed Buildings at the rear of the site comprising of nos. 1-50 Clifton Crescent, nos. 864 and 866 to the southeast of Brimington Park, and nos. 880, 882, and 884 Old Kent Road, near the junction with Chesterfield Way. The specific impact of the proposed development on these sensitive settings, and the wider townscape context is assessed in more detail below where the submitted Townscape and Visual Impact Analysis (TVIA) is considered.
150. The south side of the Old Kent Road is dominated by retail parks (Toys R Us) and supermarkets, with limited active frontages and poor urban streetscapes. The 'big box retail shed' nature of the existing townscape is not considered worthy of protection, and its replacement with a scheme of high quality architectural and urban design is considered a significant public benefit of the proposals.
151. The proposed tall buildings would relate well to their surroundings, particularly at street level. The new urban block would create active frontages that are sensitive to the unique character of each edge, increased connectivity and permeability and contribute to the creation of a new public open space, and an improved public park at the rear of the site. The retail and flexible unit uses proposed on the ground floor along the Old Kent Road itself would contribute to the 'high street' character envisaged in the draft AAP. The urban grain of the surrounding area would be enhanced as the site would be better presented on the Old Kent Road and provides new open spaces. The considerably detailed architectural design of the towers (discussed in further detail below) would respond sympathetically to the existing local townscape, whilst introducing a new high quality aesthetic.
152. As a pair, the proposed tall buildings would improve the legibility of the area by signifying the junction of the Old Kent Road and Ilderton Road with the improved

accessibility and entrance to Brimington Park providing an enhanced public open space. Given its strategic location within London's road network, the application site is already considered to be at a point of geographical significance. The improved park, open space and proposed Use Classes would also give it an important public function within the Opportunity Area. The design proposed would enhance the skyline and image of London with the two tall buildings forming a well considered composition of varying heights, facades and high quality materiality.

153. The elevational strategy and material palettes are discussed in more detail below. In order to secure this design quality, planning conditions requiring detailed drawings, material samples and full scale mock ups are recommended.
154. The positive nature of the ground floor uses proposed, their relationship to the surrounding streets and the increased permeability proposed would all represent significant public benefits. There would be amenity space for residents on the upper floors, including private balconies and internal communal amenity play space. In addition, the public space on the podium would be appropriately landscaped and facilitate an acceptable level of amenity provision to the development.
155. As discussed elsewhere in this report, the proposals under consideration would deliver significant contributions to local regeneration. This would include the delivery of housing (including affordable housing), new employment floor space, and a new flexible retail/café space, as well as a better integration with Brimington Park.
156. The impact of the proposed development on microclimate, wind turbulence, overshadowing, noise, aviation, navigation and telecommunication interference is all assessed and presented elsewhere in this report. In the majority of cases however, there would be no significant adverse impacts. Please see the relevant section of this report for more detail.
157. Finally, it is also considered that there would be no unjustifiably harmful impact on local or strategic views, although as identified below there would be a small number of sensitive locations from which this needs a carefully balanced decision.

Southwark Plan

158. As the most recently adopted document in the Local Plan, and the only document adopted after the Old Kent Road was designated as an Opportunity Area with significant potential for residential-led redevelopment, it is considered that these London Plan (2016) policies in relation to tall buildings are more relevant than Southwark Plan Saved Policy 3.20 dating from 2007. Nevertheless, the proposed development has also been assessed against the requirements of this saved policy. Saved Policy 3.20 requires any building over 30 metres tall to ensure that it:
 - Makes a positive contribution to the landscape; and
 - Is located at a point of landmark significance; and
 - Is of the highest architectural standard; and
 - Relates well to its surroundings, particularly at street level; and
 - Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views.
159. The scheme would make a very positive contribution to the landscape in the area in two main ways. Firstly, as set out in the section of this report on Outdoor Amenity Space, the applicant would make a substantial financial contribution to the

enhancement, improvement and accessibility of Brimington Park whilst facilitating an acceptable play space within the podium level of the development.

160. Secondly, where new public realm would be created within the red line boundary, it is well considered and would make very positive enhancements to existing conditions. This includes an important contribution to Brimington Park and the widening of the Old Kent Road footway. By adding this generosity to the existing public realm of Old Kent Road, the landscape of the area would accommodate the greater numbers of people either living in or visiting the application site. Furthermore, the relationship between the public realm and the improvements to Brimington Park is considered to create a positive contribution to the immediate area and the overall Opportunity Area.
161. The proposed development would be of a quality architectural standard and, as set out above. It would also contribute positively to the London skyline, eventually as part of a cluster of strategically located tall buildings following the regeneration of the area.

Architectural design and materiality

162. The proposed buildings would share a common architectural language, but would be distinctive with the division of each building into quadrants. This approach leads to an architectural approach of ordered quality. Externally, the projecting frame around the main part of the each elevation, the use of alternating deep and shallow horizontal bands, and the incorporation of recessed balconies enables the development to provide elevations with considerable depth and articulation.
163. At the ground floor, extensive glazing to the Aldi unit and the flexible A1/A3 unit and to the transfer floor above leading to the residential accommodation provides a strong quality to the Old Kent Road street scene. Through the pre-application meetings and taking into consideration of the major urban influence of the Tustin Estate located on the opposite side of Old Kent Road from the application site, the design has evolved to where a contemporary reinterpretation of the horizontality be explored to enable the buildings to read as a local cluster. The influence is clear on the evolved design with architectural approaches including the alternating 'propeller' like floor plates, clear division of each block into four segments, strong horizontality by the exposed slab edges, and dark brick infill material between the slab edges have all been incorporated into the final design. In order to ensure that this is realised in the final building planning conditions requiring detailed drawings, material samples and full scale mock ups are recommended. The Section 106 Legal Agreement would also require the architect, Bogle Architects, to be retained throughout the detailed design and construction phases of the project unless otherwise agreed in writing.

image: Proposed material palette



- 01) Light grey GRC cladding
- 02) Warm grey profiled GRC cladding
- 03) Graphite GRC louvres
- 04) Neutral high performance glazing in dark grey metal frame
- 05) Neutral glass balustrade
- 06) Metal louvre plant screen
- 07) Tinted glass
- 08) Perforated metal panel

164. The material palette of the proposal would consist of Glass Reinforced Concrete, Aluminium Screens and glass balustrades to assist in creating a modern and contemporary interpretation of the neighbouring context. The simple palette is supplemented with special detailing features such as projecting slab edge and balcony detailing with metal shading screens along the sides of the windows.

Image: palette and façade detail



- 01) Light grey GRC cladding
- 02) Warm grey profiled GRC cladding
- 03) Graphite GRC louvres
- 04) Neutral high performance glazing in dark grey metal frame
- 05) Neutral glass balustrade
- 06) Metal louvre plant screen
- 07) Tinted glass
- 08) Perforated metal panel

Design development:

165. A first pre-application discussion for a proposal on the subject site took place in June 2018 where it was envisioned that the scheme would incorporate two separate residential towers that were connected by a lower block facing the street. The residential blocks were proposed at 12 and 20 storeys respectively with the tallest block at the southeast of the site. No façade concepts were considered at the initial pre-application stage.
166. The evolution of the design to February 2019 amended the scheme to retain two residential towers with the siting of the buildings reversed. The 13-storey building now occupies the southeast of the site, whilst the 21-storey building occupies a section of the site to the northwest. The two residential blocks are connected by the ground floor Aldi store. Full height entrances to the residential element of the proposal have been introduced with enlarged external canopies with staircases provided for access to the large reception spaces on the arrival floor. It is considered that the entrances provide the generosity required for a development of this scale, with both entrances also being accessible to all tenures.
167. With respect to the façade design, its intention is formed from the previously referred to context that surrounds the immediate site. The design of residential facades has to respond to often contradictory needs of the internal apartments including thermal and acoustic performances, ventilation, daylight and sunlight, maintenance and the requirements of the users for a sense of enclosure, and the needs for privacy and views out of the accommodation. At the ground floor level, the façade is a fully glazed ground to ceiling for the Aldi supermarket that facilitates visual continuity between the Aldi use and the public realm. The two residential entrances are also fully glazed with only a small section of the façade screened where the stairs meet the ground. These are clad with dark grey fibre cement louvres placed in front of the glazing.
168. At the upper floor levels, five options were considered for the final façade design prior to the result of the final evolution. These options considered the following:
1. Vertical emphasis – strong vertical emphasis over horizontal elements
 2. Horizontal emphasis - strong vertical emphasis over horizontal elements
 3. Split horizontal emphasis – Focused the façade on strong horizontal emphasis divided into two sections on each façade emphasising the corners of each block
 4. Major/Minor horizontal emphasis – Introduction of a hierarchy to the horizontal emphasis that creates a ‘major’ and ‘minor’ element to each façade on the north and south elevations
 5. ‘Pin wheel’ emphasis – Adopting the major and minor horizontal banding on option 4, however, the finish create a ‘pin wheel’ arrangement that compliments the appearance of the Tustin Estate residential blocks.
169. The final evolution of the façade incorporates the banding on alternate elements of the ‘pin wheel’ that articulates the façade and creates a contemporary interpretation of the neighbouring blocks whilst also defining a clearly articulated base, middle and top. The

final façade design is considered to successfully design an exterior that responds proactively to the character and appearance of the immediate surroundings of the site.

Images: Façade evolution options 1-3



Images: Façade evolution options 4-5 and final design

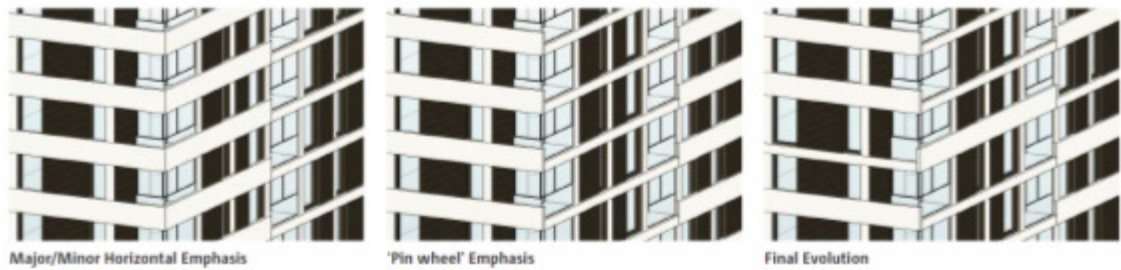


Image: Façade proposal



Image: Façade of residential buildings



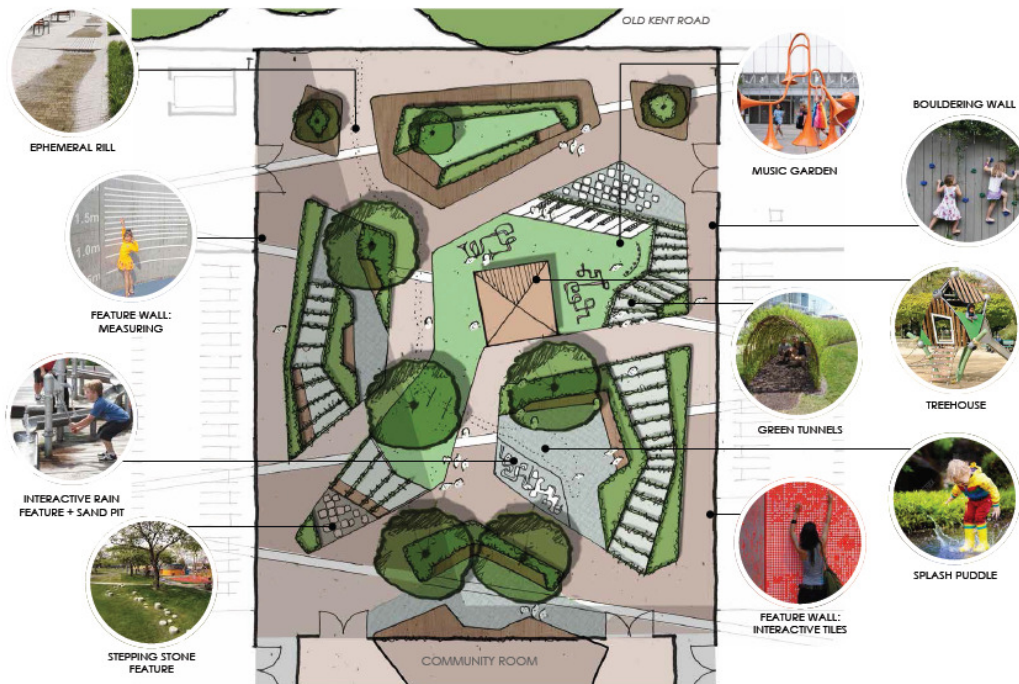
Landscaping

170. The key landscape principles that are proposed to provide a high quality southern gateway to the Old Kent Road area consist of;
- Provide planting that reinforces the existing character of the area, offers seasonal interest and colour with a range of ecological benefits
 - Establish a strong identity through hard and soft landscaping proposals
 - Public realm improvements to the Old Kent Road frontage including the provision of new planters and seating
 - Establish a stronger connection between the site and Brimington Park
 - Podium communal gardens that provides a functional and usable space with informal play for toddlers and children.
171. The proposed enhancements to Old Kent Road frontage would include the provision of new planters and seating between retained mature trees and new trees, shrub and herbaceous planting within, and to the perimeter of the car park. The proposed planting is considered to improve the biodiversity in the area, whilst also allowing a degree of screening from the Old Kent Road streetscene. A 'green' car park is proposed with rain gardens to slow water runoff and permeable paving incorporated to promote natural drainage. The building frontage focuses landscape elements to influence pedestrian movement whilst also providing a visual link through material use. This will be accomplished by integrating planters and seating between the mature

trees fronting Old Kent Road. Furthermore, visitor cycle parking will be provided at each end of the Old Kent Road Frontage to encourage sustainable transport use to and from the site.

172. These proposals should be treated as indicative at this stage, with detail to be agreed through the Section 278 process with both London Borough of Southwark and TfL. The principles established in this indicative material will be secured, as well as the requirement to enter into Section 278 agreements would be secured through the Section 106 Legal Agreement.
173. Along the front of the flexible unit to the southeast of the application site where the development meets Brimington Park, a 'green avenue' is proposed to enhance biodiversity with the provision of linear platform benches to create flexible and social seating areas. At the connecting point between the site and Brimington Park, enhanced mature trees and green space is proposed with a pathway located centrally that facilitates an attractive green link with ornamental structural planting and raised planter and seating proposed to improve the appearance aesthetically, whilst also improving permeability and visible lines within the park. Again, the proposed details are only notional and subject to Section 278 agreement.
174. The podium terrace on the transfer level between the two buildings offers an area of open space for use by the residents within the development. The open space aspect will provide 390 sqm of usable play space and amenity with a further 50 sqm provided for a community hall/room. The palette of landscaping materials used in the podium communal garden includes the introduction of raised lawns and planter beds with seating and an assortment of play equipment that would be suitable for both children and toddler play. This would include sand pits and the provision for wet play.
175. By incorporating the child and toddler play space, the podium communal area is designed to be a mixed use and multifunctional play space. Alongside play space areas would be places for sitting and an assortment of more intimate spaces, larger areas of green and textured and interesting planting with a sensory focus. The overall character would therefore offer a thriving and diverse shared garden suitable for all ages that would also facilitate areas for quiet relaxation. The submitted details for the play spaces would be reviewed by planning committee members following submission.

Image: Preferred Podium and playspace layout



176. All plant species would be chosen for their hardiness and drought tolerance. Where possible surface water would be collected and redistributed to natural irrigate planting beds, and should form part of a sustainable drainage strategy. At the southwest corner of Building A, at the rear of the plant, refuse, bicycle storage and community hall is a proposed Green Roof. The Green Roof is a flat area proposed to be a 'Living Green Wall' that will further enhance the ecological value of the site and assist in linking the development with Brimmington Park.

Image: 'Green' wall viewed from Brimington Park



177. The council's ecology officer has reviewed the proposals. Further bat surveys were requested in line with the potential ecology impacts in relation to the siting of Building A. The additional bat survey was submitted in August. The additional information was found to be acceptable by the ecology officer. The recommendations contained within Section 6 of the additional information are advised to be implemented. Recommendations include:
178. The construction of three bat boxes, suitable for pipistrelle species, within or in close proximity to the site, e.g. on the mature trees away from the main building. These should be attached to a single tree at approximately 120 degrees providing a range of potential roosts with different micro-conditions. This is required to ensure a safe place for bats should they be found during the works.
179. If bats or evidence of bats are found at any stage all works must stop and not recommence until advice has been received from an appropriately qualified ecologist. Liaising with Nature England may be necessary, and a European Protected Species Licence may be necessary before works can recommence.
180. In addition, the applicant is undertaken to provide a bird bath within the podium landscaping to further encourage bird wildlife.
181. The public realm, streetscape and communal amenity spaces would be fully accessible, and provide a level threshold between internal and external spaces and across the open spaces. Any gradients would be in line with building regulations.
182. The security of existing and new residents has also been considered, with planting and lighting arranged in such a way that there are no hidden corners within the landscape. A lighting strategy would be secured by condition and the metropolitan police are satisfied that this scheme could achieve Secured By Design accreditation.
183. The landscape details submitted to date are considered to be of good quality and

appropriate for the development of this part of the Old Kent Road. Final details of the design, materials and planting proposed would be required by condition.

Trees

184. Saved Policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals.
185. The proposed development results in the removal of eight on-site trees and one off-site tree. The trees that are removed include one A category Whitebeam tree, five B category trees consisting of Maple, Lime and Sycamore trees, and three C category Maple and Sycamore trees. As part of the development, suitable replacement planting forms part of the hard and soft landscaping aspect to the site. More trees will be replanted rather than removed, and the one existing off-site tree will be replaced. Furthermore, nine new trees are proposed in the car park as well as Yew Hedges along the northeast boundary of the site from the Leo Street car park entrance to the junction of Leo Street and Old Kent Road. The Yew Hedge is being required at the request of the Urban Forester as it is an evergreen native species which particularly suited to help mitigate the affects of vehicle pollution. Further trees are to be planted on the central podium space, and a condition will require the trees to be semi mature. The applicant is advised that this should adhere to relevant draft Southwark and London Plan policies so that there is no net loss of canopy cover. The submitted Tree Assessment states that during the post construction phase, the Project Arboriculturalist will re-inspect the retained trees and specify if any remedial works are required. This is a welcomed initiative.
186. The council's urban forester has reviewed and supports the proposals for the replacement trees. The evaluation undertaken by the Urban Forester demonstrates a net shortfall of 574cm stem girth and the applicant has agreed to pay a total of £15,186 inclusive of any new planting. This can be agreed via condition and secured through section 106 and is attached to the draft decision notice. The Urban Forester also notes that where planting is shown in or adjacent to car parking a sustainable volume of rootable soil is needed which can be provided via a suitable proprietary soil design such as SilvaCell or GreenBlueUrban. Conditions recommended by the Urban Forester are attached to the draft decision notice.

Southwark Design Review Panel (DRP)

187. This scheme has been presented to the Southwark DRP twice, first on 14th January 2019, and again on 11th March 2019. At the time of the first review, the scheme had just completed pre-application discussions. At this stage of the process the development proposed the continuity of trade for Aldi by constructing a temporary store on the existing car park with circa 180 residential apartments located above. The proposal sought a 35% affordable housing contribution with a 70%-30% social and intermediate split.

DRP 1: 14 January 2019

188. During the review, The panel raised concerns about the scheme comprising the quality of the public space and realm due to the need to retain a section of the subject site to accommodate the temporary Aldi Store and future car parking once the development is completed. The panel felt that this design was dominated by the car park at a prominent corner of the street (The Leo Street/Old Kent Road junction), and this prominence affected the relationship to the street front.

189. Officer response: The temporary Aldi store is a key component in the delivery of the overall scheme. It is considered that the an operationally viable store that includes the proposed store layout and re-provision of the car park to serve customers is necessary to incentivise Aldi in bringing forward the site for a comprehensive redevelopment. This would enable Aldi to continue satisfying the local customer demand for the retention of an Aldi supermarket during the development phase. This has been demonstrated by the support provided for the re-provision of the Aldi during public consultation.
190. Regarding form and massing, the panel supported the general approach of locating the height towards the northern end of the site with scale reducing towards Brimington Park and felt that this could form part of the urban rationale for the site. Before being able to endorse this massing approach information regarding impacts to the residential property surrounding should be further refined given the low scale housing.
191. Officer response: The scale of the buildings has been subject to a number of ongoing discussions with officers. The draft OKR AAP envisages a Tier 2 Tall Building in the location of proposed Building B, and a building at the height of Building A adjacent to it. The development meets the requirements of the draft OKR AAP.
192. Regarding the architecture and design of the development the panel felt the towers could benefit from a closer contextual reference, and an analysis of local historic buildings, materials and forms could assist in a more varied approach in the architecture.
193. Officer response: The evolution of the design process at this stage was still progressing towards the finished article that is currently being assessed within this report. The advice of the panel was followed and further expanded on key points raised from the second Design Review Panel.
194. The panel felt that proposal would risk divorcing residents from the public realm and amenity space, and would welcome further development of communal facilities and connections to the external communal spaces.
195. Officer response: The relationship between the public realm and the amenity space has since been enhanced from the first comments. Whilst there is a podium level that provides amenity and play space to the occupiers of the development, the improvements to the public realm have enabled the development to form a relationship with Brimington Park. The improvement to the Old Kent Road frontage allows for the proposal to link together with the park in creating a quality space that provides efficient connection to further amenity enjoyment within an enhanced Brimington Park.

DRP 2: 11 March 2019

196. The scheme was presented to the DRP for the second time on 12th June 2018. In conclusion, the panel felt that the importance to re-provide the Aldi placed an unnecessary constraint on the site that restricted the site from maximising its potential. The particular sticking point of concern from the panel was the constraint of the Aldi store being contrary to the aspirations of the draft OKR AAP as a specific user for the site should not take precedence over the long term development opportunities for this important site. Overall, the amendments made since the first Panel have been acknowledged and some issues had been resolved to the satisfaction of the panel.
197. Officer response: The reiteration that the delivery of an operationally viable store is necessary to incentivise Aldi to bring forward the site for development. This is to ensure that the retail shop can continue to meet local customer demand. During the

public consultation phase, strong support was provided for the re-provision of the Aldi to accommodate demand during development works. This is an imperative consideration in enabling in unlocking the site to a number of regeneration benefits including the delivery of new high quality housing in accordance with the objectives of the draft OKR AAP. The prospect of a temporary store during the construction of the development is not considered to constrain the potential of the site. Following the completion of the development, there is potential for a 'Phase 2' development on site that could facilitate more quality residential accommodation, and would enable further active frontages onto the Old Kent Road. This would require building over the current car park which isn't currently viable.

198. The panel queried the incorporation of a community hall/room within the podium that is predominantly proposed to be used for play and amenity space. Panel members were not convinced that the proposal would adequately solve providing both spaces successfully within the podium.
199. Officer response: The community room has been included due to the comments raised in the first Design Review (see DRP comment discussed Section 218). In locating the community hall to the south of the podium area it would create a natural buffer to avoid overlooking into the properties located at the rear of the development, namely the dwellings located at nos. 51-54 Clifton Crescent, and dwellings along Drovers Place. Additionally, the room also gives a sense of space, activity and surveillance of the amenity space.
200. The panel commented on the Old Kent Road being envisaged as a high street lined with active frontages in accordance with the recommendations of the draft OKR AAP. The panel were concerned that the strategic ambition of the draft OKR AAP would not be achieved by a large car park and a predominantly inactive flank elevation to a large store such as what is proposed for the development.
201. Officer response: As stated previously, the temporary store is required to continue the operation of Aldi to meet customer demand in the local area. To facilitate this, an adequate area of the site needs to be provided to enable the function and accessibility of the Aldi store. Regarding the comments relating to the inactive elevations, the proposal would be significant improvement on the current site given that there are no active frontages along any elevation of the single storey Aldi. The development would offer an active frontage along the Old Kent Road in the form of corner retail entrances and the new Aldi store facing directly onto the street. The Old Kent road elevation would be an entirely active frontage with full glazing that significantly improves the appearance of the site within the Old Kent Road streetscene.
202. The panel highlighted the narrow gap between the two buildings.
203. Officer response: The panel members were incorrect in their 16m assertion of the distance between the two buildings. The actual distance is 17.35m and this separation distance is considered appropriate by the Building Research Establishment.
204. The panel felt that the design of the buildings should be more fundamental and to model the buildings more deliberately. Panel members suggested shifting the plan to open up a new east/west aspect for the centrally located flats and thus improve the dual aspect of each building.
205. Officer response: The design of the building has further evolved from the first review with the introduction of a balcony that allows the central apartments the required 'dual aspect' as suggested by the panel. The subtle articulation of the rotated corner balcony

design adds to the building's quality and is a clever architectural interpretation. The structural requirements of the transfer floor do not allow for further 'shifting on plan' to echo the Tustin 'pin wheel' arrangement without adding significant and unnecessary costs to the development

206. The panel were concerned that the quality of residential development fell short of the high benchmark that would be expected from a development site of this scale and density. More concern came from the residential entrances which were considered to lack generosity and grandeur.
207. Officer response: The proposed units have been designed to meet at least the minimum sqm required for respective one, two, three and four bedroom units with many far exceeding minimum standards. This is an extremely positive aspect of the development and the proposal is considered to provide an exceptional quality of residential accommodation. Additionally, the entrances to the buildings consist of full height entrances that are double height in appearance, have enlarged external canopies, and provide generous staircases up to the large reception space on the upper arrival floor.
208. The panel were concerned about the fire-fighting requirements of the residential entrances as they are the primary means of escape from both buildings. The panel challenged the designers to demonstrate how this design will comply with the regulations in the light of recent concerns about fires and high-rise residential development.
209. In the early stage concept of this development, the applicant instructed WYG Group to review and advise on the design of a fire strategy. From this early interaction, the proposal is compliant with the recommendations of Approved Document B (ADB). Furthermore, the proposal and subsequent fire strategy has been discussed with the London Fire Brigade in December and no objections were received regarding the strategy or design.

Heritage and townscape considerations

210. London Plan (2016) Policy 7.4, Local Character, states that development proposals should respond to their context, including buildings, open spaces, street patterns and the historic environment and Policy 7.8, Heritage Assets and Archaeology, seeks to record, maintain and protect London's heritage assets in order to utilise their potential within the community. It states that development should conserve the significance of any heritage asset it affects. Southwark Core Strategy Strategic Policy 12, 'Design and Conservation', states that development should ensure that the significance of built heritage assets is conserved. Saved Policy 3.15, Conservation of the Historic Environment of the Southwark Plan (2007) states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance and Policy 3.18, Setting of Listed Buildings, Conservation Areas and World Heritage Sites states that the immediate or wider settings of designated heritage assets must be preserved. The NPPF (2019) requires Local Authorities to consider the impact of a proposed development on the significance of a designated heritage asset. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should be categorised as either substantial or less than substantial. Substantial harm should only be permitted in exceptional circumstances. Less than substantial harm should be weighed against the public benefits of the proposal.

Conservation areas

211. The application site does not sit within a conservation area and it contains no listed buildings. There are however, two conservation areas within one kilometre of the site, meaning that their settings could be impacted upon by the proposed development. These conservation areas are listed below:

Table: Conservation areas within 1km of the application site

| Conservation Area | Distance from Application Site |
|---------------------------------------|--------------------------------|
| Caroline Gardens Conservation Area | Approximately 160m |
| Peckham Hill Street Conservation Area | Approximately 920m |

212. Also within the area surrounding the application site are a number of Grade II listed buildings and structures, including the following:

- Nos. 1-50 Clifton Crescent and attached railings
- Nos. 864 and 866 Old Kent Road;
- Nos. 880, 882 and 884 Old Kent Road;
- Nos. 6 and 8 Carlton Cottages;
- Nos. 10 and 12 Carlton Cottages;
- Licensed Victuallers Benevolent Institution (Caroline Gardens);
- Licensed Victuallers Almshouses (Caroline Gardens);
- Gasholders Nos. 10, 12 and 13.

Draft OKR APP and draft local list

213. Although of very limited weight, the draft OKR AAP also identifies buildings and features of townscape merit and buildings of architectural or historic interest. The following buildings, within the immediate vicinity of the site, are identified as such. These buildings are also included on the draft Local List published by the council in March 2018. The following are within or immediately adjacent to the application site:

214. The following buildings are within the immediate vicinity of the application site:

Table: Draft AAP Building or Feature of Townscape Merit within the immediate vicinity of the site:

| Property | Description |
|--------------------------------|--|
| Grenier Apartments | Building of Architectural or Historic Interest |
| Prince of Windsor Public House | Building of Architectural or Historic Interest |

215. The Grenier Apartments are located approximately 132 metres from what will be the flank wall of Building B within the site. The building is former school that has been converted into residential use. It is a part three, part six storey building in height finished in stock brick with red brick and stone detailing. At the western end of the building is a bay topped with broken pediments. The current single storey Aldi is shielded from views of Grenier Apartments by the row of terraced dwellings that comprise of nos. 1-8 Drovers Place. Whilst the proposed development would be visible from Grenier Apartments, the separation distance is not considered to harm the building of architectural interest.

216. The Prince of Windsor Public House is located approximately 106 metres southeast of the application site at the junction between Old Kent Road and Chesterfield Way. It is a

three storey late nineteenth century red and brown brick corner pub with an ogee domed turret. Given the separation distance it is considered that this scheme will not harm the setting or the character, and appearance of the listed building.

Townscape and visual impact assessment (TVIA)

217. The heights of the proposed buildings would result in considerable change in the townscape of the area and would therefore impact on the settings of the heritage assets surrounding the site. The submitted Townscape and Visual Impact Assessment (TVIA) report (ES Volume III) assesses the impact of the proposed development on above ground heritage assets from 20 views. The views locations have been agreed in consultation with Southwark Planning officers in order to ensure the most sensitive views were tested, and include protected views from the London View Management Framework and locally protected views. The final selections of viewpoints were made with the aim of including a range of typical townscape locations from particular points of the compass from which the development would be visible.
218. The methodology used in the assessment process for the most appropriate views involves the identification of buildings, open spaces townscape and views that could be affected by the proposed development, the site and its surrounding. The Site analysis considers the physical characteristics of the Site and the character of the surroundings.
219. This assessment is informed by ‘as existing’ photographs and ‘as proposed’ views, shown through computer generated images showing a photomontage of the Proposed Development layered onto the existing photograph, from selected viewpoints. The assessment of individual views considers the effect on the townscape and views as they will be experienced by viewers in reality. The images are no more than an approximation to this, as viewers have peripheral vision and their view is not restricted. Viewpoints themselves are not generally fixed. Townscape is experienced for the most part as a progression of views or vistas by people who are moving through streets or spaces rather than standing still.

London View Management Framework (LVMF) Views

220. London Plan (2016) Policy 7.11, London View Management Framework, and Policy 7.12, Implementing the London View Management Framework, relate to the identified strategic views in London. They state that development should not harm these views, and where possible should make a positive contribution to the characteristics and composition of strategic views. Supplementary Planning Guidance on the LVMF was published in March 2012.
221. The LVMF views likely to be impacted upon by the proposed development are 2A.1 from Parliament Hill, 3A.1 from Kenwood and 6A.1 from Blackheath Point.

| View 18 (LVMF View 6A.1) | |
|---------------------------------|--|
| View location | Panoramic north facing view from Blackheath Point |
| Heritage Significance | LVMF protected view. Panoramic view, primarily concerned with St Paul’s Cathedral, which is visible towards the centre of this image, to the left of the cluster of tall buildings in the City. The foreground of the view is largely occupied by low and medium scale development in Greenwich and Deptford. Further in the distance, post war towers near Old Kent Road are visible, including the Tustin Estate and Ledbury Estate towers. In the far background of the view, clusters of tall buildings at Vauxhall/ Nine Elms, Elephant |

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| | and Castle, Blackfriars and London Bridge are evident. |
| Other Significance | Public Open Space |
| Sensitivity to change | High |
| Impact of proposal | The proposed development would be visible in the distance, on the left side of the panorama, well to the side of St. Paul's Cathedral. The proposed development would appear as part of an extensive panorama and would contribute to a layered townscape effect, set between Greenwich/Deptford in the foreground and clusters of tall buildings in the far background of the view. Together they would be a high quality addition to the view, and would mark a substantial area of regeneration around Old Kent Road. |
| HE Comments | None |
| GLA Comments | The proposed heights and massing respond successfully to the draft OKR AAP's placemaking strategy and also relates to the scale and massing of the existing residential towers that comprise of the Tustin Estate located adjacent to the development site. The principle of the height arrangement is therefore supported. |
| Conclusion | The development site does not lie within the protected vista therefore no harm to the significance of this view would arise. St Paul's Cathedral would remain clearly visible, well to the right of the proposed cumulative development; there would be no harm to the significance of this view. |

| View 16 (LVMF 2A.1 Parliament Hill) | |
|--|---|
| View location | The summit of Parliament Hill |
| Heritage Significance | LVMF protected view. The view crosses a wide span of London. The foreground is occupied by the open space of Hampstead Heath. The tall buildings of central London appear in the distance, including the City of London cluster. The vista to St Paul's Cathedral in the centre of the view is protected. |
| Other Significance | Public open space. |
| Sensitivity to change | High |
| Impact of proposal | The proposed development would be obscured to a significant extent by the Guy's Hospital tower. The marginal part visible (Building B) would have a considerably lower apparent height than Guy's Hospital, and could be understood to lie further in the distance than that building. |
| HE Comments | None |
| GLA Comments | The proposal would not have any impact on the view from Parliament Hill as the scale and massing at the bottom end of Old Kent Road would be shielded by buildings closer to the city. The proposal would also no impact on the appreciation of St. Paul's Cathedral from this view. |
| Conclusion | The proposed scheme would have no impact on the silhouette of St. Paul's Cathedral or the ability to appreciate St. Paul's in this view. As the silhouette of the Cathedral would be preserved, and the wider setting consultation area would not be encroached upon, it is not considered that there would be any harm to this view. Furthermore, the Shard would remain the tallest feature in the view, by quite |

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| | some degree of magnitude. |
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| View 17 (LVMF 3A.1 Kenwood House) | |
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| View location | The viewing gazebo at Kenwood House, set within an estate bordering Hampstead Heath. |
| Heritage Significance | LVMF protected view. The foreground of the view is occupied by the open parkland, with a band of mature trees providing a sense of containment beyond. Central London, and particularly the tall buildings of the City, is visible beyond to the left of centre in the view. St Paul's Cathedral is visible to the right of the Shard. The vista towards St Paul's is protected. |
| Other Significance | Public open space. |
| Sensitivity to change | High |
| Impact of proposals | The proposed development would be partially visible behind and to the east of the Shard and the News Building. The development would have a substantially lower apparent height than the Shard, Guy's Hospital and the dome of the St. Paul's Cathedral. From this, the proposed buildings are understood to lie in the distance and would be seen well to the side of the St. Paul's Cathedral, with no effect on the Cathedral's profile. Therefore, the ability to appreciate the Cathedral would be unaffected by the proposed development. |
| HE Comments | None |
| GLA Comments | The proposal would not have any impact on the view from Kenwood House as the scale and massing at the bottom end of Old Kent Road would be shielded by buildings closer to the city. The proposal would also no impact on the appreciation of St. Paul's Cathedral from this view. |
| Conclusion | As there would be no impact on the perception of St Paul's Cathedral, there would be no harm to the view. |

Borough protected views

222. Although of limited weight, the draft New Southwark Plan Policy P19, 'Borough Views', states that development must positively enhance the borough views which have been identified. The borough views potentially impacted on by the proposed development are P19:1 The London panorama of St Pauls Cathedral from One Tree Hill, and P19:2 The linear view of St Pauls Cathedral from Nunhead Cemetery. The draft policy states in both cases that development must "maintain the view of St. Paul's Cathedral from the viewpoint place", "not exceed the threshold height of the view's Landmark Viewing Corridor", and "not compromise the sensitive Wider Assessment Area that is located either side of the Landmark Viewing Corridor to ensure the viewer's ability to recognise and appreciate St. Paul's Cathedral and its setting". It also states that a canyon effect of the view of St. Paul's Cathedral must be avoided.

| View 19 (Local View P19.2) | |
|-----------------------------------|--|
| View location | View of St. Pauls Cathedral from Nunhead Cemetery |
| Heritage Significance | Protected borough view identified in the draft New Southwark Plan. The view is towards St. Paul's Cathedral, with Highgate West Hill beyond it in the distance. The view is framed by trees, specifically maintained to ensure the view is visible. The dome and western towers of the |

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| | Cathedral are seen clearly against a backdrop dominated by trees in this summer view. A variety of development is visible in the foreground of St. Paul's and the Guy's Hospital Cancer Centre near London Bridge, constructed in recent years, obscures a small part of the eastern end of the Cathedral. |
| Other Significance | Public open space and cemetery. |
| Sensitivity to change | High. |
| Impact of proposal | The proposed buildings would be located well to the side of St. Paul's Cathedral and would be completely obscured by trees from this viewing location. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The proposed development would not be visible in this protected view and therefore would not cause any harm to its significance. |

| View 20 (Local View P19.1) | |
|-----------------------------------|---|
| View location | Panoramic north facing view from One Tree Hill |
| Heritage Significance | Protected borough view identified in the draft New Southwark Plan. St. Paul's Cathedral is visible to the east of the Shard with its profile almost entirely uninterrupted by development in its foreground (albeit slightly obscured by foliage in this summer view). The towers of central London, including the Shard and towers in the City of London, appear further west. A range of development in south London, including post-war towers, appears closer to the viewpoint, in the middle ground of the view. |
| Other Significance | Public Open Space |
| Sensitivity to change | High |
| Impact of proposal | The proposed development would be located well to the side of St. Paul's Cathedral and would be completely by the existing trees in this view. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | As the proposal is located away from the viewing corridor to the St Paul's Cathedral (to the left of the Cathedral), it would remain clearly visible. With this in mind, there would be no harm to its significance. |

Local Views

223. In addition to the strategic views protected by planning policy, the submitted TVIA sets out the impact on 15 local views within the immediate vicinity of the site. On the whole, in local views the proposed development would result in a high quality and well-proportioned addition to the skyline. The impact on each local view is summarised below.

| View 1 | |
|-----------------------|---|
| View location | Old Kent Road/Devonshire Grove junction opposite Asylum Road |
| Heritage Significance | None (NOTE: this view is from a road junction looking in the direction of southeast to the application site. There is a row of identified buildings of townscape merit to the |

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| | northwest of the junction with Devonshire Grove; however, as the view is looking southeast it is not seen in the same context) |
| Other Significance | None. |
| Sensitivity to change | Low |
| Impact of proposal | The proposed development appears in the middle distance of the view, beyond the large Toys R Us retail store and the residential building of Radford Court (No. 814 Old Kent Road). The extent of the trees along this section of Old Kent Road screens the trees to some extent, and this is the case even in winter time. Building B would be the most visible part of the development. Building A, to a limited extent, would be visible. The division of Building B into quadrants is apparent from this view, and provides an articulated form within the view. Building B appears at a slightly apparent height than the Tustin Estate towers. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | Both buildings are visible from this point and can be seen to share the same form and are considered to form a coherent pairing. Given that Building B is the more prominent view the height and scale of the development overall would be consistent with the existing character of the view given the close proximity to the similar in height Tustin Estate towers. |

Image: View 1 showing the existing view and proposed view



| View 2 | |
|-----------------------|---|
| View location | Old Kent Road/Hillbeck Road junction |
| Heritage Significance | None. |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | The proposed development is closer to the site than the previous view. The direction of the view is to the southeast. Beyond the surface of Old Kent Road is a footpath and a retail building in the foreground. The Tustin Estate is located in the middle of the view, on the northern side of the road. Radford Court at no. 814 Old Kent Road is a part four and five storey building with ground floor retail is located on the southern side of Old Kent Road. The subject site sits beyond Radford Court to the east. The current single storey Aldi on the development site has little visual presence. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The impact on this view would be beneficial. The development would provide an attractive and high quality backdrop. |

Image: View 2 showing the existing view and proposed view



| View 3 | |
|-----------------------|---|
| View location | Old Kent Road/overground railway viaduct |
| Heritage Significance | Medium – Nos. 881 to 887 are located on the north side of the road. This group of properties are identified as Buildings of townscape Merit within the draft OKR AAP. Behind this lies the Tustin Estate which is marginally visible from this viewpoint. Adjacent to the aforementioned groups of buildings are the Grade II listed properties comprising of nos. 864 and 866 Old Kent Road. These listed buildings are located approximately 45 metres southeast of the |

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| | boundary of the development (out of shot in the proposed view, but visible from the existing panorama). |
| Other Significance | None |
| Sensitivity to change | Low – given the separation distance between the development site and the listed buildings, and the group of buildings recognised as being of Townscape Merit. |
| Impact of proposal | The proposed development would result in the addition of considerable height and scale compared to the existing single storey view. In this context, it is comparable with the adjacent Tustin Estate on the northern side of the road. The location of Building A at the southeast edge of the site results in a stepping down in height towards the listed buildings identified above. At street level, the manner in which the ground floor would provide an active frontage is apparent. The design of the buildings is readily apparent in this view with the elevations divided into quadrants set around central balconies or windows bays clearly visible. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The impact on this view would be beneficial. The development would provide an attractive and high quality backdrop to the Old Kent Road, and provide a presence to the southern 'gateway' to the Old Kent Road area when approaching the site and overall Old Kent Road Opportunity Area from New Cross Road. It is not considered that the special architectural or historic interests of the listed building or their setting would be harmed. |

Image: View 3 showing the existing view and proposed view



| View 4 | |
|-----------------------|--|
| View location | Caroline Gardens |
| Heritage Significance | Medium. This viewpoint is within the Caroline Gardens Conservation Area. |
| Other Significance | None |
| Sensitivity to change | Medium |
| Impact of proposal | Compared to the green space and tree shrubs in the foreground of the existing view, the proposed development would be partially visible in the middle distance. This is out of shot from the centrepiece of the Caroline Gardens which is the U-shaped range of stock brick almshouses that combine with the chapel in the centre of the range, and as a whole are Grade II listed. Whilst the development would be partially visible in the middle distance it would be screened from view to a certain degree by trees even during winter months. The limited extent that the proposal would be seen, predominantly the top of Building B, the clear distinction is noticeable from the conservation area to the development site. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The proposed development would have a very minimal effect to the heritage significance of this view. It is not considered that the special architectural or historic interests of the listed building or their setting would be harmed. |

Image: View 4 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)





| View 5 | |
|-----------------------|---|
| View location | Naylor Road looking along Studholme Street |
| Heritage Significance | None. |
| Other Significance | None. |
| Sensitivity to change | Low |
| Impact of proposal | The viewpoint provides a view directly east across the alignment of Studholme Street. Two storey brick terraced housing and a three storey post-war apartment block sits either side of Studholme Street. The Tustin Estate residential towers appear in the middle distance and are somewhat obscured by existing trees. The proposed development would appear in the middle distance, in the same view as the Tustin Estate. Building B would be largely prominent whilst Building A would be largely obscured from views by the existing trees. In the winter time, the buildings would appear more visible. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The impact of the proposed development on this view would be relatively minor given its distance from the viewing position and the screening effect of the trees. In the winter months the buildings would form a visually interesting composition that comprises of two elements of different heights that share the same elevational approach. |

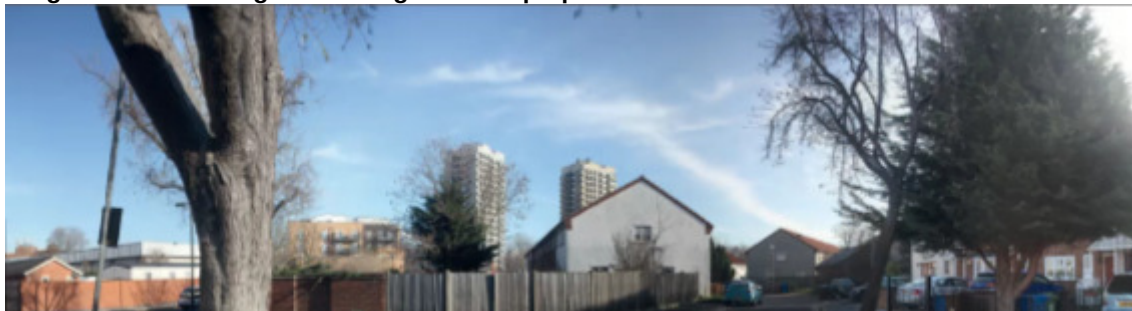
Image: View 5 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)



| View 6 | |
|-----------------------|--|
| View location | Drovers Place |
| Heritage Significance | None. |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | The viewpoint from Drovers Place looks easterly with two storey houses built in the late 1980's early 1990's visible in both viewpoints. The jumbled nature of arrangement in which small groups of the dwellings are off-set meaning that there is little coherence in the street. The Tustin Estate towers are visible beyond the dwellings, and they form a clear contrast in scale and form. Although the residential towers are located not too far away they appear as a distinct background lay of townscape within the view. The proposed development would appear in the near distance, closer than the viewpoint of the Tustin Estate. Building B would have particular prominence in height than the Tustin Estate. However, it would appear as part of the distinct layer of townscape beyond the houses on Drovers Place in the foreground. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The impact is minimal and the grater scale of the development reflects the location of the development on an |

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| important road. |
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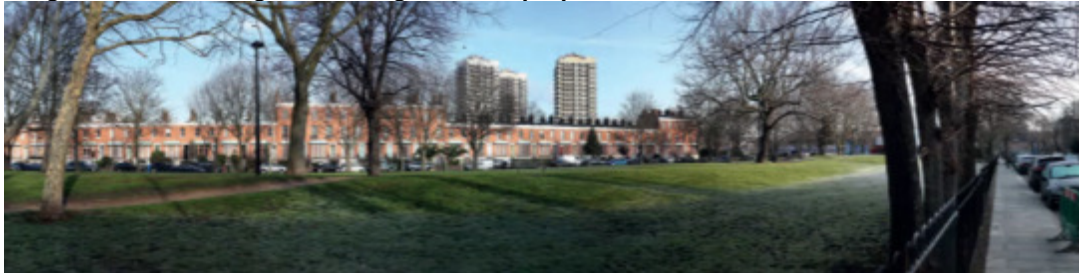
Image: View 6 showing the existing view and proposed view



| View 7 | |
|-----------------------|---|
| View location | Brimmington Park |
| Heritage Significance | High – The Grade II Listed Terraced dwellings and associated railings comprising nos. 1-50 Clifton Crescent are situated between the southern end of Brimmington Park and the subject site. |
| Other Significance | Open space of Brimmington Park |
| Sensitivity to change | Low |
| Impact of proposal | The viewpoint is taken looking north towards the site. The foreground of the view is occupied by the open space of the park. Trees screen views beyond this extent. The Grade II listed buildings of Clifton Crescent appear on the northern side of the park and form a coherent townscape set-piece. In the existing state, the Tustin Estate residential towers are prominent in the background. The towers form an obvious contrast in scale, form and appearance with the terraced row of Grade II listed buildings. The proposed development would be visible in the near distance and would be located closer to the viewpoint than the towers of the Tustin Estate. The height of Building B would be more prominent due to the closer proximity; however, the view would be consistent with the existing character of the view. The Clifton Crescent terraced row and Brimmington Park |

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| | being in the foreground appear distinct from the proposal in the background which improves on the existing view of the Tustin Estate. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | Whilst the background of the view would change, it is considered that the improved appearance of the proposal is an improvement to current background of the view with the Tustin Estate. Notwithstanding this, there would still be a distinction between the foreground of the view Brimington Park/Clifton Crescent, and the background of the view. I Nonetheless, there would be some harm to the special architecture, the historic character, and the setting of the Grade II listed buildings in this view. Given the existing context it is considered that this harm, both to the special interest of the buildings and their setting would be less than substantial and would be outweighed by the wider regeneration benefits of the scheme. |

Image: View 7 showing the existing view and proposed view



| View 8 | |
|-----------------------|---|
| View location | Montague Square |
| Heritage Significance | None |
| Other Significance | None. |
| Sensitivity to change | Low |
| Impact of proposal | The viewpoint is from the southeast corner of Montague Square with the view looking northwest towards the subject |

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| | site. The green space that defines the centre point of the square occupies much of the foreground and middle of the view. Three storey dwellings surround the square, and in the background of the existing view the Tustin Estate is visible. The proposed development would appear in the middle of the view, to the left of the Tustin Estate. The height of Building B would be more prominent within the view. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | Whilst there would be a change to the background of this view, it would be seen in the context of the existing Tustin Estate towers and would appear distinct and separate from Montague Square. |

Image: View 8 showing the existing view and proposed view



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| View 9 | |
| View location | Old Kent Road/ Pomeroy Street Junction |
| Heritage Significance | Low – The existing panorama shot shows the Grade II listed buildings consisting of nos. 5, 15, 17, 25, 29, 33, 35 and 37 New Cross Road. These properties are located in the Lewisham Borough. |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | This junction represents the border between Southwark and Lewisham borough. To the right of the existing photo, the listed terraced buildings mentioned above are within the Lewisham Borough. The boundaries of the borough extend to the railway bridge in the background on the right side of the photo. The left side of the photo is within the |

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| | boundaries of the Southwark Borough. The setting of the listed building would not be impacted from this viewpoint, as the predominant view is to the northwest away from the location of the terraced row. The proposal would appear in the middle distance of the view and the overall scale and height is comparable to that of the Tustin Estate which is also evident in the background of the view. The railway bridge acts as a threshold point where beyond this point the scale and height is greater and more pronounced compared to the immediate side contained within the view. |
| HE Comments | None. |
| GLA Comments | None. |
| Conclusion | The proposed development would appear distinct from the lower scale of buildings in the foreground of the view, including those that are listed. The massing on site with the taller Building B being located at the rear of the site within this view enables a stepping up in scale approach that is shifted away from the smaller buildings of the foreground. It is not considered that the special architectural or historic interests of the listed building or their setting would be harmed. |

Image: View 9 showing the existing view and proposed view



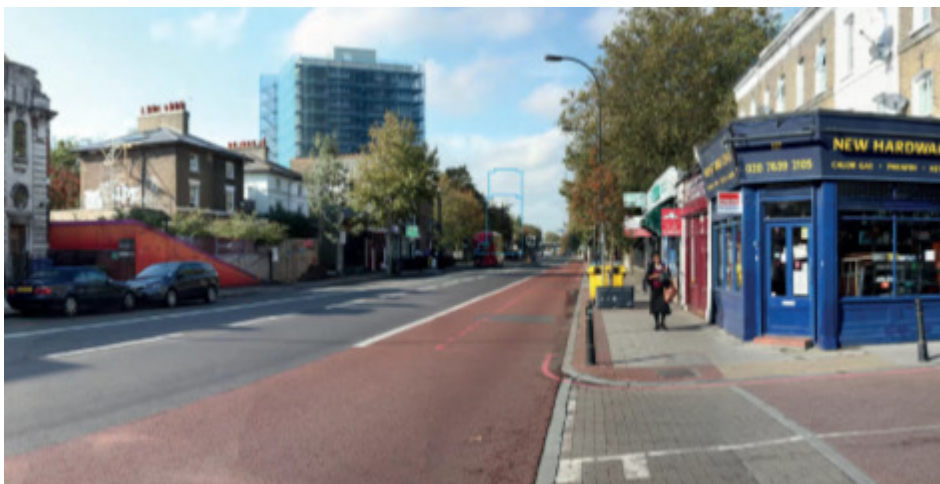
| View 10 | |
|-----------------------|---|
| View location | New Cross Road junction with Avonley Road |
| Heritage Significance | Low - whilst the aforementioned Grade II listed terrace discussed in the analysis of view 9 is more prominent in this view, the point of view has been moved approximately 101 metres further southeast away from the site. The viewpoint is a total of approximately 303 metres southeast of the site |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | Given the further separation distance from the application site highlighted above, it is considered that there would be a minimal impact on this view. There would be no material difference than the impact on view 9. With the development visible in the far background of the viewpoint the scale and massing evident in the background compared to small scale buildings in the foreground. Therefore no impacts arise from the development on this viewpoint. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The distinction between the development beyond the railway bridge and before the railway bridge is evident.. It is not considered that the special architectural or historic interests of the listed building or their setting would be harmed |

Image: View 10 showing the existing view and proposed view



| View 11 | |
|-----------------------|--|
| View location | New Cross Road junction with Casella Road |
| Heritage Significance | Low. Whilst located within the Hatcham Road Conservation of the Lewisham Borough, the viewpoint is approximately 572 metres southeast of the development site. |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | Given the separation distance from the development site, the buildings would only be partially visible from this view. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The view would not substantially change as a result of this proposal. The following image demonstrates that the dotted blue outline would be the sections of the development that would not be visible from this viewpoint with the non-dotted line representing sections of the development that would be visible. Overall, given the separation distance, no impact would arise to the conservation area setting, nor is it considered that there would be any harm to the listed building in this view. |

Image: View 11 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)



| View 12 | |
|-----------------------|--|
| View location | Queen's Road junction with Astbury Road |
| Heritage Significance | None |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | Astbury Road is a north-orientated street. At this junction, |

| | |
|--------------|--|
| | the three storey buildings with ground floor retail are located on Queen's Road whilst Astbury Road comprises of predominantly two storey 19 th century terraced housing of a relatively modest scale. In the background the residential towers of the Tustin Estate are visible. The proposed development would be sited in the middle distance of this view with the taller Building B having a greater apparent height than the Tustin Estate towers and would be the main visible point within the background of this view. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The proposed development would be visible in the background and would form a focal point in this view with a directional quality. |

Image: View 11 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)



| View 13 | |
|-----------------------|---|
| View location | Monson Road junction with Edric Road |
| Heritage Significance | Low - whilst located within the Hatcham Road Conservation of the Lewisham Borough, the viewpoint is approximately 534 metres east of the development site. |
| Other Significance | None |
| Sensitivity to change | Low |
| Impact of proposal | Much as the same with the analysis of views 10 and 11, the separation distance between the development and the viewpoint is substantial. The dwellings along Edric Road |

| | |
|--------------|---|
| | are coherent and of two storeys in height. The proposal would not be entirely visible from this point with the visible points being viewed in conjunction with the existing Tustin Estate residential towers. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The proposed development would not significantly change the views from this location, as the visible aspects of the buildings would be seen next to the Tustin Estate. |

Image: View 13 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)



| | |
|-----------------------|--|
| View 14 | |
| View location | Bridgehouse Meadows |
| Heritage Significance | None |
| Other Significance | Public open space/park |
| Sensitivity to change | Low |
| Impact of proposal | Bridgehouse Meadows is located to the northeast of the site, approximately 490 metres away. It is within the boundaries of the Lewisham Borough, but is located close to the administrative boundary with Southwark, to the southeast of Ilderton Road. The foreground of the view contains the meadows and green space. Towards the middle of the view is shrubbery where the edge of the meadows meets dwellinghouses. The meadows are on a higher natural ground level and the Tustin Estate is clearly |

| | |
|--------------|---|
| | visible in the background. The proposed development would be mostly visible from this viewpoint; however, Building B would predominantly be screened by the residential tower of Windermere Point within the Tustin Estate. As Building B is to be higher than Windermere Point to top few floors would be visible from this viewpoint. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The aspects of the development that are visible from this viewpoint would be consistent with the existing character of the view therefore no harm would arise to this viewpoint. |

Image: View 14 showing the existing view and proposed view (The visible aspects of the buildings are outlined in a dotted blue line, and the aspects not visible are the non-dotted blue line)



| View 15 | |
|-----------------------|--|
| View location | Ilderton Road junction with Hornshay Street |
| Heritage Significance | None |
| Other Significance | None |
| Sensitivity to change | None |
| Impact of proposal | This viewpoint is located directly north of site on the administrative boundary between both Southwark and Lewisham Boroughs. This view is dominated by the towers within the Tustin Estate on the western side of Ilderton Road. A six story apartment block can also be seen in the middle of the view. The eastern side of the road is occupied by light industrial and retail shed buildings of low visual |

| | |
|--------------|--|
| | quality. The proposed development would be sited in the middle to rear distance of the view. Both buildings would be partially obscured to some extent by the residential towers of Windermere Point and Grasmere Point. |
| HE Comments | None |
| GLA Comments | None |
| Conclusion | The development would be consistent with the character of the existing view and can be clearly appreciated as lying in the background of the view. |

Image: View 15 showing the existing view and proposed view



Conclusion on the Setting of Listed Buildings, Conservation Areas and Townscape

224. The following table summarises the designated heritage assets that could be impacted by the proposal, and what harm, if any has been identified.

Table: Impact on heritage significance

| Listed Buildings and Conservation Areas | Assessment of Impact on heritage significance |
|---|--|
| LVMF Views | No harm identified |
| Local Views | No harm identified |
| Caroline Gardens Conservation Area | Some less than substantial harm identified to setting, outweighed by the wider regeneration benefits of the proposals. |
| Peckham Hill Street Conservation Area | No harm identified. |

| | |
|---|--|
| Listed Buildings | Some less than substantial harm identified to the special architectural, historic character, and to the setting, outweighed by the wider regeneration benefits of the proposals. |
| Draft Locally listed buildings/ undesignated assets identified in the draft Old Kent Road AAP | No harm identified. The buildings are of an adequate distance from the development site as to not result in any material harm. |

225. In conclusion, the proposed development would have a significant impact on many of the views assessed, becoming a highly visible feature in the surrounding townscape. However, in the majority of cases, the impact is not considered to be harmful. Indeed in many views it is considered beneficial. The quality of design would be high, with a good composition of buildings, strong vertical emphasis and characterful tops creating new interest on the skyline.
226. Historic England and the Greater London Authority raised no objection to any of the viewpoints assessed. As the development is considered to significantly improve the appearance of the subject site, creates an active frontage along Old Kent Road and facilitates a high quality design, the limited harm to the surrounding assets is considered to be outweighed by the wider regeneration benefits of the proposal.
227. Whilst limited weight has been given to emerging policy, full weight has been given to adopted policies, including the NPPF (2019), London Plan (2016) and Southwark Plan (2007) and Core Strategy (2012). As can be seen from the assessment contained within this report, the proposals are considered to be in compliance with these adopted policies.

Housing mix, density and residential quality

Housing mix

228. 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. The housing mix requirements are replicated in the draft OKR AAP (Policy 5).
229. The proposed housing mix would be as follows:

Table: Proposed Housing Mix

| Unit size | No. of homes | % of homes |
|-----------|--------------|------------|
| Studio | 0 | 0% |
| 1 bed | 56 | 33.33% |
| 2 bed | 92 | 54.76% |
| 3 bed | 18 | 10.71% |
| 4 bed | 2 | 1.2% |
| Total | 168 | 100% |

230. 66.67% of the proposed homes would have two or more bedrooms. This provision comfortably exceeds the 60% target by 6.7% and is a welcomed aspect towards the overall housing stock. Notwithstanding the excess two-bed units within the scheme,

11.91% of the development would offer 3 bed+ units, which is below the 20% requirement.

231. Whilst this under provision is acknowledged, the development secures 12 of the 55 affordable housing units proposed (21.81%) being for three-bedroom units. In addition, two four-bedroom units have been secured as affordable bringing the affordable total to 14 of 55 units (25.45%). If grant funding is secured to increase affordable housing provision to 40%, 14 of the 61 units would be three-bedroom units equating to 22.95%. Notwithstanding at the proposed affordable rate, the percentage of three-bedroom units at affordable is above the requirement of 20% set out in the draft OKR AAP.
232. Regarding the affordable housing units for one-bed units, 11 of the 55 units (20%) are affordable. If grant funding is secured, this provision would increase to 13 of the 61 (21.31%) one-bedroom units. Two-bed units would provide 30 (54.54%) affordable units, and if grant funding is secured could provide 32 units (52.45%). The two four-bedroom units (3.40%) would be affordable. Whilst there would be an overall shortfall in units offering three bedrooms, the percentage of the three-bedroom units in the affordable housing mix would exceed the required levels and it is therefore considered that the housing mix is acceptable.

Table: Proposed housing mix broken down by tenure

| Unit size | Private homes | | Intermediate homes | | Social rented homes | |
|-----------|---------------|--------|--------------------|--------|---------------------|--------|
| | No. | % | No. | % | No. | % |
| Studio | 0 | 0% | 0 | 0% | 0 | 0% |
| 1 bed | 43 | 40.20% | 6 | 33.33% | 7 | 16.27% |
| 2 bed | 60 | 56.10% | 10 | 55.55% | 22 | 51.16% |
| 3 bed | 4 | 3.70% | 2 | 11.12% | 12 | 27.90% |
| 4 bed | 0 | 0% | 0 | 0% | 2 | 3.40% |
| Total | 107 | | 18 | | 43 | |

233. During the course of the application, the originally proposed 35% affordable housing delivery was increased to 36% with potential to rise to 40% subject to grant funding. As a result of this amendment, the number of social rent units provided is 37, and 18 intermediate units. Subject to grant funding, an additional six intermediate units can form the maximum 61 units of affordable housing at 40%. The number of market units would be 107 units. It is noted that as part of the amendment, the originally proposed 170 new homes has been revised to 168 new homes.

Wheelchair housing

234. Saved policy 4.3 of the Southwark Plan requires at least 10% of all major new residential developments to be suitable for wheelchair users and London Plan Policy 3.8 requires 90% of new housing to meet Building regulations M4(2) “accessible and adaptable” and 10% to meet Building Regulations M4 (3) “wheelchair user dwellings”. This is reiterated in emerging policy in the draft OKR AAP and the New Southwark Plan.
235. 18 of the proposed new homes would meet Building Regulations M4 (3) “wheelchair user dwellings”, which equates to 10.71% of all dwellings. Six of the units would be private units and twelve would be for social rent. This equates to 21% social rented wheelchair units, which is considered a generous proportion as it is reflective of the overall proportion of social rent homes proposed. Of the wheelchair units, they would be evenly split at six units each for one-, two- and three-bedroom units. The wheelchair user dwellings would be secured through the Section 106 Legal Agreement.

Density

236. Policy 3.4, Optimising Housing Potential, of the London Plan states that development proposals 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.
237. Emerging Policy P9 of the New Southwark Plan seeks development within the Old Kent Road Opportunity Area (OKROA) Core to provide 650-1,100 habitable rooms per hectare. However, the OKROA allows development to exceed this range where it achieves exemplary standards of residential design. The development as a whole delivers 590 habitable rooms over 0.46 hectares. This equates to 1,282 habitable rooms per hectare calculated in accordance with the Residential Design Standards SPD 2011.
238. Since the maximum upper limit of habitable rooms per hectare would be exceeded, the development would need to demonstrate that it would provide exemplary accommodation of the highest design standards. If it can be demonstrated that an excellent standard of accommodation would be provided, and the response to context and impact on local services and amenity to existing occupiers is acceptable, then a high density in this Opportunity Area location would not raise any issues to warrant withholding permission. This is considered in the following table and paragraphs.

Table: Indicators of exemplary design

| Indicators of Exemplary Design | Proposal |
|----------------------------------|--|
| Provide for bulk storage | The majority of units proposed would comfortably exceed the minimum requirements for storage for each respective housing mix. Whilst the vast majority of units far exceed, some units provide the minimum, none are below the minimum. |
| Exceed minimum privacy distances | Minimum privacy distances would be exceeded in relation to the units within each respective building: <ul style="list-style-type: none"> • The distance between Building A and Building B is 17.36m • The minimum distance between the rear of Building A and the rear of nos. 51-54 Clifton Crescent is approximately 19m and the maximum distance is 28.17m • The distance between the rear of Building B and the rear of nos. 17 and 18 Drivers Place is 22.26m • The distance between the rear of Building B and the rear of nos. 9-16 Drivers Place is 21.71m • The distance between the flank wall of Building A and the flank wall of no. 864 Old Kent Road (on the southern side of Brimington Park is approximately 45m • The distance between Building A and the Tustin Estate residential tower 'Windermere Point' is |

| | |
|---|---|
| | <p>approximately 43m</p> <ul style="list-style-type: none"> • The distance between Building B and the Tustin Estate residential tower 'Grasmere Point' is approximately 50m • The distance between the flank wall of Building B and the flank wall of 'Radford Court' (located between the Leo Street and Gervase Street junction with Old Kent Road) is approximately 60m • The distance between Building a and the Public House and residential accommodation at no. 871 Old Kent road is approximately 39m • The minimum distance between Building A and the terraced row comprising of nos. 881-887 Old Kent Road is 56m • The maximum distance between Building A and the terraced row comprising of nos. 881-887 Old Kent Road is 65m |
| <p>Good Sunlight and daylight standards</p> | <p>Good sunlight and daylight standards would be achieved within the proposed development.</p> <p>The orientation of the two buildings enables the majority of rooms to enjoy a generous amount of natural daylight and sunlight. It is acknowledged that there are constraints in some units given the presence of inward facing units in both Building A and Building B. Of these 175 rooms that face inwards within the development, a total of 171 meet the BRE and British Standard guidance*. This results in a 98% compliance rate from the internal facing rooms.</p> <p>Given that the remaining habitable rooms do not face inwards, their levels of access to natural daylight and sunlight are not constrained therefore resulting in a high quality access to natural daylight and sunlight to each unit and habitable room.</p> |
| <p>Exceed the minimum ceiling height of 2.3m required by building regulations</p> | <p>All residential ceilings would exceed 2.3m. All habitable room ceilings would be at least 2.5m high.</p> |
| <p>Exceed amenity space standards (both private and communal)</p> | <p>Each dwelling has an external balcony of at least 5 sqm. The three bedroom dwellings have a total of 10 sqm in the form of two balconies, one beside the bedrooms and the other adjacent to the living rooms. Although the overall area of private amenity space falls short of Southwark's standards (981 sqm of private amenity that is equal to 57% of the requirement of 1700 sqm), this would be compensated for by additional external communal amenity space and a financial contribution towards Brimington Park in line with the Section 106 Planning Obligations and CIL SPD.</p> |

| | |
|---|---|
| Secured by Design Certification | Consultation with the Met Police's Designing Out Crime Officer has taken place. They are satisfied that the proposals could meet the Secure by Design requirements. |
| No more the 5% studio flats | No studio flats are proposed for this development |
| Maximise the potential of the site | The site is currently underutilised, and allocated for development within the draft NSP and OKR AAP. The proposals would optimise the site with potential for a phase 2 development to come forward in the future to develop the northwest of the site where the temporary Aldi store is located. The development at hand would provide 168 new homes, provide 1,778 sqm of A1 floor space and 52 sqm of flexible A1/A3 floor space. |
| A minimum of 10% of units are suitable for wheelchair users | <p>All of the proposed dwellings are designed to meet and exceed Building Regulation M4(2), Accessible and Adaptable Dwellings. 10.71% (rounded) of these dwellings would be easily adaptable to meet the needs of a wheelchair user, to meet building regulation M4(3), Wheelchair User Dwelling.</p> <p>Level access would be provided throughout the proposed development, and all residential cores have at least two lifts, ensuring that all apartments are wheelchair accessible at all times. All corridors would be at least 1500mm wide, allowing wheelchair access to all parts of the building.</p> |
| Excellent accessibility within buildings | |
| Exceptional environmental performance | <p>The proposals would incorporate excellent fabric insulation, triple glazing, improved air tightness and low energy lighting throughout. The design aims to meet the latest London Plan Policies, Mayoral Guidance and Southwark's Sustainable Design and Construction SPD. Energy efficiency measures mentioned above will reduce dwelling emissions by 10% and the non dwelling uses by 34% when assessed against Part L of the emission rates. This equates to 15% and 29% respectively when SAP10 emission rates are applied.</p> <p>The dwellings will be served by a community heating system, that will be designed and installed in accordance with the recommendations within the CIBSE Code of Practice for heat networks with space allocated for a future heat substation and connection points identified for a future district heating system. The heat pumps serving the dwellings will act as the lead heat source for the community heating system to generate 64% of the annual heat demand reducing the residential emissions 38 tonnes.</p> |
| Minimise noise nuisance between flats, through vertical stacking of similar | The proposed dwellings would be well vertically stacked in the majority of cases. Wherever possible, living rooms would abut living rooms across party walls. The |

| | |
|--|---|
| room types | proposals would be designed to meet or exceed Building Regulations Part E - Resistance to the passage of sound. |
| Make a positive contribution to local context, character and communities | The proposals would make a positive contribution to the local area. It would be of exemplary architectural design, in line with the draft OKR AAP, and would contribute to the improvement and enhancement of the adjoining Brimmington Park. The existing frontage of the subject site onto Old Kent Road would be significantly enhanced providing a high quality public realm that would create active frontages to the Old Kent Road. |
| Include a predominance of dual aspect units | 75% (126 homes) of the proposed dwellings would be dual aspect. Of the single aspect homes (42), 21.31% (9 homes) would be affordable and 78.57% (33 homes) would be private. |
| Have natural light and ventilation in all kitchens and bathrooms | The kitchens would be open plan and would therefore receive natural light and ventilation via the Living / Dining rooms. Where kitchens / diners are separate, they would have opening windows. All bathrooms would be internal. These would be provided with mechanical ventilation, a common approach to flatted development. |
| At least 60% of homes contain two or more bedrooms | 66.67% of dwellings across the whole development would contain two or more bedrooms. Of the Social Rented homes, 44 of the 55 affordable units will be for two bedrooms or larger, equating to 80% of the overall affordable units. |
| Significantly exceed minimum floor space standards | All dwellings would meet or exceed the minimum space standards set out in Southwark's Residential Design Standards SPD, including extra floor space for wheelchair accessible units. |
| Minimise corridor lengths by having an increased number of cores | The proposed residential floors follow a central core typology with minimal corridor lengths. Therefore, it is not possible for the corridors to have access to natural light. For this reason, mechanical ventilation is provided. |
| No more than 8 units per core | The proposed number of units per floor within both buildings ranges from a minimum of four, to a maximum of 7 units per core. This is considered acceptable. |
| Achieve exemplary architectural design | The architectural design proposed for the buildings is of the exemplary standard |

* Noting that 1.5% ADF, rather than 2% has been applied as the target for open plan Living/Kitchen/Dining (LKD) rooms

Quality of residential accommodation

239. Saved Policy 4.2 of the Southwark Plan states that development should achieve good quality living conditions and include high standards of accessibility, privacy and outlook, natural light, ventilation, space, safety and security and protection from pollution. This policy is further reinforced by the Residential design Standards SPD 2011 (including 2015 Technical Update).

Unit size

240. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The adopted standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2011 (including 2015 Technical Update).
241. All proposed homes would meet or exceed the standards as set out in the SPD. The following table sets out the minimum flat size requirements as set out in the Residential Design Standards SPD, and also the flat sizes that would be achieved:

Table: Proposed flat sizes

| Unit Type | SPD Requirement (sqm) | Size range proposed (sqm)* |
|-----------------------|-----------------------|----------------------------|
| 1 Bed 2 Person (flat) | 50 sqm | 50 – 59 sqm |
| 2 Bed 4 Person (flat) | 70 sqm | 71 – 92 sqm |
| 3 Bed 4 Person (flat) | 74 sqm | 74 – 108 sqm |
| 3 Bed 5 Person (flat) | 86 sqm | 92 sqm |
| 4 Bed 7 Person (Flat) | 108 sqm | 127 sqm |

* This includes wheelchair accessible homes, which have higher space standard requirements

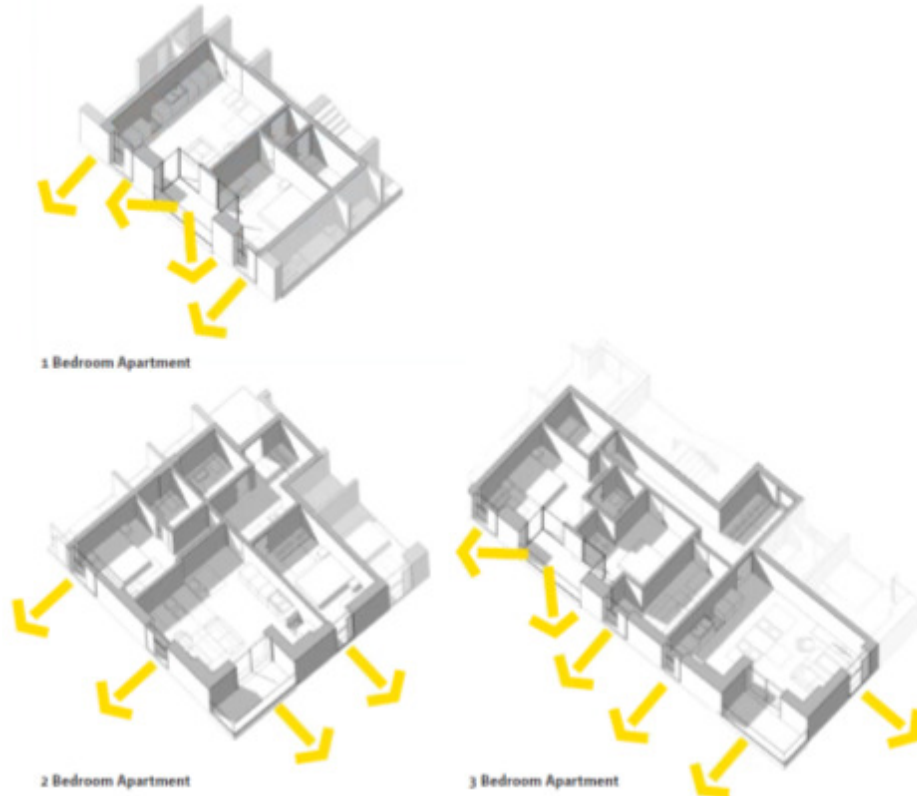
242. Of the 12 three-bed social rented units proposed, the three bedroom four person units would have separate kitchens and living areas. The three bedroom five person units would have open plan living/kitchen/diners. The Residential Design Standards SPD does require that all affordable dwellings with three or more bedrooms should have a kitchen that is separate from the living room, as many Registered Providers require separate kitchens. However, the proposed mix demonstrates choice in this regard, and officers have recent experience of working with a Registered Provider has provided this choice within the affordable offer.
243. Overall, it is therefore considered that the flat sizes and layouts are acceptable, and would provide for a very good standard of internal amenity.

Dual aspect

244. Of the 168 dwellings proposed, 75% (126 homes) of the proposed dwellings would be dual aspect. This number represents a beneficial overall proportion which enhances the quality of accommodation afforded to the future occupiers.
245. Of the single aspect homes (42), units are provided with glazed elements at 90 degrees to provide multi directional views out. This design feature is welcomed as this would facilitate better outlook for occupiers, and enables more natural daylight and sunlight to penetrate the windows given despite the single aspect nature of some units facing north-east.
246. Overall, the high proportion of dual aspect homes, particularly for the social rented

homes (46 homes), is considered a very positive aspect of the proposals.

Image: Example of single and dual aspect homes for one, two and three bedroom units



Internal daylight and sunlight

247. An internal daylight and sunlight report, based on Building Research Establishment (BRE) Guidance, has been submitted. This considers light to the proposed dwellings using the Average Daylight Factor (ADF), Daylight Distribution (DD) and Probable Sunlight Hours (PSH) tests (both Annual and Winter). ADF determines the natural internal light or daylit appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. The guidelines also recommend that in cases where a room serves more than one purpose, the minimum ADF should be that for the room type with the higher value. Accordingly, in an open plan Living/Kitchen/Dining (LKD) room, the BRE recommends minimum ADF of 2%. The report submitted in this case however, argues that the principal use of LKD rooms is as living rooms and accordingly the minimum ADF should be 1.5%.
248. The DD test calculates the proportion of a room from which the sky would be visible, and plots the change between the existing and proposed situation. The BRE advises that if there is a reduction of 20% or more in the area of sky visibility, daylight may be noticeably affected.
249. In daylight terms, when testing the proposed development in existing conditions, 171 out of the 175 (98%) habitable rooms facing inward within the development would meet the target daylight value in ADF terms (noting that 1.5% ADF, rather than 2% has been applied as the target for LKD rooms). The remaining 315 habitable rooms (590 in total) receive exceptional levels of natural daylight given that these rooms are not facing inward as and are therefore not constrained regarding access to natural

daylight.

250. The four rooms that would not meet the ADF values are located in Building B. On the first floor would be available for intermediate homes. The other three affected bedrooms that do not meet the ADF values would be in private tenure on the fourth, fifth and sixth floors. The majority of the habitable rooms that would not meet the minimum ADF values would be in private tenure. It must be acknowledged that these affected rooms are all served by windows situated beneath balconies, which offers valuable private external amenity, but also somewhat limits the amount of daylight within the room. Notwithstanding this issue, the rooms would still provide a level of natural daylight that would not detrimentally harm the living conditions of future occupiers.
251. In sunlight terms the BRE Guidelines makes clear that sunlight is of primary importance to main living spaces. All windows within 90 degrees of due south have been assessed under the Annual Probable Sunlight Hours (APSH) sunlight assessment. The results from the studies demonstrate that all windows retain full compliance with the recommendations of the BRE guide. The effects to this development and the respective units within are therefore wholly acceptable in respect of both daylight and sunlight.
252. Overall, the internal amenity and access to natural daylight and sunlight is considered excellent for this development with the results demonstrating that only four of the 590 habitable windows (99.93%) would be affected by a degree of daylight loss.

Overlooking and Privacy within the Proposed Development

253. In order to prevent harmful overlooking, the Residential Design Standards SPD requires proposed developments to achieve a distance of 12 metres between the front elevations of buildings and/or across a highway, and a minimum of 21 metres between rear elevations.
254. The arrangement of Building A and Building B (adjacent to one another) is such that the possibility of overlooking is more likely given the alignments. The distance between the two buildings is approximately 17.35 metres, which is comfortably above the minimum 12 metres. Whilst it is acknowledged that the internal layouts of the units that would face each other in both respective buildings consists of a mix of bedrooms, balconies and open plan developments, it is considered that the distance is sufficient enough to mitigate any overlooking or loss of privacy to occupiers of the units.

Image: Distance between the Building A and Building B



Number of units per core

255. Standard 12 of the Mayor's Housing Design SPG requires that each vertical circulation core should be accessible to generally no more than eight units on each floor. As stated in the exemplary design standards table, none of the cores in the proposed scheme would have more than 8 flats per core. This is a positive aspect of the design of the scheme.

Table: Number of units per core in each building

| Building A | Units Per Core | Building B | Units Per Core |
|-------------------------------------|-----------------------|---------------------------------------|-----------------------|
| 1 st to 3 rd | 5 | 1 st to 3 rd | 5 |
| 4 th to 6 th | 4 | 4 th to 6 th | 6 |
| 7 th | 4 | 7 th | 6 |
| 8 th to 11 th | 6 | 8 th to 11 th | 6 |
| | | 12 th | 6 |
| | | 13 th and 14 th | 6 |
| | | 15 th to 17 th | 6 |
| | | 18 th and 19 th | 7 |

Secured by design

256. The application has been reviewed by the Metropolitan Police, Secure by Design Advisor who is satisfied that, should this application proceed, it would be able to achieve the security requirements of the Secured by Design principles. The advisor is encouraged that the design of the development has considered opportunity for natural surveillance, incorporates excellent lines of site and the development should 'activate' this area. These are all excellent crime prevention measures. The ground floor footprint has also been designed in such a way that there are no alcoves or secluded areas that are often crime and ASB generators. This, again, is extremely positive in relation to crime prevention.
257. Due to the number of residential units within this development, compartmentalisation of the residential buildings for security purposes will be necessary. Each floor should only be able to be accessed by persons who live on that floor or lawful visitors to that floor (excluding floors that access communal gardens). The stair core should also be secured to allow egress from the building but preventing unrestricted access across the building. Compartmentalisation can be achieved on this development by the inclusion of a 'smart lift' and access controlled doors on the stair core at each floor or by creating a secure lift lobby on each individual floor within the development.
258. Planting within the public realm areas is important, including around the car park area. Shrubs and bushes are maintained so that they do not increase to anything more than 1m in height and the lower branches of tree canopies should be maintained so that they do not go lower than 2m in height. This will assist in keeping clear lines of sight across the landscaping within the scheme. Planting at ground level should not be too dense so that weapons and other items cannot be stashed within planting. Lighting within the schemes public realm areas should conform to lighting standard BS 5489:2103.
259. Planning conditions requiring the proposed development to adhere to the principles and physical security requirements of Secured By Design are included with the recommendation.

Conclusion on quality of accommodation

260. In light of the assessment above, the quality of residential accommodation proposed is generally very high, and a positive aspect of the scheme.

Outdoor amenity space, play space and public open space

261. Saved Policy 3.11, Efficient Use of Land, of the Southwark Plan (2007) requires a “satisfactory standard of accommodation and amenity for future occupiers”. Saved Policy 4.2. Quality of Residential Accommodation requires that all residential development provide an adequate amount of useable outdoor amenity space, and that the nature and scale of the amenity space should be appropriate to the location of the development, and the character of the area.
262. Four categories of open space are required in major planning applications in the Old Kent Road Opportunity Area:
- Private amenity space (usually gardens, balconies and winter gardens);
 - Communal amenity space (usually courtyards, podium gardens or roof terraces);
 - Children’s play space; and
 - Public open space.

263. The requirements for private amenity space, communal amenity space and children’s play space are set out in adopted policy and the Residential Design Standards SPD. The requirement for public open space is specific to the Old Kent Road Opportunity Area and set out in the draft Old Kent Road Area Action Plan. The policy position on each is set out in turn below:

Private outdoor amenity space

264. The supporting text to Strategic Policy 7, Family Homes, of the Core Strategy (2012) states that family housing must provide a minimum of 10sqm of private amenity space to ensure that children have somewhere safe to play. It also states that new developments must provide additional communal play areas for children, as required by the Mayor’s Supplementary Planning Guidance on Providing for Children and Young People’s Play and Informal Recreation (there is further detail on play space requirements below).
265. The private outdoor amenity space requirements are clarified further in the 2015 Technical Update to the Residential Design Standards SPD, as follows:
- Units containing three or more bedrooms should provide 10sqm of private amenity space; and
 - Units containing two bedrooms or fewer should ideally provide 10sqm of private amenity space. Where this is not possible, any shortfall should be added to the communal amenity space requirement; and
 - Private amenity spaces must be at least 3sqm in area.
266. The Residential Design SPD also states that a development is within an immediate proximity of a substantial area of public open space, accessibility to the open space, combined with better outlook, and may justify less amenity space as part of the development. In these circumstances a planning contribution may be required to provide improvements to off-site public amenity space.

267. All of the three bedroom units proposed within the site (18) would meet the minimum requirement of providing 10sqm of private amenity space for occupiers. One bedroom and two bedroom units would provide an external bolt balcony of at least 5 sqm. As the private amenity space afforded to one and two bedroom falls below the 10 sqm requirement, any shortfall should be offset within the communal amenity space. The remaining shortfall has been added to the overall communal amenity space requirements set out below.

Communal amenity space

268. In order to comply with the requirements of the Residential Design Standards SPD, 50sqm communal amenity space per development should be provided. This should be provided in addition to the requirement to compensate for any shortfall in private amenity space.
269. The podium located between Building A and B on the Transfer floor is the proposed location for communal amenity space within the development. This space would be made available to all residents living within the development.

Table: External communal amenity space proposed

| External Communal Amenity Space | Total area | Dedicated outdoor play space | Remaining communal amenity space (excluding play space) | Internal community room |
|---------------------------------|------------|------------------------------|---|-------------------------|
| First floor podium | 440 sqm | 340 sqm | 50 sqm | 50 sqm |

Private and communal outdoor amenity space calculations

270. The following table summarises the private and communal amenity space requirements, against that proposed. Please note that the first floor podium garden, which would be accessible to all residents, is considered after each of the buildings. It is at this point that the requirement for 50sqm communal amenity space in addition to any private amenity space shortfall is included.

Table: Proposed external private amenity space for the development, and shortfall against policy requirements

| Private amenity space proposed (Private balconies and terraces) | Dwelling size | Residential Design Standard SPD (2011) requirement (Para 3.2 New flat developments. Outdoor amenity space (page 23)) | No. of flats and amenity Proposals | Shortfall* |
|---|---------------|--|--|-----------------------------------|
| | 3 + beds | 10 sqm | All three bed homes would have at least 10sqm private amenity space. | Compliant |
| | 1-2 bed flats | Up to 10m2 should ideally be provided. | 56 x 1 bed flats | Not possible to provide all flats |

| | | | | |
|------------------------|--|---|--|---|
| | | Where this is not possible the remaining amount should be added to the communal amenity space. For example, if a private balcony of 3sqm can be provided, 7sqm should be added onto the communal amenity space. | 92 x 2 bed flats The 148 homes would provide at least 5sqm of amenity space | with 10sqm balconies or additional internal living space, resulting in a 719 sqm shortfall. |
| Total shortfall | | | | 719 sqm |

*The shortfall of private amenity is calculated per home rather than total shortfall. Oversized balconies and terrace spaces do not offset the loss in individual private amenity space on other homes.

Table: Proposed external communal amenity space in the development, and remaining shortfall against policy requirements

| Communal amenity space proposed | Proposal | Shortfall |
|--|--|--|
| (Shared roof or podium space EXCLUDING play space) | 50 sqm communal amenity provided on the first floor podium | 719 sqm shortfall - 50 sqm communal amenity space proposed = 669 sqm remaining shortfall £205 per sqm = 669 x 205 = Financial contribution of £137,145.00 |

271. As demonstrated in the tables above, there would be a shortfall in private and communal amenity space of 669 sqm, which would generate a financial contribution of £137,145.00 in line the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015). The payment of this financial contribution, which would be secured through the Section 106 Legal Agreement, would make the private and communal open space offer policy compliant. The money would go towards the improvement and enhancement of the Brimington Park, immediately adjacent to the proposed development. This approach has been agreed with officers as part of the council's strategic approach to delivering public realm improvements in the Old Kent Road Opportunity Area.

Children's play space

272. The supporting text to Strategic Policy 7, Family Homes, of the Core Strategy (2012) states that new developments must provide communal play areas for children, as

required by the Mayor's Supplementary Planning Guidance on Providing for Children and Young People's Play and Informal Recreation. 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 Mayor provides a Child Play Space calculator, which has been used in assessing this application.

273. The Mayor's SPG sets out the intended strategic approach to delivering new and enhanced playspace both on and off-site in new developments. It explains that 'doorstep' play (Under 5s) should usually be provided on-site, unless there is existing provision within 100 metres. For 5-11 year olds and children over 12 years old, it recommends that off-site provision is acceptable, if there is existing provision within 100-400 metres and 400-800 metres respectively. This is summarised in Table 4.5 of the SPG, reproduced below.

Table 4.5 of the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG

Table 4.5 Provision of play space to meet the needs of new development

| | | Under 5s | 5-11 | 12+ |
|------------------------------|-----------------|----------------------------------|----------------------------------|----------------------------------|
| Existing provision | within 100 m | On site or off-site contribution | Off-site contribution | Off-site contribution |
| | within 100-400m | On-site | On site or off-site contribution | On site or off-site contribution |
| | within 400-800m | On-site | On-site | On-site or off-site contribution |
| No existing provision | within 100 m | On-site | Off-site provision | Off-site provision |
| | within 100-400m | On-site | On-site | On site or off-site provision |
| | within 400-800m | On-site | On-site | On-site |

274. The financial contributions required in line with the Section 106 Planning Obligations and Community Infrastructure Levy (CIL) SPD (2015) would pay for 'off-site' provision, directly funding new and enhanced play equipment close to the site as part of a strategic approach. In this instance, they would go towards new play space proposed in the neighbouring Brimington Park.
275. The podium terrace on the transfer level between the two buildings is proposed to facilitate the children's play space within the development. The landscape design would integrate raised lawn and planter beds next to an assortment of play equipment that would be suitable for both children and toddler play. This will also require the submission of detailed planting and screening to mitigate against potential wind conditions as set out in paragraphs 442 and 443. This is in accordance with the Mayor's SPG. The spaces would be welcoming for children and young people of all ages and abilities, but also for parents and carers as well as any resident of the development. Detailed drawings of the landscape design, including all play provision, will be secured by condition.

Children's play space calculations

Table: Proposed areas of dedicated external play

| Location | Area of dedicated play space |
|---|-------------------------------------|
| First Floor podium garden (all residents) | 340 sqm |

276. The following table summarises the policy requirements for children's play space, against that proposed. It is important to note that the internal community room will facilitate children's playspace although this does not count towards the playspace provision as it is internal.

Table showing proposed external play space in the development, and shortfall against policy requirements

| Dedicated outdoor child play Space. This can be provided in either the communal or public open space but must be provided in addition to that space, rather than as a sub set of that space. | Required play space based on child yield. | Proposed play space | Shortfall |
|---|--|--|---|
| All ages | 340 sqm (629 sqm required) | Play space proposed for all ages within the podium located on the 1 st floor. | 289 shortfall - 340 sqm children's space proposed = 289 sqm remaining shortfall £205 per sqm = 289 x 205 = £59,245 Financial contribution of £59,245.00 |

Public open space

277. In addition to the adopted amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per proposed home. Any shortfall will be charged at £205 per square metre. As set out in the Section 106 and CIL SPD, £205 per sqm represents the average cost for improving open space in Southwark.

278. 56sqm of public open space is proposed. This would consist of:

- The area between the southeast elevation of the development and Brimington Park.

Public open space calculation

Table: Public open space proposed

| Public Open Space (Public space at ground floor, excluding play space) | Draft OKR AAP (2017) requirement AAP 10: Parks, streets, open spaces –The Greener Belt. (page 46) | Proposed public open space | Shortfall |
|--|---|---|---|
| | Provide 5sqm of public open space per dwelling. If it is not feasible to deliver the open space on site, a financial contribution will be required. 850 sqm required | 56 sqm of public open space within the development site is proposed in the space between the southeast elevation of the development and Brimington Park | 794 sqm shortfall £205 per sqm = Financial contribution of £162,770.00 |

279. As demonstrated in the table above, there would be an overall shortfall in public open space of 794 sqm, which would generate a financial contribution of £162,770.00. The payment of the financial contribution, which would be secured through the Section 106 Legal Agreement. The money would go towards the improvement and enhancement of the Brimington Park.

Overall contribution regarding shortfall

280. The table below demonstrates the total shortfall of the overall development regarding Children’s Play Space, Communal Amenity, Private Amenity, and Public Open Space:

281. In total, as set out above, the proposals under consideration would generate the following financial contributions relating to amenity space, play space and public open space, all of which would go directly towards the cost of delivering the new Frensham Street Park:

Table: Total shortfall

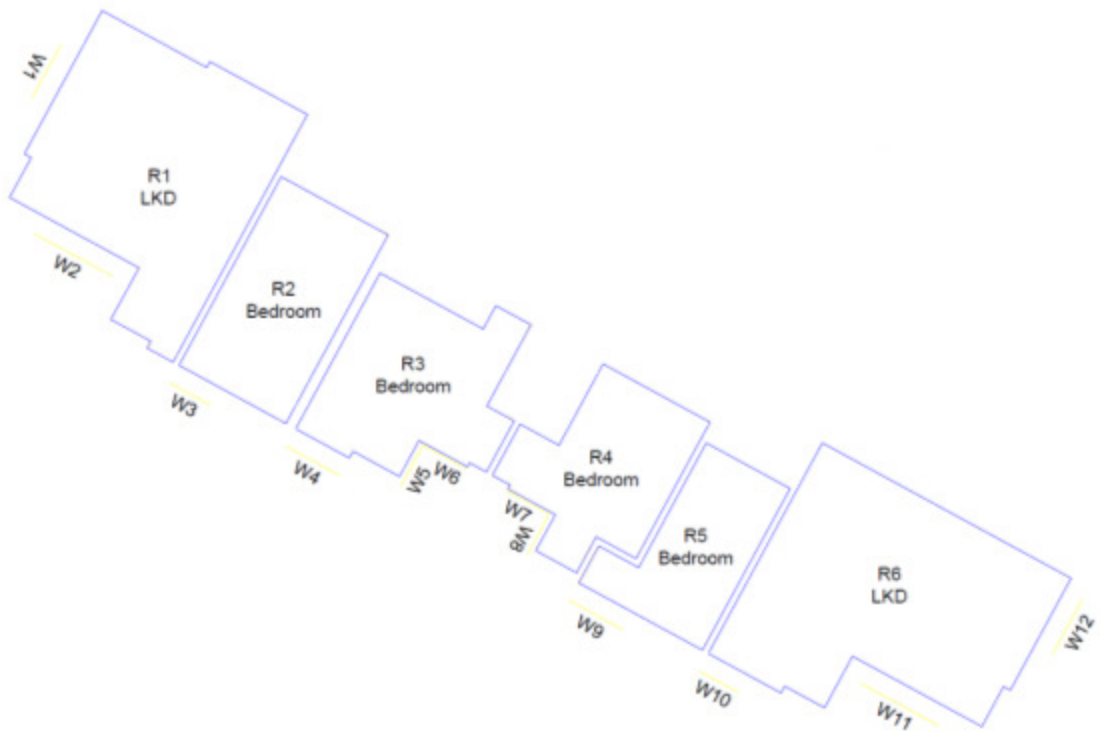
| | Playspace | Communal Amenity | Private Amenity | Public Open Space | Total |
|------------------|------------------|-------------------------|------------------------|--------------------------|--|
| Required | 629 sqm | 50 sqm | 1700 sqm | 850 sqm | 3,155 sqm |
| Proposed | 340 sqm (54%) | 50 sqm (100%) | 1031 sqm (60%) | 56 sqm (7%) | 1,412 sqm |
| Shortfall | 289 sqm | 0 sqm | 669 sqm | 794 sqm | 1,752 sqm 1,752 x 205 = £359,160 |

282. The above table demonstrates that the development would provide a contribution to the total of £359,160 towards the enhancement of the neighbouring Brimington Park. This contribution would enable the park to be comprehensively improved that provides a strong relationship between the park and the development to the benefit of the immediate area.

Sunlight amenity analysis within the proposed development

283. Section 7 of the submitted Daylight and Sunlight Assessment provides an analysis the internal daylight and sunlight amenity to the rooms that face inward between the two residential buildings where daylight levels are most constrained. The Average Daylight Factor (ADF) criterion was used in the analysis of the daylight study. Results from this show that 171 of the 175 (98%) rooms assessed meet the BRE and British Standard guidance criteria. It is noted that the 4 rooms that fall below the target are bedrooms. The diagram below with the annotation of R4 is at first floor achieving an ADF of 0.9%. The remaining rooms are identified as R3 and are located at fourth, fifth, and the six floors achieve an ADF of 0.6%. These rooms are all served by windows situated beneath balconies, which offers valuable private external amenity, but also somewhat limits the amount of daylight within each room.

Image: R4 at first floor achieving an ADF of 0.9%



R3 at fourth, fifth and sixth floor achieving an ADF of 0.6%



Sunlight amenity analysis within the first floor podium

284. Section 8 of the submitted Daylight and Sunlight Assessment provides an analysis of the amenity and children's play area within the first floor podium. For an amenity area to be considered well sunlit throughout the year, the BRE guide suggests that at least 50% of the space should enjoy at least two hours of direct sunlight on 21 March. The results of the analysis demonstrate that the proposed first floor podium and amenity area contained within would benefit from 80% well-lit on 21 March. It is therefore considered that the sunlight amenity to the first floor podium is fully compliant with the BRE criteria. Additionally, an analysis was undertaken of the potential daylight impacts from the Old Kent Road entrance into Brimmington Park. Results show that the existing scenario of achieving 100% daylight on the 21 March would not be affected by the proposed development.

Image: Sunlight amenity analysis

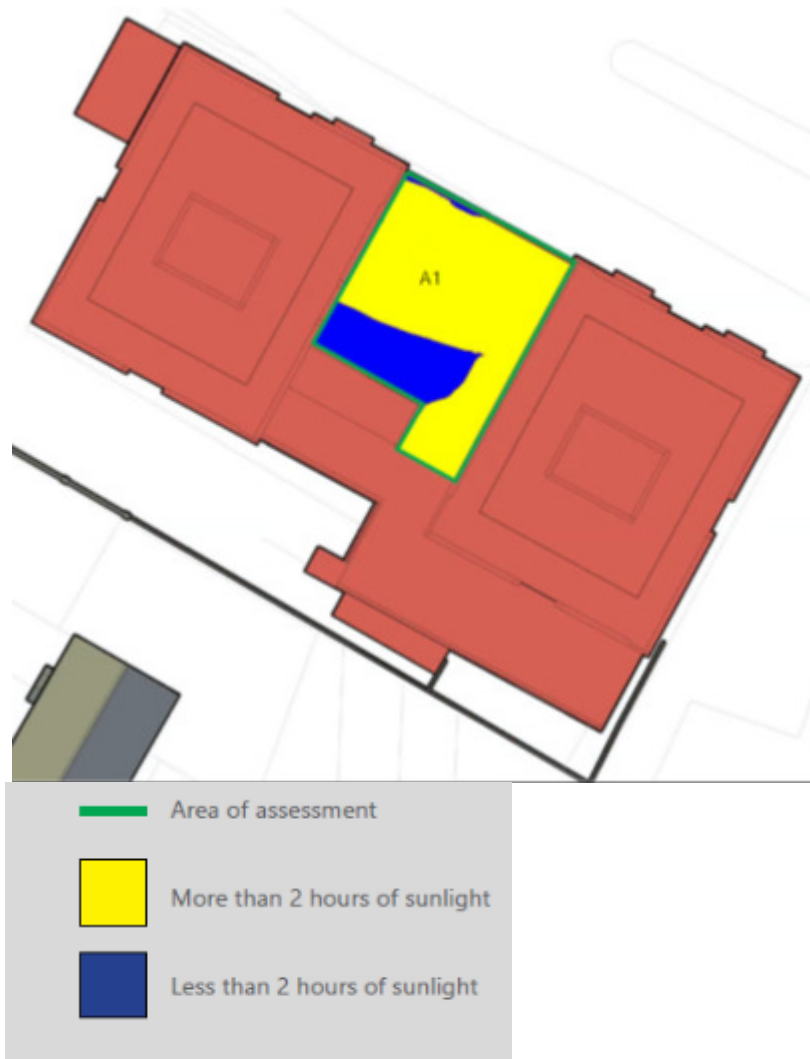
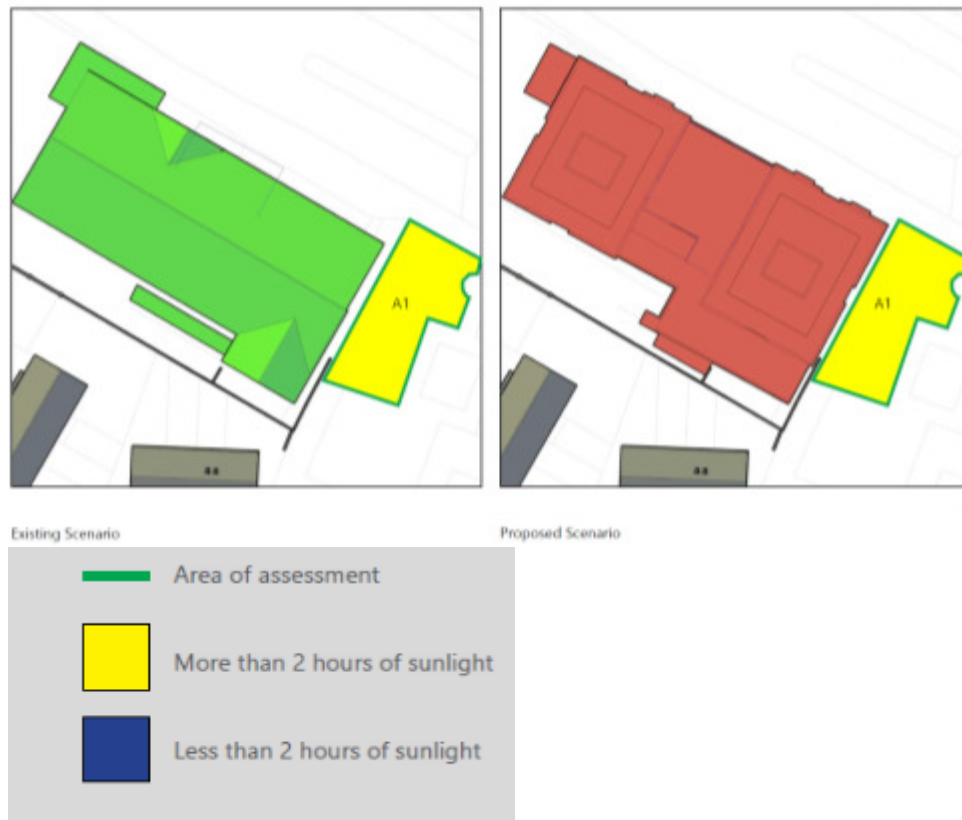


Image: Sunlight amenity analysis to Brimmington Park entrance from Old Kent Road



Conclusion on outdoor amenity space, play space and public open space

285. In conclusion, given the density and site coverage of the scheme under consideration, officers are on balance satisfied with the quality and quantity of outdoor amenity space, play space and public open space proposed. Whilst there are shortfalls against policy requirements, these are fully mitigated by the agreed financial contributions that would directly fund the enhancement and improvement of Brimmington Park. Where amenity space is proposed on site, it is well planned, with efficient layouts that do not restrict movement or circulation. The landscape proposals are well thought through and of high quality, which is a positive aspect of the scheme. To ensure the spaces delivered are of the highest quality, detailed landscape design can be secured by condition.

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

286. Strategic Policy 13 of the Core Strategy sets high environmental standards and requires developments to avoid amenity and environmental problems that affect how we enjoy the environment. Saved Policy 3.2 of the Southwark Plan states that planning

permission for development will not be granted where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Furthermore, there is a requirement in Saved Policy 3.1 to ensure that development proposals will not cause material adverse effects on the environment and quality of life.

Impact of the proposed uses

287. The re-provision of the Aldi store, as well as the introduction of a flexible A1/A3 unit and the facilitation of residential units to the upper floors in Use Class C3 is considered to be compatible with the surrounding land uses which include residential and retail uses. On this basis, it is considered that the proposed uses would not cause any harm to surrounding neighbour amenities, and accordingly are all found to be acceptable uses. Conditions on opening hours and noise have been included on the draft decision notice.

Daylight and sunlight impacts

288. The following section of this report details the potential daylight, sunlight, and overshadowing impacts of the proposed development on surrounding residential properties. This analysis is based on guidance published by the Building Research Establishment (BRE). As required by Regulations, the submitted assessment has been undertaken by competent, experienced, registered professionals.

BRE daylight tests

289. Guidance relating to developments and their potential effects on daylight, sunlight, and overshadowing is given within the 'Building Research Establishment (BRE) Report 209 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice 2nd Edition (2011)' (BRE, 2011) and also in 'Lighting for Buildings Code of practice for daylighting (AMD 7391) BS 8206-2:1992' (BSI, 2008). The Building Research Establishment's (BRE) Site Layout Planning for Daylight and Sunlight, a guide to good practice (1) gives criteria and methods that are explained subsequently for calculating DSO effects on surrounding receptors as a result of the proposed development.
290. While the BRE benchmarks are widely used, these criteria should not be seen as an instrument of planning policy. As stated in the Introduction to the BRE Guidelines paragraph 1.6:
- “The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design.”
291. The two most common tests for assessing the likely daylight impacts on surrounding, existing properties set out in the BRE Guidelines are the Vertical Sky Component (VSC) test and the Daylight Distribution (DD) test (otherwise known as the No Sky Line (NSL) test). The VSC test calculates the availability of daylight to the outside of a window and the DD test shows the distribution of daylight within a room.
292. The VSC test calculates the angle of vertical sky at the centre of each window and plots the change between the existing and proposed situation. The target figure for VSC recommended by the BRE is 27%, which is considered to be a good level of

daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE also advise that VSC can be reduced by about 20% of its original value before the loss is noticeable. In other words, if the resultant VSC with the new development in place is less than 27% and/or less than 0.8 times its former value, then the reduction in light to the window is likely to be noticeable.

293. The DD test calculates the proportion of a room from which the sky would be visible, and plots the change between the existing and proposed situation. The BRE advises that if there is a reduction of 20% or more in the area of sky visibility, daylight may be noticeably affected.
294. To assess the likely impact on other proposed new developments where detailed internal layout are available and window positions are finalised, the BRE Guidelines state that the average daylight factor (ADF) test is most appropriate. Accordingly, for surrounding consented residential developments with the potential to be affected by the proposals under consideration here, ADF analysis has been undertaken. ADF provides an absolute measure of daylight expressed as a ratio of daylight for the room in question as a proportion of the daylight outside at any moment in time. The ADF for a living room should be above 1.5% (i.e. the room should enjoy a minimum of 1.5% of the average external daylight at any moment in time), whilst that for a bedroom and kitchen should be in excess of 1% and 2% respectively. Where, at the time the assessment was carried out, the surrounding consented schemes had not yet undergone detailed design or window positions had not been finalised, VSC façade analysis has been undertaken. This calculates the VSC across an entire façade, and the results are presented graphically with areas of high daylight (27%+ VSC) coloured yellow and areas of lower daylight coloured blue/purple.
295. In relation to existing windows with balconies above them, the BRE Guidelines acknowledge that they typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative effect on the VSC, and on the area receiving direct daylight. They advise that the impact of existing balconies can be demonstrated by carrying out additional PSH calculations, for both the existing and proposed situations, with the balconies notionally removed.

BRE sunlight tests

296. The BRE sunlight tests are the annual probable sunlight hours (APSH) and the Winter Probable Sunlight Hours (WPSH) tests. If, with the proposed development in place, a window can receive more than 25% of the available APSH, including at least 5% of WPSH during the winter months, then the BRE advises that the room should still receive enough sunlight. If a window retains at least 80% of its former value in terms of both APSH and WPSH, then the BRE advises that the reduction is likely to be unnoticeable. If the overall annual loss is greater than 4% of APSH, the BRE advises that the room may appear colder and less cheerful and pleasant.
297. The BRE sets out specific guidelines relating to balconies on existing properties. This guidance acknowledges that balconies and overhangs above an existing window tend to block sunlight, especially in summer. Even a modest obstruction may result in a large relative impact on the sunlight received. As a result, they advise that the impact of existing balconies can be demonstrated by carrying out additional PSH calculations, for both the existing and proposed situations, with the balconies notionally removed.

Overshadowing

298. There are two tests for overshadowing, or the availability of sunlight; the 'Sun on Ground' test and the 'Transient Overshadowing' test. The first assesses the proportion on an area where the sun would reach the ground on 21 March each year. The BRE advises that at least half (50%) of the area tested should receive a minimum of two hours of sunlight on the 21st March each year. The second assesses the shadows cast over open spaces at the following key dates through the year:

- 21 March (Spring Equinox);
- 21 June (Summer Solstice); and
- 21 December (Winter Solstice).

299. The BRE advises that at least half of the area tested should receive at least two hours of sunlight on 21 March. If the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, the loss of sunlight is likely to be noticeable. This transient detail is analysed within the daylight and sunlight assessment of this development.

Notes

300. The BRE Guidelines are based on a suburban environment, and as such a degree of flexibility needs to be applied when considering an urban environment. They also state that residential properties warrant detailed consideration in terms of daylight and sunlight effects, but that properties of a commercial nature have a lower requirement. Paragraph 123 of the NPPF (2019) states that:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

301. The submitted report has taken into account the daylight and sunlight impacts for the following surrounding buildings, which are mostly in residential use (at least in part) and therefore of high sensitivity to daylight and sunlight impacts:

- 51-54 Clifton Crescent;
- Grasmere Point;
- Windermere Point;
- 9-16 Drovers Place;
- 17 Drovers Place;
- 814 Old Kent Road;
- 864 Old Kent Road;
- 871 Old Kent Road;

Image: Plan demonstrating potentially affected neighbours located near to the application site



Impacts

302. The results for daylight, sunlight and overshadowing assessment are presented for each property tested in the following paragraphs.

51-54 Clifton Crescent

303. The properties are in residential use and located to the south of the site. Each dwelling has windows serving habitable spaces that face the proposal and have therefore been included within the assessment.
304. In terms of daylight, the rear windows within each property enjoy a relatively open outlook across the single storey existing Aldi store. Such a lack of obstruction is unusual in an urban environment which results in the site facing windows achieving very high VSC levels in the existing condition. As a result of this, any development of a reasonable scale would result in a degree of change to the daylight and sunlight currently afforded to these dwellings.
305. The windows on the first floor within each dwelling are situated beneath relatively deep overhanging eaves. These features make the windows at first floor more sensitive to a loss of light as the eaves block the light that may be received from directly above. This is evident by the fact that the windows at first floor generally achieve lower VSC values than windows at ground floor both in existing and proposed scenarios.
306. Regarding the potential impact to no. 51, the results demonstrate that two of the five windows assessed within this property will retain at least 0.8 times their former value

and therefore fully comply with the BRE criteria. The window at ground floor, identified as W2 in the analysis, is reduced below this level but retains absolute VSC values of c. 13%. This is in line with those commonly found in urban locations. The windows at first floor, identified as W2 and W3, are more sensitive to light loss due to the overhanging eaves. These windows fall further below the BRE targets, however the transient use of bedroom space means that they have a lower requirement for natural daylight as acknowledged within the BRE guidance. The results of the NSC assessment confirm that the two rooms at ground floor will retain at least 0.8 times their former value and therefore fully comply with the BRE criteria. The two rooms at first floor drop below the targets due to the overhanging eaves; however, these are bedrooms and considered to be less sensitive.

307. The sunlight impacts of the development on no. 51 are of negligible significance. The results demonstrate that of all the windows orientated within 90 degrees of due south show full compliance with the recommendations of the BRE guidance in regard to sunlight.
308. The impact on the daylight to No.52 Clifton Crescent shows that two of the six windows assessed within the dwelling will retain 0.8 times their former value therefore meeting the BRE target. Of the four remaining windows, two at ground level, identified as W1 and W2 retain absolute VSC values of c.13% which are broadly typical of urban locations and opportunity areas. The windows at first floor identified as W1 and W2 are more sensitive to light loss due to the overhanging eaves. These windows fall below the BRE targets; however, the transient use of bedroom space means that they have a lower requirement for natural daylight as acknowledged within the BRE guidance. Results of the NSC assessment demonstrate that two of the five rooms assessed will retain at least 0.8 times their former value and would comply with BRE criteria. Of the three remaining rooms, two are at ground floor and retain 0.5-0.6 times their former value, and the remaining room retains 0.5 times its former value.
309. In terms of sunlight impacts, none of the windows facing the site are orientated within 90 degrees of due south. Therefore, they are not relevant for a sunlight assessment under BRE guidelines.
310. The VSC assessment results for impacts on the daylight to no. 53 Clifton Crescent show the reductions to these windows fall outside of the BRE target values. Although these windows experience greater proportional reductions, two windows at ground level, identified as W1 and W2 retain absolute VSC values of c. 14% - 15%, which are broadly typical of urban locations and opportunity areas. Again, at the first floor level, windows identified as W1 and W2 are more sensitive to a loss of light owing to the overhanging eaves. These windows fall further below the BRE targets; however, the transient use of the bedroom space means that they have a lower requirement for natural daylight as acknowledged within the BRE guidance. The NSC results demonstrate that four of the five rooms retain 0.8 times their former value and therefore fully accord with BRE criteria. The one remaining room is located on the ground floor and retains 0.6 times its former value.
311. Regarding sunlight impacts, none of the windows that face the application site are orientated within 90 degrees of due south. They are therefore not relevant for a sunlight assessment under BRE guidelines.
312. No. 54 demonstrates that two of the five windows assessed will retain VSC values of at least 0.8 times their former value and the meet the BRE targets. Of the three remaining

windows, one at ground floor level, identified as W1, serves a room that has an additional window in the flank elevation that remains fully compliant with the suggested BRE targets. As with the other dwellings in the terrace, windows W1 and W2 incur the same daylight loss due to overhanging eaves. The more transient use of bedroom space means they have a lower requirement for natural daylight as acknowledged within the BRE guidance. The NSC assessment shows a limited impact on daylight penetration with all four rooms assessed retaining at least 0.8 times their former value and fully complies with BRE guidance.

313. In terms of sunlight impacts, none of the windows facing the site are orientated within 90 degrees of due south. Therefore, they are not relevant for a sunlight assessment under BRE guidelines.
314. Overall, whilst there are localised effects to these properties on Clifton Crescent, these are somewhat inevitable to optimise the land use of the site for the delivery of new retail and homes. The localised effects are considered to acceptable in accordance with the BRE guidance. Furthermore, whilst there are greater proportional changes to these properties, the living conditions of the occupiers of the dwellings along Clifton Terrace would not be significantly different that would detrimentally harm their amenity.

Image: 'affected windows' on the side and rear elevation of nos. 51-54 Clifton Crescent

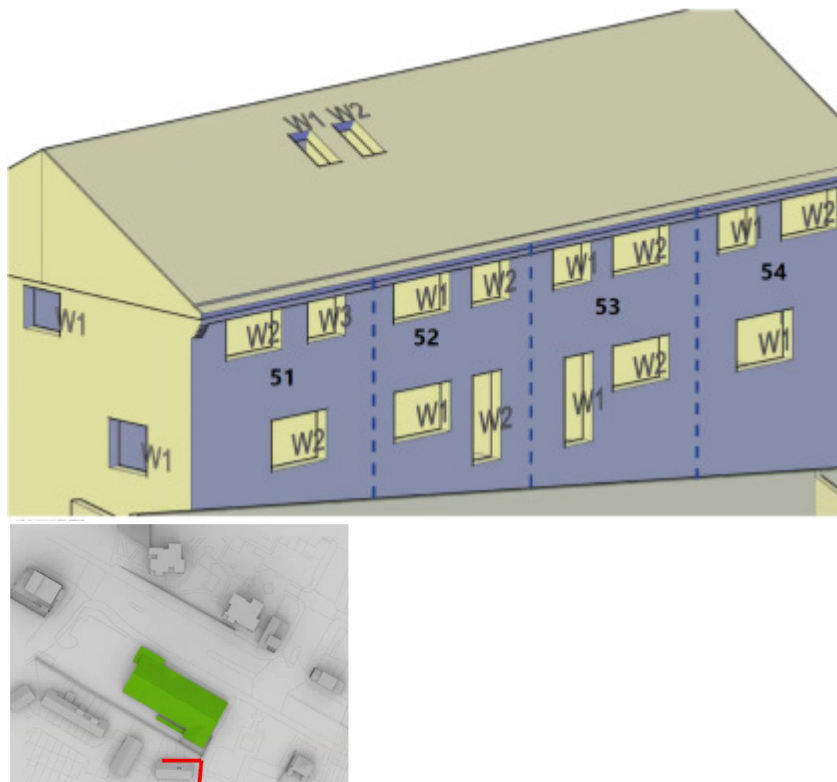
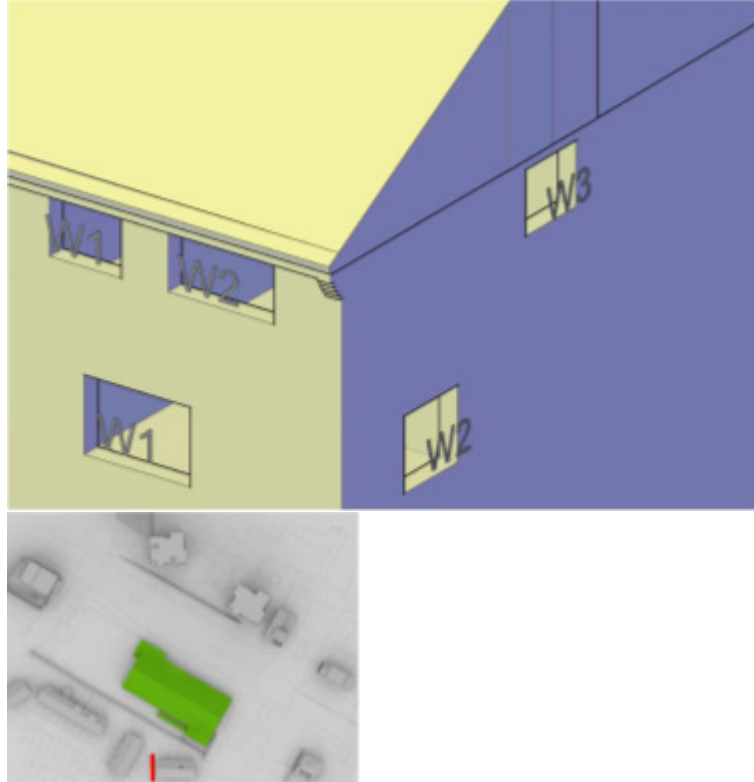


Image: 'affected windows' on the side and rear elevation of nos. 54 Clifton Crescent



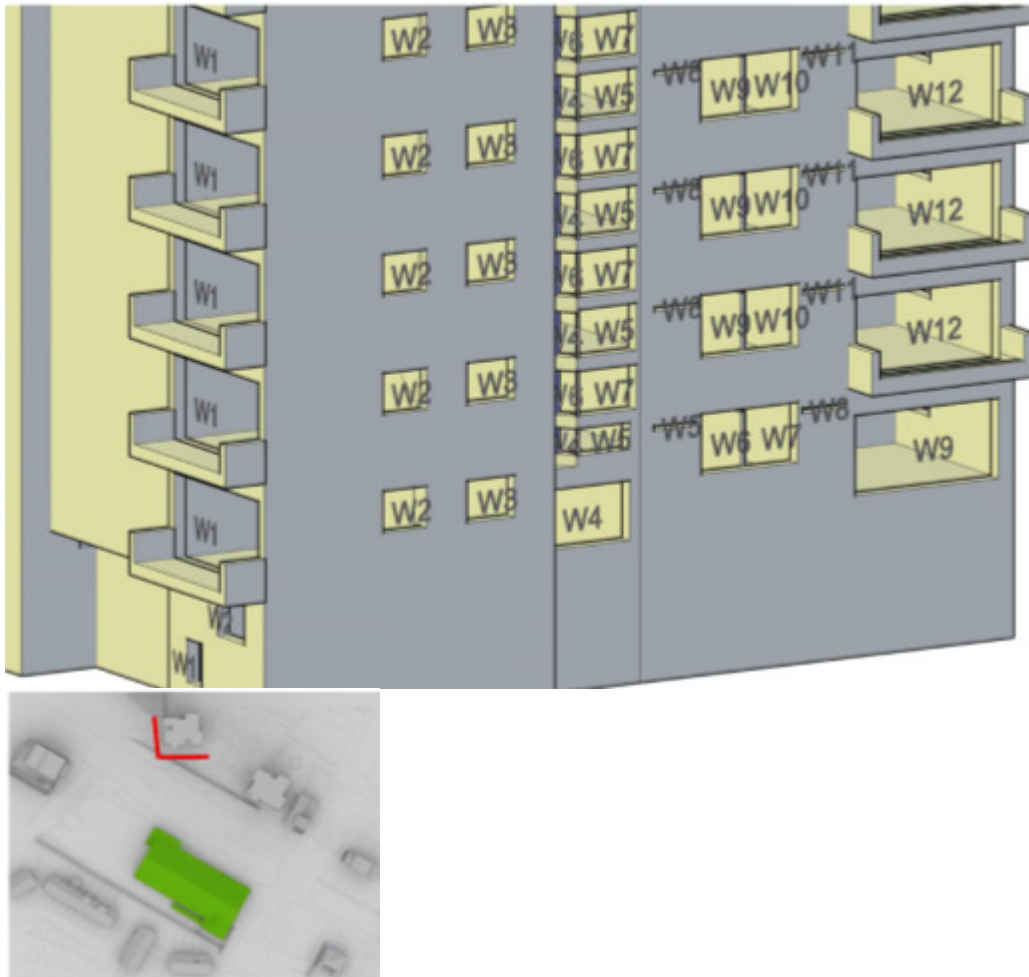
Grasmere Point

315. The residential tower that forms part of the Tustin Estate, Grasmere Point, is located to the north of the site, across Old Kent Road. The tower has south facing windows that serve habitable rooms that look towards the application site.
316. Regarding daylight impacts, the VSC assessment demonstrates that 149 of the 170 windows assessed (c.88%) will retain at least 0.8 times their former value and, as such, would be compliant with the BRE criteria. A portion of the windows that fall below the targets are situated beneath overhanging balconies which act as an inhibitor to the access of daylight penetrating rooms. However, the balconies provide essential amenity space for occupiers of Grasmere Point.
317. Given the presence of overhanging balconies, an additional assessment has been undertaken using the VSC criteria to establish the difference between the balconies assessment, and non-balconies assessment. The results show that the compliance rate improves to 158 of the 170 windows being fully compliant with the BRE criteria. All 12 windows, identified as W5-W8 at first floor, W8-W12 at second floor, and W8 and W9 on the third floor, retain 0.7 times their former value. This value is just below the 0.8 target within the BRE guidance. Notwithstanding this, all other remaining windows (158) achieve at least 25% VSC, which is an excellent percentage for an urban location. The assessment confirms the limited effect of the proposed development on Grasmere Point with 97 of 102 rooms assessed (95%) retaining at least 0.8 times their former value which complies with BRE targets. The five remaining rooms (R2 on the

first to fifth floors) all retain 0.7 times their former value. This is slightly below the suggested 0.8 level.

318. In terms of sunlight impacts, all windows within 90 degrees of due south have been assessed with results demonstrating that all windows indicate full compliance with the recommendations of the BRE guidance relating to sunlight.

Image: 'affected windows' on the southern elevation of Grasmere Point



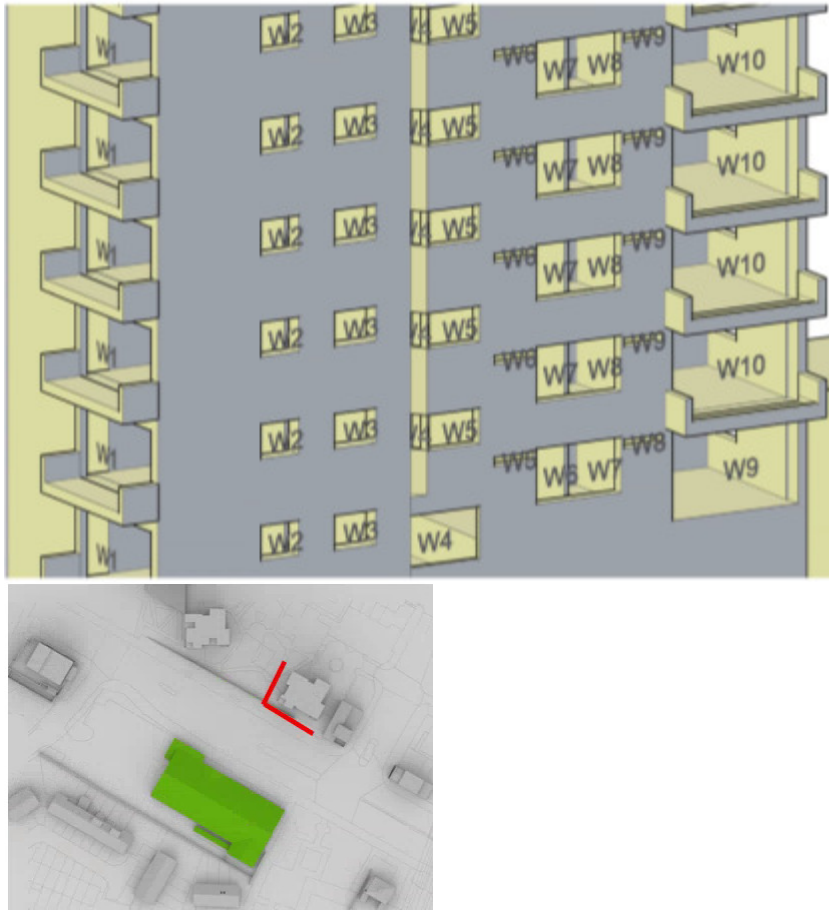
Windermere Point

319. This residential tower is located adjacent to the aforementioned Grasmere Point and is also located within the Tustin Estate, on the northern side of Old Kent Road.
320. The VSC results demonstrate that 138 of the 168 windows (82%) would retain daylight levels at least 0.8 times their former value and are considered to be fully compliant with the BRE criteria. As a number of the 30 remaining windows are located beneath overhanging balconies, an additional VSC assessment has been undertaken with the balconies omitted. Taking into consideration this assessment, 151 of the 168 windows (c.90%) of the windows are fully compliant with the BRE criteria.
321. Of the 17 remaining windows, 16 (labelled W3, W7, W8 and W9 at first floor), W2, W3, W6, W7, W8 and W9 at second floor, W2, W3, W6, W7 and W8 at third floor, and W6 at fourth floor) retain 0.7 times their former value. This is slight deviation under the recommended 0.8 target; however, retained absolute VSC levels are also exceptionally high at over 25%. The 1 remaining window (labelled as W2 on the first

floor) retains 0.6 times its former value but would retain VSC values of 25%. Overall daylight levels to this space remain very high particularly as the affected window is a secondary window with the room also lit by a window that exceeds the BRE targets. Furthermore, the assessment demonstrates no noticeable reduction as a result of the proposed development and is therefore compliant with the BRE criteria.

322. Regarding sunlight, all windows within 90 degrees of due south have been assessed with results demonstrating that all windows indicate full compliance with the recommendations of the BRE guidance relating to sunlight.

Image: 'affected windows' on the southern elevation of Windermere Point



9-16 Drivers Place

323. The terraced row along Drivers Place is located to the south and southwest of the application site.
324. No. 9 is located to the south of the proposal site and has windows in the rear on both the ground and first floor that face the subject site. The NSC analysis demonstrates no material reduction as a result of the development. The effects to this property regarding daylight implications are not considered to be noticeable and would fully comply with the BRE criteria
325. In terms of sunlight, as none of the windows facing the development are orientated within 90 degrees of due south, the property is therefore not relevant for the sunlight assessment under BRE guidelines.

326. No. 10 Drovers Place is located to the southwest of the development site. The results of the VSC assessment indicate that all windows would retain at least 0.8 times their former value and there would be no material reduction as a result of the development. The assessment shows that the impacts to this property are not considered to be noticeable and would therefore fully comply with the BRE criteria.
327. In considering any harm to sunlight at this property, as none of the windows facing the development are orientated within 90 degrees of due south the property is therefore not relevant for the sunlight assessment under BRE guidelines.
328. No. 11 Drovers Place is located to the southwest of the subject site and has windows within the rear elevation that face towards the development.
329. The VSC assessment indicates that all windows retain at least 0.8 times their former value and would therefore fully comply with the BRE criteria. The NSC analysis demonstrates that no material reduction to natural daylight accessing the windows would occur as a result of the development and is therefore found to comply with the BRE criteria.
330. Sunlight impacts would not arise to this property from the development given that none of the windows facing the site are orientated within 90 degrees of due south. The property is therefore not relevant for the sunlight assessment under BRE guidelines.
331. No. 12 Drovers Place is located to the southwest of the site and has windows within the rear elevation that face the development site.
332. Regarding daylight implications, the VSC assessment has found that two of the four windows will retain 0.8 times their former value and would be compliant with the BRE criteria. The two remaining windows (labelled W1 at ground floor and W2 at first floor) each retain 0.7 times their former value, which is slightly below the 0.8 target. This is considered to be a minor deviation that given that the NSC analysis shows no noticeable reduction in daylight accessing the windows as a result of the proposal.
333. None of the site facing windows within this property is orientated within 90 degrees of due south. The property is therefore not relevant for the sunlight assessment under BRE guidelines.
334. No. 13 is also located to the southwest of the development site and has windows in the rear elevation that face the proposed buildings on the subject site.
335. VSC results regarding daylight demonstrate that of the 14 windows assessed, 8 will retain levels of 0.7 times their former value. These are considered to be non-material deviations below the 0.8 suggested BRE target as the absolute retained VSC values for these windows are between 23%-26% which is considered excellent for an urban location. The 6 remaining windows are identified as secondary windows within flank walls and retain VSC levels between 0.5-0.6 times their former value. The rooms served by these windows are within the northeast facing elevation which all retain the high absolute VSC values in excess of 23% and would retain a sufficient degree of daylight following the construction of the proposal. Given that the limited effect of the proposal is confirmed by the NSC analysis showing no noticeable reduction, the NSC effects are therefore fully compliant with BRE criteria.
336. With regards to sunlight impacts, the assessment indicates that the ground floor Living/Kitchen/Dining (LDK) area of this property is primarily served by north facing

windows that are not relevant for assessment. However, the assessment considers that the secondary flank windows which are orientated within 90 degrees due south, and achieve good sunlight amenity. Overall, the room will retain 24% APSH and 3% winter APSH. These figures are just below the 2% APSH and 5% winter APSH BRE targets. Such sunlight levels are considered excellent for a primarily north facing room in an urban location where access to low angle winter sun may be limited.

337. No. 14 Drovers Place is sited to the southwest of the application site and has windows in the rear elevation that face the development site.
338. Daylight VSC assessment results show that all four windows retain 0.7 times their former value, just below the 0.8 BRE target. This minor deviation is unlikely to affect the amenity of the occupiers and the limited effect of the proposal is confirmed by the NSC assessment. The NSC demonstrates that no noticeable reduction to receiving daylight to the rear windows would occur as a result of the development and therefore is fully compliant with the BRE criteria.
339. Sunlight impacts would not arise to this property from the development given that none of the windows facing the site are orientated within 90 degrees of due south. The property is therefore not relevant for the sunlight assessment under BRE guidelines.
340. No. 15 is located towards the end of the terraced row. The results of the VSC show that three (W2 at ground floor and first floor, and W1 at second floor) of the six windows assessed will retain 0.7 times their former value. All three remaining windows retain 0.6 times their former value. Of the three windows, two (W1 at first and second floor) serve bedrooms, which have the lowest requirement for natural daylight and the one remaining window (W1 at ground floor) serves a living room. The absolute retained VSC values to each of the windows remain at least 18% and are considered acceptable in an urban environment. The limited effect of the scheme is confirmed by the NSC analysis which shows no noticeable reduction as a result of the proposal and would therefore be fully compliant with the BRE criteria.
341. Sunlight impacts would not arise to this property from the development given that none of the windows facing the site are orientated within 90 degrees of due south. The property is therefore not relevant for the sunlight assessment under BRE guidelines.
342. No. 16 is located at the end of the terraced row and has windows in the rear elevation that have an open outlook over the proposed development site.
343. The VSC assessment indicated that of the five windows assessed, two (W2 at ground and W3 at first floor) will retain 0.8 times their former value in line with BRE guidance. Of these three windows, two (W1 and W2 at first floor) serve bedrooms which are situated beneath overhanging eaves. These features make the bedroom windows at first floor level inherently more sensitive to light loss. The transient use of bedroom spaces means they have a lower requirement for natural daylight that is acknowledged within the BRE guidance. The remaining window (labelled W1 at ground floor) serves a living room that is also served by a window that fully complies with the BRE targets such that the overall amenity levels will remain acceptable. The NSC confirms no noticeable reduction to three of the four rooms assessed, including the main living space. The remaining room (R1 at first floor) is a bedroom which retains 0.7 times its former value. This is slightly below the 0.8 target and is considered to be a non-material deviation given the use of the space.
344. Sunlight impacts would not arise to this property from the development given that none of the windows facing the site are orientated within 90 degrees of due south. The

property is therefore not relevant for the sunlight assessment under BRE guidelines.

Image: 'affected windows' on the rear elevation of no. 9 Drovers Place

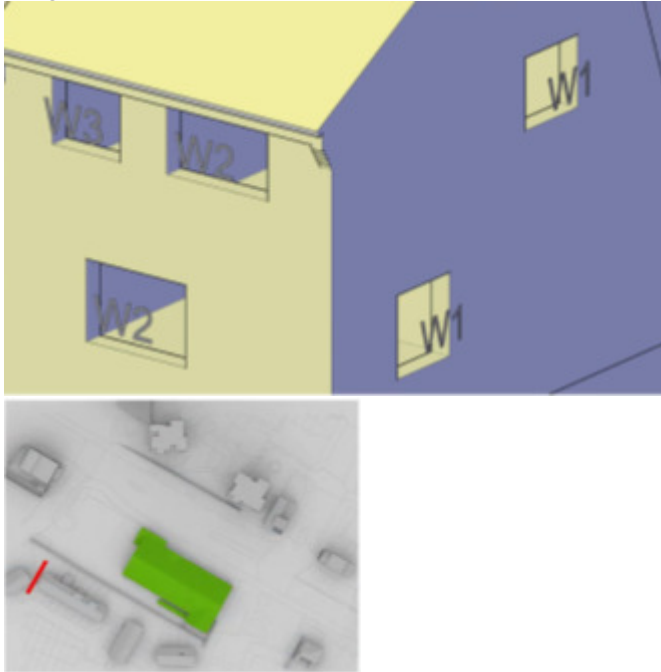


Image: 'affected windows' on the rear elevation of nos. 10-13 Drovers Place

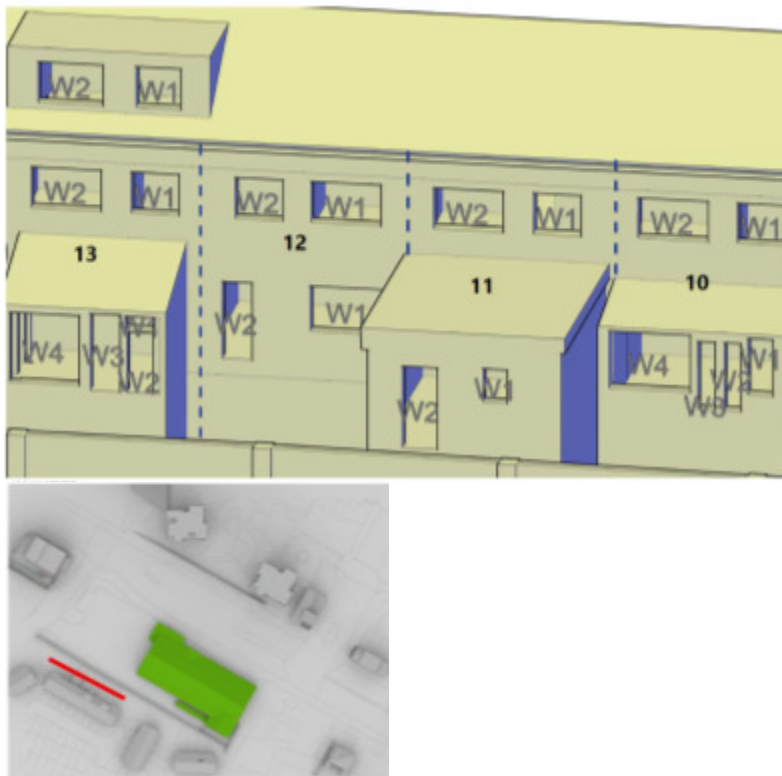


Image: 'affected windows' on the rear elevation of nos. 12-13 Drovers Place

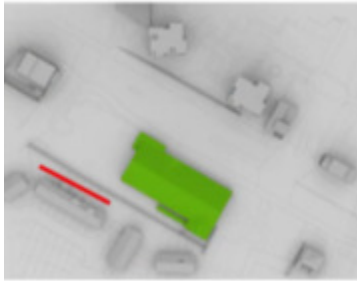
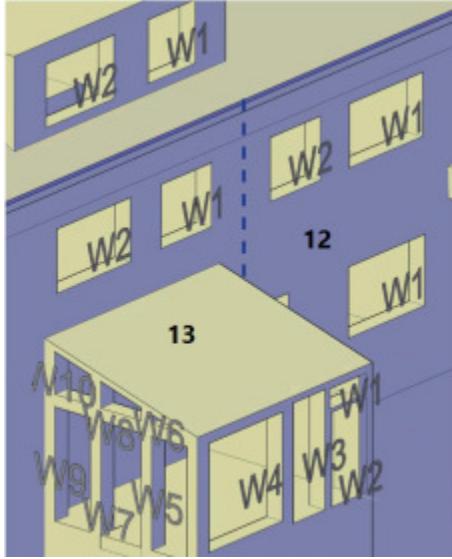
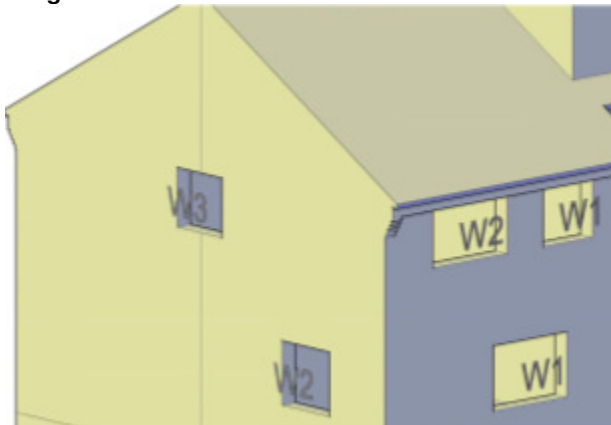


Image: 'affected windows' on the rear elevation of nos. 14-15 Drovers Place





Image: 'affected windows' on the rear elevation of no. 16 Drovers Place



17 Drovers Place

345. This residential property is located directly south of the subject site and is located at the northern end of a terraced row of dwellings that also contains nos. 18, 19 and 20 Drovers Place. However, given that their windows are orientated to the northwest and the southeast, the windows of nos. 18-20 Drovers Place are not considered to be impacted by the development in terms of loss of daylight and sunlight. No. 17 Drovers Place is primarily orientated away from the development site, but has windows in the northeast elevation facing towards the scheme. These flank windows are coming in an end-of-terrace property. At the ground floor level these windows are secondary windows to a dual aspect spaces, and at first floor level it is understood that the windows serve a single aspect bedroom.
346. Regarding daylight, the VSC assessment demonstrates that 6 of the 9 windows analysed would meet the BRE targets. Of the 3 remaining windows, 2 are located at ground floor level and are secondary windows that serve a combined kitchen and living room. As mentioned in the above paragraph, these windows are primarily served by the main windows in the northwest elevation that are orientated away from the development. As such, due to the dual aspect nature of this room the overall daylight amenity remains high such that the localised effect of the proposal is considered acceptable. The remaining window at first floor serves a bedroom, and as this is considered to be a transient use within a dwelling, this means they have a lower

requirement for natural daylight that is acknowledged within the BRE guidance. The limited effect of this proposal is confirmed by the NSC assessment which reiterates that none of the rooms would experience any noticeable change in daylight access from the proposed development.

347. None of the site facing windows within this property is orientated within 90 degrees of due south. The dwelling is therefore not relevant for a sunlight assessment under the BRE guidelines.

Image: 'affected windows' on the northern and western elevations of no. 17 Drovers Place

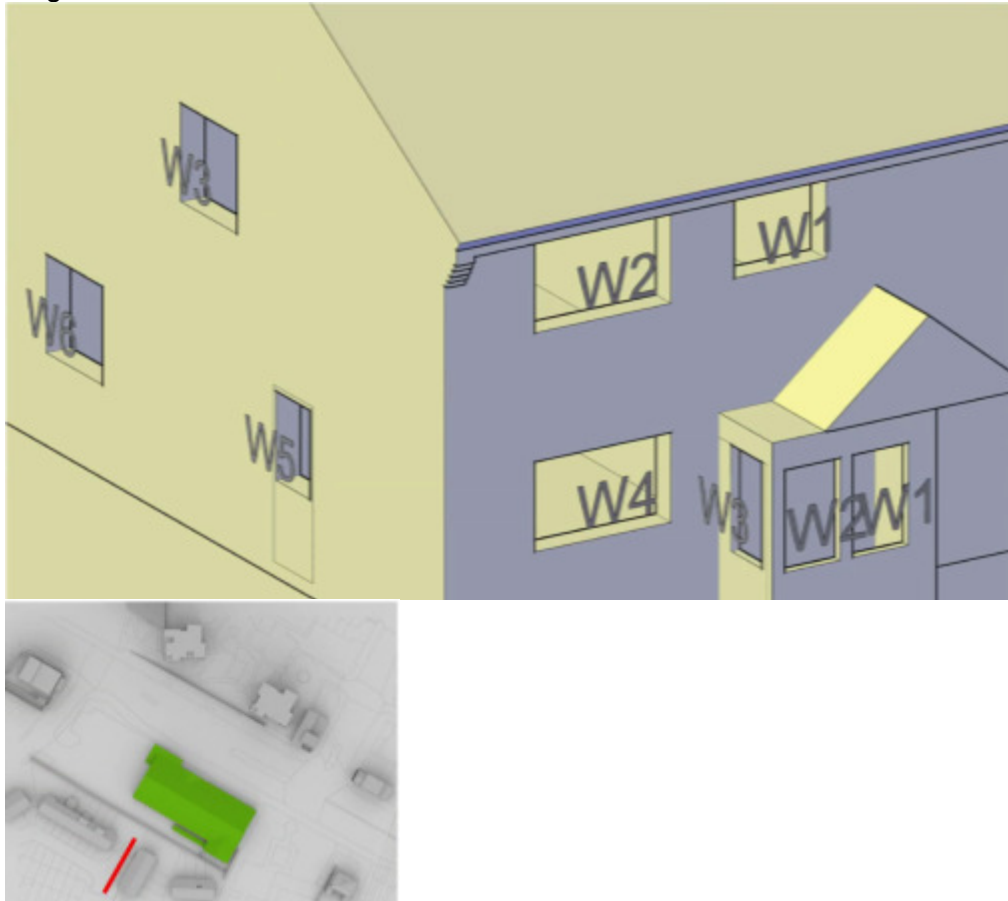
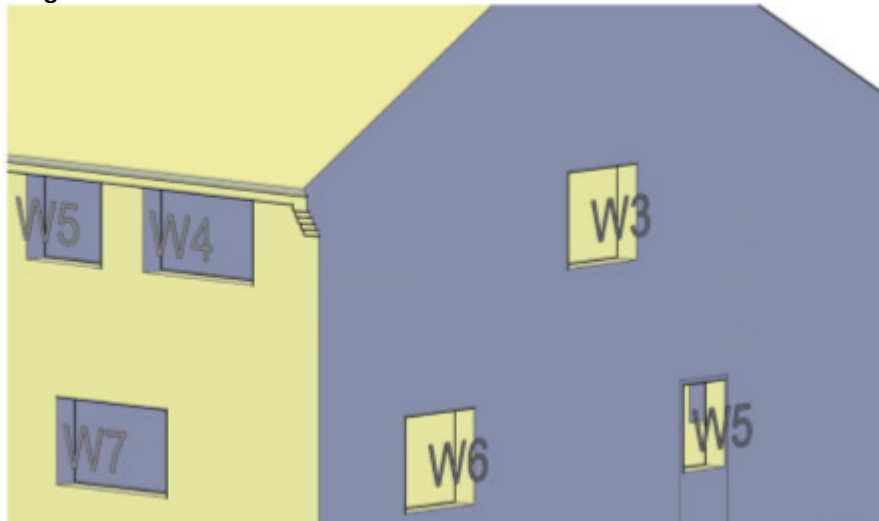


Image: 'affected windows' on the northern and eastern elevations of no. 17 Drovers Place





814 Old Kent Road

348. The five storey building located on the corner of Old Kent Road and Leo Street is comprised of residential units on the upper floors. The results of the VSC assessment show that 34 of the 36 windows assessed retain at least 0.8 times their former value and would be fully compliant with BRE criteria. The two remaining windows (W1 at first and second floor) each retain 0.7 times their former value, just below the 0.8 target. The difference is considered marginal and relate to bedrooms which have a lower requirement for natural daylight as acknowledged in the BRE guidance. It is noted that the two windows are situated beneath overhanging balconies. Therefore, an additional VSC assessment has been undertaken with balconies omitted demonstrate that all windows fully comply with VSC and NSC criteria. In establishing this, it is clear that the minor sensitivities to the properties are a result of the balcony provision and with this noted, the effects of the proposed development on the daylight provision are fully compliant.
349. All windows located within 90 degrees due south have been assessed under the APSH criteria with the results demonstrating that all windows relevant for assessment are fully compliant with the recommendations of the BRE guidance in relation to direct sunlight.

Image: 'affected windows' on the rear elevation of no. 814 Old Kent Road

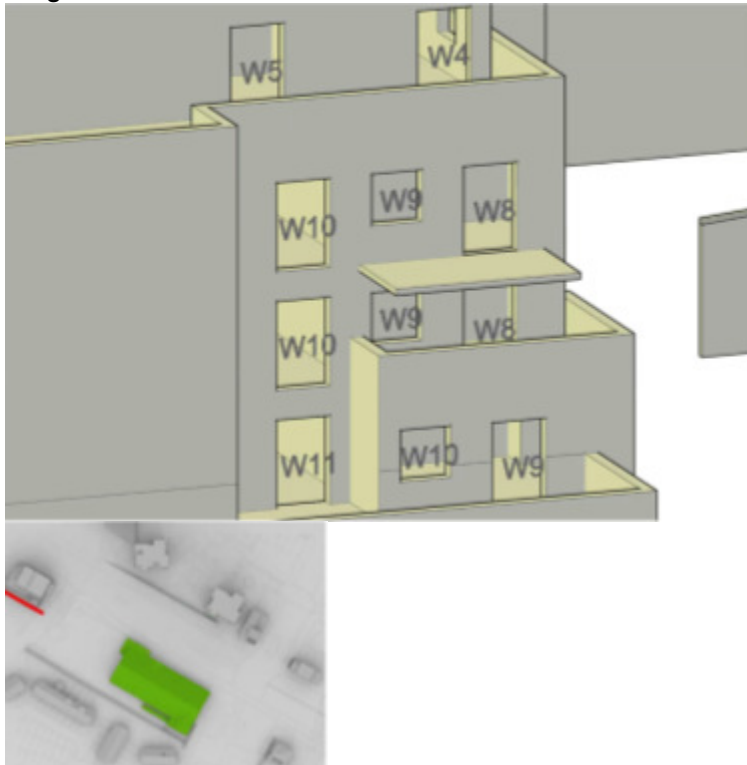
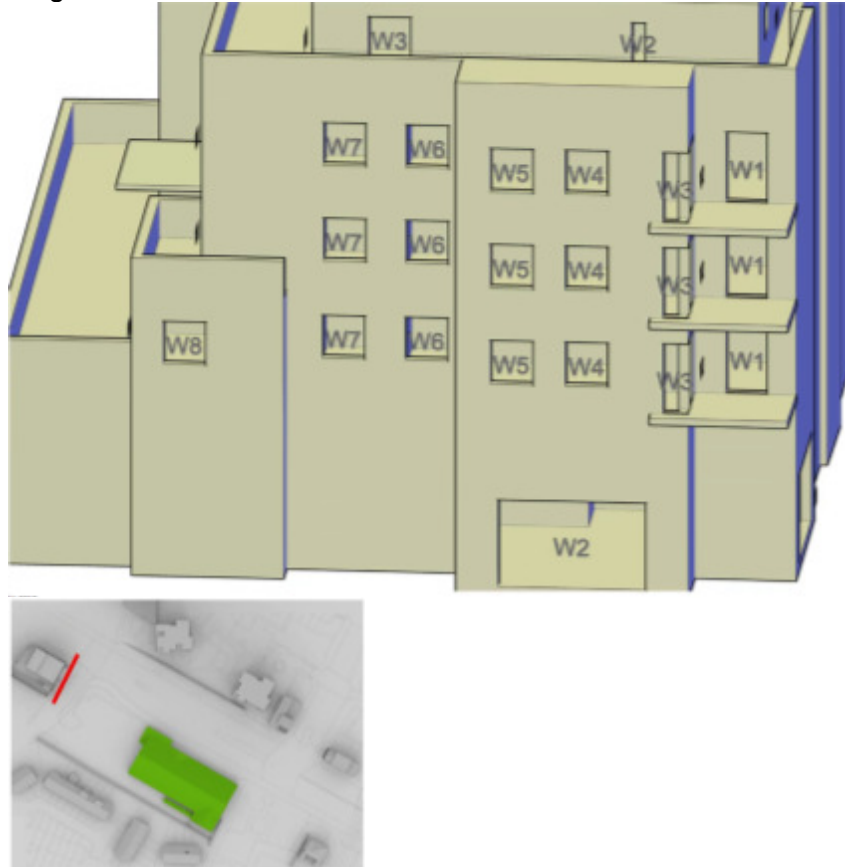


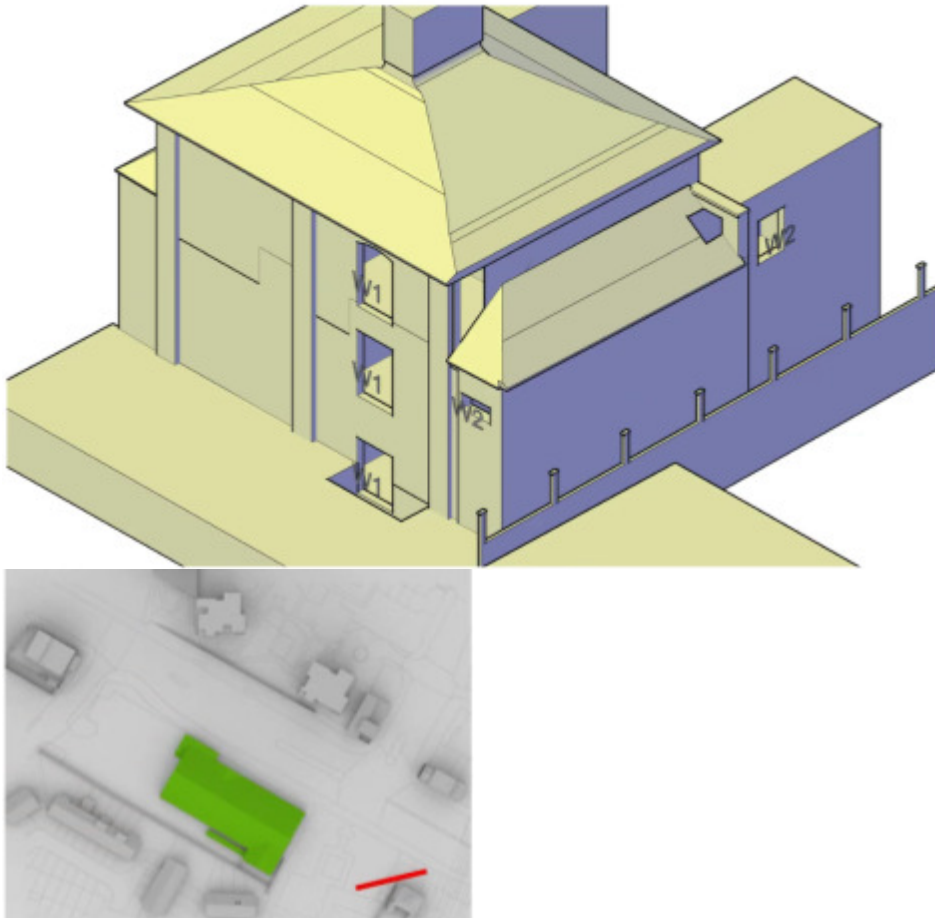
Image: 'affected windows' on the elevation of no. 814 Old Kent Road facing the development site



864 Old Kent Road

350. This property is a three storey Grade II listed building located to the southeast of the development site with Brimmington Park located in between. No. 864 has windows on the west elevation that face towards the subject site. The VSC assessment for daylight shows that all windows retain 0.8 times their former value and fully comply with BRE criteria. Furthermore, the NSC analysis demonstrates no material reduction that would arise from the proposal. The effects to the property are therefore not considered to be noticeable and fully comply with the BRE criteria.
351. Regarding sunlight, all windows within 90 degrees of due south have been assessed under the APSH criteria. The results indicate that all windows retain full compliance with the recommendation of the BRE guide and no impacts would arise to the occupiers from the proposed development.

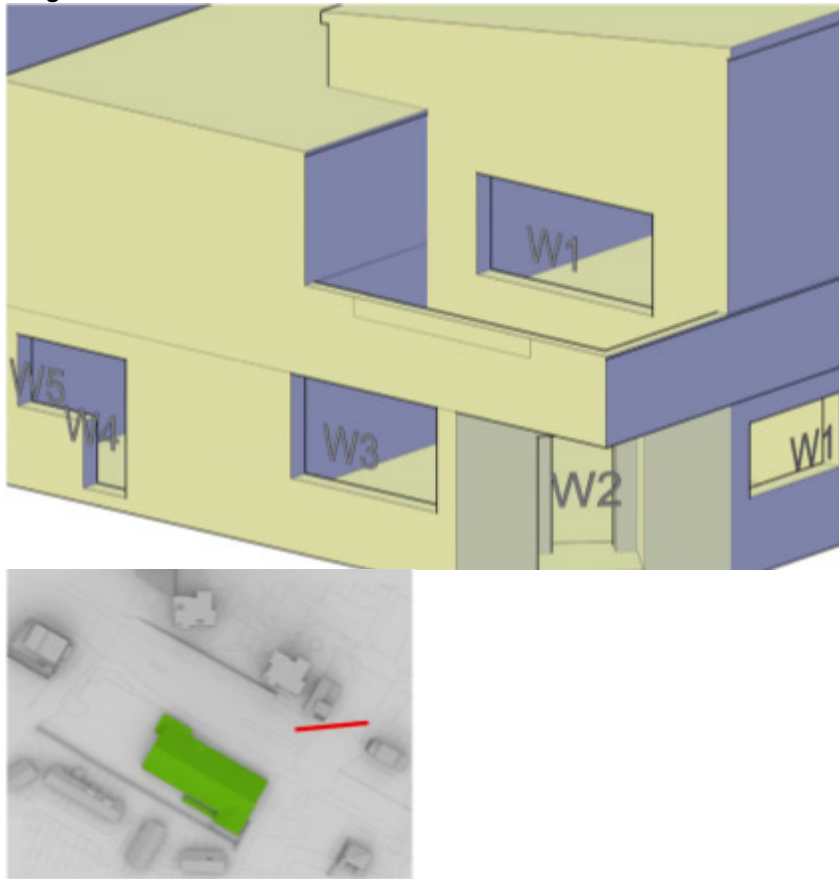
Image: 'affected windows' of no. 864 Old Kent Road



871 Old Kent Road

352. The property is a part one, part two storey building located to the north of the application site, on the corner of Ilderton Road and Old Kent Road next to the Tustin Estate. The window in the southwest facing elevation is in residential use. VSC results indicate that all windows retain at least 0.8 times their former value and fully comply with BRE criteria. In addition, the NSC analysis shows no material reduction as a result of the development and is therefore not considered to be noticeable and fully compliant with BRE criteria.
353. Regarding sunlight, all windows within 90 degrees of due south have been assessed under the APSH criteria. The results indicate that all windows retain full compliance with the recommendation of the BRE guide and no impacts would arise to the occupiers of the residential accommodation on site from the proposed development.

Image: 'affected windows' of no. 871 Old Kent Road



Transient shading

354. The BRE guide does not provide any quantitative targets in respect of transient shading studies. Rather the significance of the shading effects is assessed based on the duration of any additional shading, the pattern of use of any space which is shaded and a comparison with the existing position. The shadows have been assessed during three key points during the year when the sun's arc is at its midpoint, highest and lowest in the sky, they are:

- 21 March (midpoint)
- 21 June (highest)
- 21 December (lowest)

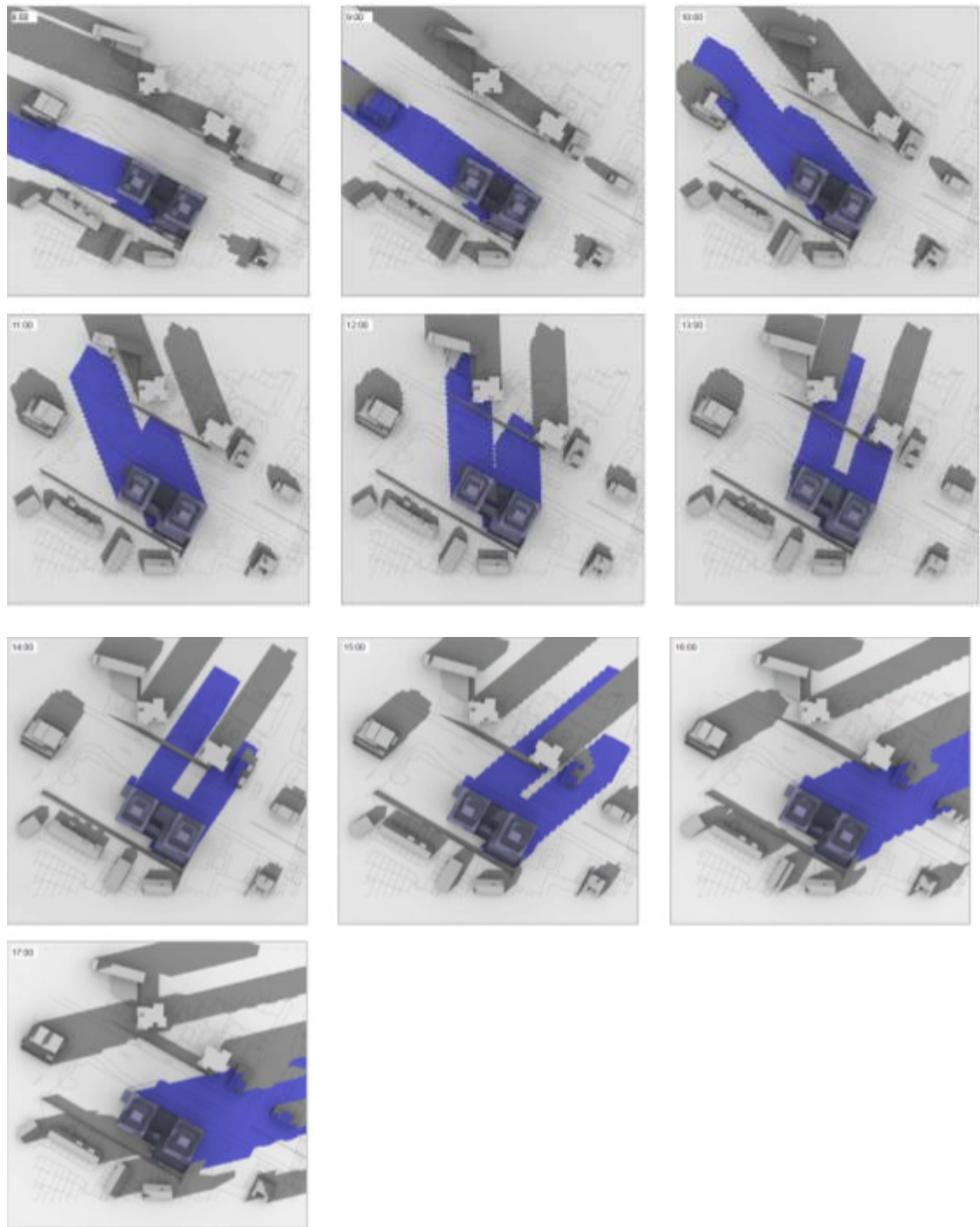
21 March - Midpoint

355. At this time of year, shadows are predominantly cast to the north of a site and, given the orientation of the subject site there are not a significant number of sensitive receptors such as parks, squares and public amenity space which could be affected by the development. There are residential properties across Old Kent Road, in particular the tall buildings at Grasmere Point and Windermere Point; however, the primary consideration to these neighbours is daylight / sunlight amenity which has been considered in the sections above.

356. Due to the slender design of the towers additional shading is highly transient moving rapidly across the Old Kent Road as well as neighbouring elevations and landscaped areas. This assessment shows the extent of any potential shading being similar to that

already resulting from the other buildings in the area, in particular the Tustin Estate residential towers Grasmere Point and Windermere Point. In the morning hours the shadows are cast to the west predominantly within the Old Kent Road. There is some shading towards Grasmere and Windermere Point in the early afternoon; however, the shadows pass transiently over the facades and ground level amenity, and are 'broken up' as a result of the space between the proposed buildings. Moving towards the late afternoon and evening the shadows are cast to the east and again predominantly affect the roadway of Old Kent Road.

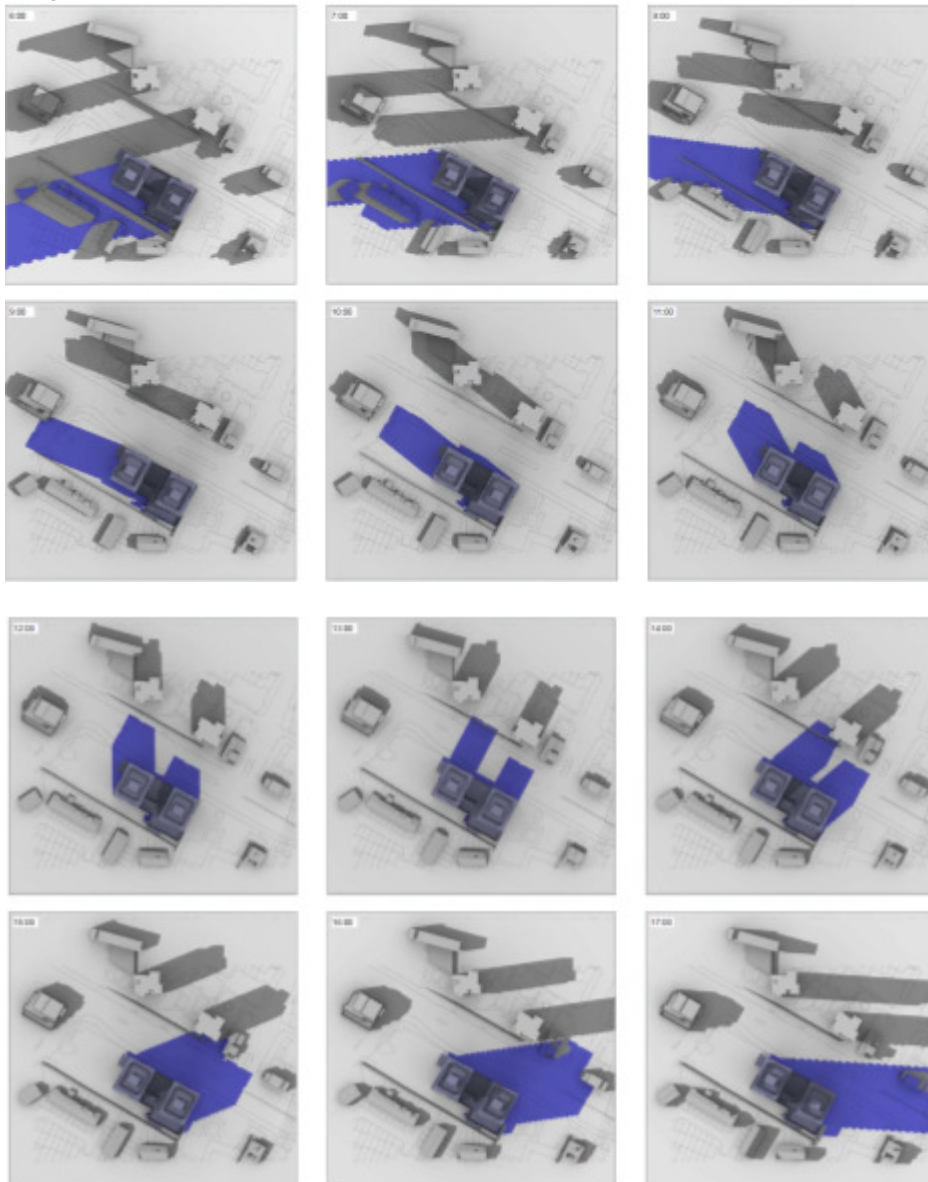
Image: 21 March Transient Shadow

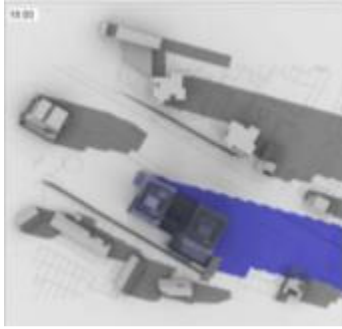


21 June - highest

357. During this day of the year the sun is at its highpoint in the sky and as such the shadows are much shorter. The shading caused by the proposal is of a similar distribution to the 21 March patterns although the shorter shadows illustrate much more localised area effects. Through the morning hours the shadows do not reach neighbouring buildings or the ground level landscaping and are contained within the roadway of Old Kent Road. During the day at around 2pm-3pm the shading passes close to Windermere Point but is highly transient. As the sun sets later in the evening longer shadows are cast to the east but these are primarily contained within the roadway of Old Kent Road and are a similar length and pattern to the shadows already cast by the existing tall buildings in the area.

Image: 21 June Transient Shadow

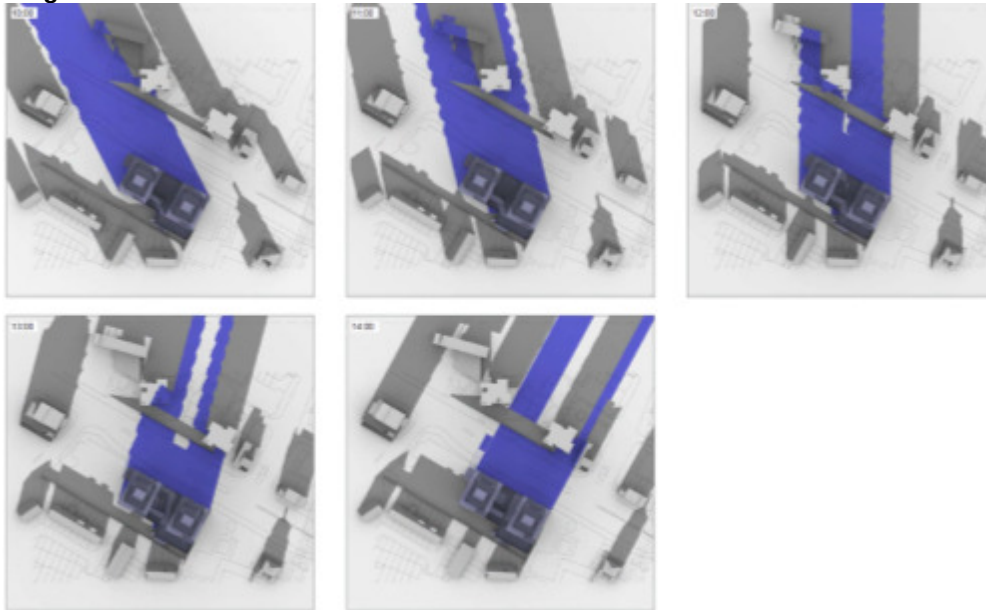




21 December- lowest

358. This day is when the winter solstice occurs whereby the sun is at its lowest angle in the sky. Given that this time of the year provides the lowest angle, relatively modest obstructions cast long shadows. This is evident from the existing buildings and the shading caused by the proposal is again transient, and would not have any material additional impact on amenity. The 'real-world' effect of the development is considered to be extremely limited due to the existing shadows and the lower perception of shading in the winter months where cloud cover and climatic conditions result in less distinct shadows.

Image: 21 December Transient Shadow



Daylight and sunlight conclusions:

359. The results of the daylight assessment show the scheme is successful in achieving this with effects to the vast majority of windows and rooms neighbouring the site being unnoticeable and fully compliant with the BRE targets. Greater proportional changes are found to an isolated number of properties situated to the south and south west of the site at 51 – 54 Clifton Crescent Road and 12 – 16 Drovers Place. These windows have a more direct view of the current low rise food store on the site such that a degree of change is unavoidable.
360. Whilst there are reductions to light levels, the VSC assessment shows that retained absolute daylight levels are relatively typical of those experienced in urban locations and are comparable to other similar regeneration schemes. Some windows are more

sensitive where they are affected by balconies or the overhanging eaves. The most significant of these sensitivities applies to bedroom space which has a lower requirement for natural daylight which is acknowledged within the BRE guidance. In addition, where greater proportional changes are found to the properties at 51 – 54 Clifton Crescent and 12 – 16 Drovers Place, the ‘real world’ effects would be more limited due to the foliage of the mature trees that separates these neighbours from the site and hasn’t been taken into consideration within the 3D model.

361. The APSH sunlight assessment has shown that all rooms that appear to be main living rooms and primarily face south remain fully compliant with the BRE targets with the proposal in place. There is one living room within 13 Drovers Place which marginally misses the suggested targets. This room however is primarily north facing and the APSH levels retained are considered excellent given the rooms orientation. The impacts of the proposed development on surrounding residential properties are considered to be acceptable and accord with the NPPF and Mayor’s Housing SPG, which state that policies and guidance relating to daylight and sunlight need to be applied flexibly for higher density developments to optimise the use of development sites, particularly for securing housing delivery.
362. Regarding the transient shadowing, the respective building at heights of 13 and 21 storeys cast slender shadows. There are limited sensitive receptors in terms of open amenity areas and much of the shading resulting from the buildings is cast towards the roadway of the Old Kent Road in the morning and afternoon hours. Where shadows are cast towards neighbouring properties, these are highly transient and pass quickly such that there will be no detrimental amenity impact. Ultimately, the shading effect of the proposed development is not too dissimilar than the shading currently caused by the existing tall buildings in the area, namely the buildings that form the Tustin Estate.

Overlooking of neighbouring properties

363. The nearest residential properties are located to the rear of the subject site. These comprise of nos. 9-17 Drovers Place and nos. 51-54 Clifton Crescent. Given the set-back of the buildings from the rear boundary line, and taking into consideration factors such as existing trees and vegetation on the rear boundary that would be predominantly retained, the development would not result in detrimental overlooking. Further to this, the recessed balconies within the footprint of the building on the lower levels would be restricted from views to the windows facing the development by the aforementioned trees and vegetation proposed on the rear boundary of the development site. As such, there is no concern about harmful overlooking of neighbouring properties.

Transport considerations

364. Saved Policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 requires the needs of pedestrians and cyclists to be considered and 5.6 establishes maximum parking standards.
365. Southwark have recently adopted the Movement Plan, a people, place and experience approach to transport planning. This application has been assessed on how we will contribute to the delivery of the Movement Plan.
366. The Mayors Transport Strategy (MTS) includes three strategic challenges that are of significant importance to assessing this application, namely:

- Good Growth;
- New homes and jobs; and
- A good public transport experience.

367. A Transport Assessment (TA) has been submitted, complied with TfL guidance.

Key transport issues

368. The key transport issues are:

- The level of retail parking retained.
- Road safety related to the construction management and the temporary supermarket arrangements (a separate application for this has been submitted).
- That the construction can be completed prior to the BLE station at the nearby site of Toys r Us.
- That it is understood that during station construction the Car Park maybe required as part of the works site.

369. The application site has a Public Transport Accessibility Level (PTAL) of 4 on a scale of 1-6 where 1 is the lowest level and 6 represents the highest.

Existing site layout

370. The site records a Public Transport Access Level (PTAL) of 4 because it is a large site with varying quality of permeability onto the Old Kent Road where there is a good bus service level. It is approximately 750m from Queens Road Peckham Station, 1,100m from South Bermondsey Station and 1,300m from New Cross Gate Station.

371. The site is located east of Peckham; adjacent to the A2 (immediately west of where the A2 becomes New Cross Road), with Leo Street to the north west, Brimington Park to the south east, and Drovers Place to the south west. The site is currently occupied by an Aldi Supermarket (1,459m²) and associated surface level car parking, with vehicular access taken from Leo Street and pedestrian access taken from Old Kent Road.

372. The existing Aldi car park is accessed from Leo Street via Old Kent Road and which is a 20mph zone. Leo Street provides access to residential areas behind the site and has double yellow lines on both sides of the road with no road markings intermittently to allow parking.

373. The Old Kent Road at this location has a signalised junction with a staggered pedestrian crossing, dual carriageway and a bus lane. The bus lane includes a bus stop. There is an established tree line along the existing footway.

374. Leo Street connects to Gervase Street and two private roads, Drovers Place and Burnhill Close. Drovers Place has parking enforcement. Burnhill Close provides the only vehicular access to the traveller site.

Proposed Site Layout

375. TfL and Southwark Council are intending to make the Old Kent Road and the surrounding local network Healthy Streets. Although this will be incrementally delivered over approximately ten years it is important to establish space to achieve this with each development. The constraints include an established mature tree line to be

maintained.

376. If this scheme is delivered and operational before 2023 it is likely that no significant changes to the local road network will be necessary.
377. Post 2023 Leo Street and Gervase Street plus part of the Aldi Car Park may be required to enable the delivery of the BLE station proposed on the nearby site of Toys r Us. Leo Street may also be subject to long term disruption during that time.
378. All works within the extent of the S278 for Southwark will be done in accordance with Southwark Street Design Manual SSDM and for TfL's network Healthy Streets design guidance.
379. Condition requirement for the detailed design of the ground floor forecourt and its relationship with the public highway to ensure secure by design and road safety is fully considered.

Trip generation

380. The predominant use of the proposed development is residential, and it is therefore anticipated that it will generate its peak level of vehicle trips during the weekday morning and evening peaks when the highway network is at its most sensitive. It is noted that the flexible A1/A3 Use is part of the development, for which peak usage is unlikely to occur within the weekday network peaks. It is not anticipated that the flexible A1/A3 Use will have an impact on trip generation as visitors will relate to the residential element and the local community. It is expected that these trips would be pass-by trips and would not generate significant numbers of new trips other than localised pedestrian and cycle movements.
381. The Aldi store will continue to operate and serve its existing customer base with no change in trip generation or distribution envisaged. The Aldi trip generation is therefore captured within baseline surveys. The surveys have been selected by TRICS data consisting of;
 - Car driver – On the basis that the average parking ratio of the TRICS sites is 0.38 spaces per dwelling and the proposed development would provide a maximum of 0.05 spaces per dwelling (5 Blue Badge parking spaces), the car driver trip rate has been reduced by 87%.
 - Car passenger – the number of car passengers per car driver is expected to be the same as the TRICS sites
 - Cycle and public transport – the cycle and public transport trips have been uplifted proportionally to reflect the reduction in car trips. It is noted that walk trips have not been adjusted.
382. From the methodology above, the forecast travel demand proposed on site will be as follows:

Table: Forecast TRICS and mode share

| Mode | AM Peak Hour | | | PM Peak Hour | | |
|--------------------|--------------|-----|-------|--------------|-----|-------|
| | In | Out | Total | In | Out | Total |
| Pedestrians | 7 | 21 | 28 | 16 | 10 | 26 |
| Cyclists | 0 | 3 | 3 | 3 | 0 | 3 |
| Bus | 3 | 28 | 31 | 15 | 6 | 21 |
| Underground | 1 | 14 | 15 | 7 | 3 | 10 |
| Rail | 3 | 23 | 26 | 12 | 5 | 17 |
| Vehicle Drivers | 0 | 1 | 1 | 0 | 0 | 0 |
| Vehicle Passengers | 0 | 1 | 1 | 0 | 0 | 0 |
| Total | 14 | 89 | 105 | 53 | 25 | 78 |

383. The trip generation assessment demonstrates that the 168 residential units would generate one vehicle movement within the weekly AM peak hour and none in the weekday PM peak hour. 72 public transport movements within the weekday AM peak hour and generate 48 in the weekday PM peak hour. Of the public transport movements, 31 are bust trips in the AM and 21 bus trips in the PM. The table demonstrates that most of the trip generation will be undertaken by foot or by public transport.

Walking

384. The National Travel Survey identifies that walking is the most frequent travel mode used for short distance trips (within 1 mile / 1.6 km). Infrastructure that supports travel on foot is therefore, of importance to promote sustainable and active travel as a viable alternative to short car trips. The local street network has an established network of footways typical of an urban environment, providing access to the site, nearby facilities and amenities, local bus stops and rail stations. All local roads in the area have footways on both sides of the carriageway
385. In terms of crossing points there are 22 signalised crossings along the Old Kent Road within the study area of which 15 are staggered. Weekday pedestrian crossing movements across Old Kent Road at the pedestrian crossing located adjacent to the site showed the following;
- Strong desire line for crossing. During the AM peak hour, the north to south movement is more pronounced from the residential blocks to the retail and bust stops
 - In the PM peak hour crossing tends to be relatively balanced between both directions. There is no formal central reserve to support or protect the movement
 - Traffic speeds tend to be lower on the approach to the junction therefore pedestrians take advantage of slow-moving traffic to cross closer to their desire line.
386. The improvements to the pedestrian environment as part of the development are anticipated to encourage active travel and the close proximity of Brimington Park, which is currently being enhanced supported by the application will offer good quality

walking options in the area.

Cycling

387. The bicycle is going to be of critical importance in the movement of people throughout central London therefore the provision of cycle parking and other cycle enabling opportunities is a significant part of the pre-application negotiations in the OKR AAP area. A balance is sort between the London plan cycle parking standards, quality of infrastructure and other cycle opportunities.
388. During the pre-application process it was accepted with LBS that a total of 170 long stay cycle spaces would be provided for the residential units, and the reasoning for this is due to the limited amount of space available on the first floor, given that this level also facilitates the podium amenity and play space. Following comments by Transport for London, the provision of cycle parking has been increased from 170 spaces to 284 spaces. The secure cycle storage on the transfer floor is accessible for residents only and the design of the lifts have been suitably sized to accommodate full size bicycles. This provision is more than the current adopted and emerging London Plan standards. Additionally, this development will also facilitate Brompton style cycle lockers equivalent to one locker per 10% of residential units (10% of which a EV lockers)
389. The quantum of visitor cycle spaces has been increased during the lifespan of the application. An originally proposed 42 spaces has been increased to 46. This quantum exceeds the requirements of the London Plan. The Aldi store will provide eight long stay cycle parking spaces for staff within the footprint of the unit.
390. The S106 Agreement will include a contribution towards the delivery of a new Cycle Hire Docking station of £50 per residential unit.

Public transport

Buses

391. The site has convenient access to accessible public bus services. Main bus routes connecting to New Cross, Elephant and Castle, London Bridge, Waterloo, Liverpool Street and Kings Cross run along Old Kent Road with stops adjacent to the site.
392. The closest bus stop is located on Old Kent Road outside of the development site (Bus Stop WA).
393. As a borough Southwark 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 have been spent appropriately and the evidence for the further draw is the fairest way this could be managed. As per other consented OKR developments, the proposal is that there would be a maximum cap for TfL to call on of £2,700 per unit. This would be able to be requested in stages between 3 - 5 years and secured through S106.
394. The first instalment will be approximately £180,000 (one extra service each way) TfL can request drawdowns at anytime from first occupation in excess of the first drawdown if evidence demonstrates need.

Bakerloo Line Extension Running Tunnels

395. The current proposals for the BLE involve running tunnels directly below this site. The impact of the proposed scheme's foundations on these tunnels has been assessed by TfL and LBS.
396. The applicant has been in discussions with LBS and TfL, and to the best of our knowledge the application would not impede the delivery of the BLE. Notwithstanding this, a condition is attached to this draft decision. The condition is in relation to the safe facilitation of the Bakerloo Line Extension tunnels that are proposed to run underneath the site. This will involve a detailed design and construction method statement for all ground floor structures, foundations, basements/or any other structures below ground level including piling and any other permanent installations relevant to the development.
397. LBS and TfL have agreed to the wording of this condition, and it is attached to this draft decision notice.

Car parking

398. The site is not located within a designated Controlled Parking Zone. The existing site facilitates 68 car parking spaces. Of the formal spaces, four are designated for blue badge parking and six are enlarged spaces for parent and child parking. Space for deliveries and servicing is located at the southeast corner of the site.
399. The residential proposal is car free but does retain 66 surface-level car parking spaces for the Aldi store, including four surface-level blue badge spaces for customer use and five blue badge spaces for resident parking. This equates to a reduction of two car parking spaces from the current parking provision. Submitted car parking surveys within the Transport Assessment were undertaken to inform the proposed development identified that when the existing car park is at its busiest (Saturdays and Sundays) there is car parking on informal areas of the car park. This informal area accommodates an extra nine car parking spaces. Given the results of the surveys, the proposed additional eight formal spaces are created by more efficient use of the available space, thereby formalising the existing parking arrangement.
400. Whilst this amount exceeds the parking standards for an A1 Use set out in the London Plan (1 space per 175sqm), maintaining the current parking levels is required for the store to be operationally viable and this amount forms a key part of the solution to incentivise Aldi to bring forward the site for redevelopment. As mentioned in OKR17 of the OKR AAP, any development on this site needs to incorporate a solution to allow for Aldi to still run a viable store during development of the site.
401. During the construction phase the car parking will be reduced to 26 spaces. However, once completed the 66 spaces would be available. As part of the S106 Agreement, there will be a requirement to undertake customer parking demand surveys to potentially remove some of the 66 car parking spaces for the retail shop. The monitoring details will be subject to the DSP bond (para: 451).
402. Notwithstanding the agreed initiative above, as there is potential for a phase 2 development on site that, if a further proposal was brought forward following the completion of this development, this would also involve the removal of car parking spaces that would assist in mitigating a potential over-provision of parking.

403. No new resident would be able to have parking permits with the exception of ten disabled car parking spaces for residents in accordance with the requirements of the Local Southwark Plan. To ensure new residents are aware of car free living there will also be a Section 106 obligation to ensure all marketing of the development promotes car free living.
404. 25 electric charging points are proposed in this development four of the chargers being rapid. The location of the charging points would be along the southern boundary of the parking spaces. This location is a desirable point as it easily accessible from the entrance to the site from Leo Street. This provision of electric charging points is promising in providing a benefit to the population in encouraging a shift to a more climate friendly vehicle.

Construction

405. A draft construction environmental management plan (CEMP) has been submitted. It has been developed to provide the management framework required for the planning and implementation of construction activities on site. This plan has to be viewed in conjunction with the concurrent construction of the temporary store (ref). Both highways and environment officers have reviewed and recommended the details below:
406. The Section 106 would secure a detailed construction and environmental management plan CEMP and a £40 per unit contribution for construction management within the OKR AAP area. This is for the council to manage cumulative impacts on the highways and environment.
407. The council's environmental protection team have also reviewed the proposals in relation to construction management and have requested that an obligation is put in place to prevent any development from taking place, including any works of demolition, until a written construction environmental management plan (CEMP) has been submitted to and approved in writing.
408. Construction on the site is anticipated to last for 26 months, starting in April 2020 and finishing in June 2022.

Servicing and delivery

409. Officers have assessed this site by looking balancing the requirements of a busy supermarket operating seven days a week whilst ensuring the servicing requirements of the new residential scheme can co-exist.
410. The application provides the opportunity for residential deliveries, residents will be able to request that deliveries are left in the secure mail room, this is to restrict delivery drivers from needing to visit individual properties, and would also mitigate an unnecessary second trip back to the site in case of a missed delivery. In addition to this, the residential reception will be staffed from 09:00 – 17:30 on weekdays, and 09:00 to 13:00 on Saturdays. Receptionists will be able to sign for deliveries that require a signature and can securely store them within the mail room. The above measures will assist in mitigating failed delivers, and would keep the overall number of deliveries and servicing trips to a minimum. Officers welcome this facility.
411. It is unlikely that the residential servicing and delivery trips will be significant and there is adequate off street space for this to be accommodated as no loading can be

undertaken from the Old Kent Road. Regarding residential deliveries, it is predicted that eight daily deliveries are expected to be generated. From this, two trips in each of the AM peak hour and PM peak hour, and seven of the eight residential servicing vehicles are predicted to be LGV's less than 3.5 tonnes.

412. Aldi's refuse will be taken away in their delivery lorries every day after each delivery as per the existing scenario. Refuse from the A1/A3 unit will be collected by private contractor from the Aldi Car Park. Refuse from residential properties will be collected off-street within the Aldi loading bay. The residential bins will be brought by the residential estate management team from the refuse stores to the temporary refuse storage area via the refuse platform lift to the ground floor. The refuse bins will then be transferred to the refuse vehicle by Southwark Council.
413. The proposed Aldi store will be of a slightly larger footprint to allow more efficient operations. With this in mind, the increase is not significant enough to warrant changes to the existing arrangement. Therefore predicted delivery and servicing volumes will be as per the existing which is three deliveries per day on average. This will be undertaken within the off-street servicing bays on site.
414. The council has recently declared a climate change crisis and because the Aldi Store will be retaining parking levels officers are recommending the introduction of two DSP bonds for the application.
415. The residential DSP bond will be as other developments in the old Kent Road AAP area as follows:
416. 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 500 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.
417. 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 two years from 75% occupancy. 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. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond for Phase 1 in this instance would be £x based on the x residential units and x sqm of non residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement

| Residential | Units | £ |
|-----------------|---------------------------------|--------|
| | 168 | 16,800 |
| Baseline | 14 vehicle trips per day | |

| | | |
|--|---|--|
| | based on 8 servicing trips plus 6 resident disabled vehicle trips | |
|--|---|--|

418. The DSP bond for the supermarket is specifically to show commitment to discourage car travel and ensure that all parking spaces are used efficiently. It will operate for three years quarterly from the opening of the new store the sum will be £16,800 and the council will retain £2,400 for assessing the quarterly monitoring. The monitoring will be based on the following agreement:

- Three months after the first date that the Supermarket is operational and open to the public the Owner will commence monitoring usage of the Retail Parking Spaces for a continuous 36 month period during trading hours of the Retail Store.
- During the 36 month period the Owner will also undertake no less than six customer parking demand surveys.
- Within one month of the end of the 36 month period the Owner shall prepare a report summarising the findings of the monitoring and surveys referred to in submit the same to the council.
- If the report referred to in paragraph 3 above identifies that at no point during the 12 month period did usage of non-disabled spaces reach 80% then the Owner will explain in the report why parking provision at current levels should be maintained, or alternatively in the report put forward proposals for possible alternative uses of up to 25% of the non-disabled spaces.

If 25% reduction of parking is achieved the bond will be returned less the retained fee.

If 10% - 24% reduction of parking is achieved then a pro-rata sum of the bond will be returned less the retained fee.

If less than 10% is achieved the council will retain the whole bond sum

Conclusion on transport

419. It is concluded that the majority of proposals accord with land-use and transport policy objectives by locating residential and commercial development in what will become a highly accessible location.

420. Regarding the 66 car parking spaces, whilst this is more than desired, it is imperative to note that upon completion of the development the applicant has agreed to undertake surveys that may find that a reduction in car parking spaces is appropriate. Furthermore, there is potential for a phase 2 development on site that would remove car parking spaces.

421. This development is supported because it provides good quality pedestrian and cycle permeability, has residential management to reduce the impact of servicing and delivery, subject to the following obligations and conditions:

- Delivery and service plan bond details of parking, servicing and delivery management to encourage safety and sustainability;
- A bus contribution for TfL;
- Contribution to cycle hire scheme (Santander or equivalent);
- Detailed design of cycle parking;
- Marketing details to ensure promotion of car free living; is clear to the new occupants of the development;
- Section 278 works with the council for highway works, tree planting and traffic management changes; and

- Detailed Construction and Environmental Management Plan (CEMP)

422. The council's Highways Team have also reviewed the proposals and indicated that there are no issues to be resolved prior to consent, and that they would support a positive recommendation, subject to conditions relating to the submission of a CEMP and DSP, and planning obligations. The conditions have been attached to this draft decision notice.

Archaeology

423. The site falls within two Archaeology Priority Zones (APZs): the north-eastern half falls within the Old Kent Road APZ which has been defined around the corridor of the line of Roman Watling Street from London to Canterbury and due to the presence of remains associated with early prehistoric activity; and the site in its entirety falls within the Bermondsey Lake APZ.

424. The site lies close to the roadside of the projected course of the Roman road of Watling Street. An archaeological excavation undertaken actually on the site in 1996 evaluated a large sample area prior to the construction of the current Aldi supermarket. The excavation did not record any occupation on the site earlier than nineteenth century in date, although evidence of a plough soil and soakaway suggests that the site was in agricultural use prior to the mid-nineteenth century. The excavations did not record any evidence of prehistoric settlement and there was no evidence relating to Roman Watling Street. There was no evidence of medieval activity apart from a disturbed and truncated layer of plough soil. The excavations recorded nineteenth century features relating to the gardens of former terraced housing fronting on to Old Kent Road, such features included quarry pits, wells and Anderson shelters. The archaeological work carried out in 1996 is sufficient to determine the planning application with regard to archaeological interest and the requirement for further evaluation prior to determination of the application is not required in this instance.

425. A Heritage Desk Based Assessment (DBA) has been submitted by Cotswold Archaeology, dated March 2019. The assessment complies with current standards and guidance and is approved. The DBA States in its bibliography that the original excavation report dating from 1996 was consulted. The applicant would be advised to commission further professional archaeological research to determine - potentially from the archive records of the 1996 work - whether this site was actually fully excavated in 1996 and all archaeological deposits removed. It may be possible that the site has already been entirely excavated, but a clear evidence base for this will need to be submitted to the council and can be secured through condition. Attached to this consent is a condition regarding a watching brief that is required to safeguard any archaeological remains are preserved by record or in situ, and that archaeological operations are undertaken to an acceptable standard.

426. As the development site is located within the Bermondsey Lake APZ and the Old Kent Road APZ, a contribution to of £11,171.00 forms part of the S106 Agreement. This is required in the event of any archaeological findings during the course of construction as this goes towards Officer time to ensure that the findings are appropriately recorded.

Aviation

427. The National Air Traffic Safeguarding Office (NATS) have reviewed the proposed development and from a technical safeguarding aspect and have stated that it does not conflict with their safeguarding criteria. Accordingly, they have no objections to the

proposal.

TV and radio signals

428. Arqiva own and operate the UK Terrestrial Television Broadcast network and supply the Freeview platform. They also own and operate 90% of the UK Radio Broadcast network, through which they broadcast the full range of BBC and commercial radio stations. In addition, many sites that they own or manage are shared by other operators, such as BT, the Mobile Network Operators, Airwave (Emergency Services Networks), roadside services and Central and Local Government departments and agencies.
429. Arqiva have objected to the proposed development because it would, along with other developments proposed along Old Kent Road, block a radio broadcast link, both permanently and during the constructions phase.
430. In order to mitigate this impact, Arqiva have undertaken a preliminary investigations into how to re-route this link. Subject to further investigations and costing, they propose to maintain the link by re-routing via the main television transmitter at Crystal Palace. Such mitigation would have to be implemented prior to any development reaching a certain height, and may require controls on the placing and operation of cranes during construction.
431. The NPPF requires the Local Planning Authority to consider the possibility of interference to TV and radio signals. OFCOM guidance suggests “proportionate conditions” should be out in place to mitigate any disruption. Policy 7.7D in the London Plan says “Tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, navigation and telecommunication interference”. This is echoed in policy D8 in the new London Plan.
432. It is therefore considered reasonable to request a proportionate financial contribution from the applicant in this case, to be paid towards the cost of disruption to be based on the number of developments due to come forward within the line of broadcast and the expected cost of mitigating the impact. This contribution can then be replicated across other schemes and it is for Arqiva to satisfy us that their estimate is reasonable. This payment will be secured through the Section 106 in consultation with Arqiva.

Environmental considerations

Wind and microclimate

433. A pedestrian wind environment statement has been submitted and assesses the likely impacts of the proposed development on wind and microclimate in terms of pedestrian comfort safety and comfort using Penwarden’s Beaufort wind force scale.
434. Penwarden’s Beaufort wind force scale describes the effects of various wind intensities on people. It is acknowledged that the following table refers to wind conditions occurring frequently over the averaging time (a probability of occurrence exceeding 5%). Higher ranges of wind speeds can be tolerated for rarer events.

Table: Penwarden's Beaufort wind force scale

| Type of Winds | Beaufort Number | Mean Wind Speed (m/s) | Effects |
|-----------------|-----------------|-----------------------|--|
| Calm | 0 | Less than 0.3 | Negligible |
| Calm, light air | 1 | 0.3 - 1.6 | No noticeable wind |
| Light breeze | 2 | 1.6 - 3.4 | Wind felt on face |
| Gentle breeze | 3 | 3.4 – 5.5 | Hair is disturbed, clothing flaps, newspapers difficult to read |
| Moderate breeze | 4 | 5.5 – 8.0 | Raises dust, dry soil and loose paper, hair disarranged |
| Fresh breeze | 5 | 8.0 – 10.8 | Force of wind felt on body, danger of stumbling |
| Strong breeze | 6 | 10.8 – 13.9 | Umbrellas used with difficulty, hair blown straight, difficult to walk steadily, wind noise on ears unpleasant |
| Near gale | 7 | 13.9 – 17.2 | Inconvenience felt when walking |
| Gale | 8 | 17.2 – 20.8 | Generally impedes progress, difficulty balancing in gusts |
| Strong gale | 9 | Greater than 20.8 | People blown over |

435. It is acknowledged that wind speeds can only be accurately quantified with a wind tunnel study. The submitted assessment addresses only the general wind effects and any localised effects that are identifiable by wind inspection. The acceptability of the conditions for outdoor areas are determined based on their intended use (rather than referencing specific wind speeds).
436. Although this assessment is of a qualitative nature, criteria are considered when assessing the wind environment impacts. For ground level areas used primarily for circulation, the recommended criterion for wind conditions is 7.5m/s with a 5% probability of exceedance. For proposed seating areas, these will need to satisfy a more stringent comfort criterion of 5.5m/s with a 5% probability of exceedance.
437. The interaction between the window and the building morphology in the area is considered, and important features are taken into account. These include the distances between the surrounding buildings and the proposed building form, as well as the surrounding landform. Only those wind effects that are considered to have significant effect on the comfort or safety of pedestrian areas within or surrounding the proposed development are analysed in this report.
438. The expected wind conditions are divided into three sections:
- Ground Level Areas
 - Community Roof Garden
 - Private Balconies along Buildings A and B

Ground level areas

439. The wind conditions at ground level primarily depend on the orientation of the development relative to the principal wind directions and the impact of neighbouring developments. The site of the proposed development is relatively exposed to the principal wind directions with little-to-no shielding provided by the low-rise residential district to the south-west or the railway line to the north-east. Some shielding from low level direct winds may be provided by the mid-to-high rise residential towers on the corner of Old Kent Road and Ilderton Road. However, because of the condensed site plan and relatively small projected area of each of the towers, the reduction in wind intensity is likely to be minimal.
440. As a result of the lack of shielding and the general orientation of the proposed development, it is expected that north-easterly winds will sidestream along the north-eastern façade of the podium and accelerate around the northern corner of Building B, impacting pedestrian walkway use along Old Kent Road. Similarly, it is likely that north-easterly winds will deflect off the Building B north-eastern tower façade and downwash onto ground level areas.
441. The areas at ground level are anticipated to benefit from the use of planting and landscaping along the Old Kent Road frontage with building awnings placed along the north-eastern façade of Buildings A and B. It is considered that these features would reduce the severity of sidestreaming winds and redirect downwashed winds away from pedestrian trafficable areas. As a result of this, both the planting and awnings for each building should be retained.
442. Additional landscaping features are anticipated to further assist in the reduction of adverse wind effects. In enabling the development to be effective in wind mitigation, it is recommended that trees should be densely foliating, evergreen and capable of growing to a height of at least three to four metres with wide interlocking canopies.

Community roof garden

443. Regarding the roof garden and amenity area, the primary wind effects are expected to be the wind funnelling in between Buildings A and B, and building corner accelerated flow (similar to the effects of ground level areas above). The wind effects are likely to occur from both primary wind directions. It is considered that increasing the width of the passageway is expected to reduce wind speeds and lessen the wind effects. Further mitigation strategies include the use of trees, planting or screens which are designed to redirect wind flow away from this trafficable area.
444. In light of the above, the following treatment strategies are considered to be effective in mitigating the potential adverse wind effects:
- The inclusion of additional densely foliating trees or similar vegetation to be placed within the community roof garden area. As with the ground floor areas recommendations, these trees should be densely foliating, evergreen and capable of growing to a height of 3-4 metres with wide interlocking canopies.
 - Provision should be made to install high screens of 1.5 – 2m along the south-western and north-eastern edges of the communal roof garden.

Private balconies in Buildings A and B

445. The balconies located in the centre of each building are expected to benefit from the shielding provided by the effective use of their recessed design into the overall building form. The wind conditions experienced on these balconies are likely to be suitable for their intended use. The north and south facing balconies for both buildings are expected to experience accelerated corner flow, therefore it is recommended that shielding in the form of screening be implemented. Full-height impermeable screens are recommended for all tower levels are to be placed along the north-eastern edge for the northern balconies and the south-western edge for the south facing balconies in both buildings.
446. In addition to the above analysis of the wind and microclimate section of this report, all recommendations should be implemented to mitigate adverse effects. The suggested mitigation techniques identified by each assessment are secured by condition.

Flood Risk and water resources

447. The site is lies in Flood Zone 3 and is located within an area benefitting from River Thames flood defences. Whilst the site is protected by the Thames Tidal flood defences up to a 1 in 1000 (0.1%) chance in any year, flood modelling (December 2017) shows that the site is not at risk if there was to be a breach in the defences. Therefore, the development would be at low risk of flooding.
448. The Environment Agency has reviewed the submitted information in relation to flood risk and has no objection to the proposed development. On the advice of the EA, recommendations attached to this decision should include conditions relating to Piling and a Surface Water Drainage Strategy. Regarding piling, given the height of the proposed structure, it is assumed that the existing foundations would not be substantial enough therefore a piling process is required.
449. The council's flood and drainage officers have also reviewed the submitted proposals, and are encouraged to see proposals for limiting surface water discharges to greenfield runoff rates. Regarding the proposed drainage strategy, Southwark's preference is for attenuation tanks to be installed outside of the building footprint. Since an external access and inspection chamber is proposed and given the site constraints, no objection to the proposal arises in this instance. Flood and drainage officers are satisfied to support the development with the recommendation of a condition regarding Surface Water Drainage being included with this decision.

Ground conditions and contamination

450. A Preliminary Geo-Environmental Risk Assessment has been conducted by Delta-Simons to determine the history of the site to assess the potential for contamination. The Desk Study information has found that the Site is likely underlain by a sequence of Made Ground which is in turn underlain by the superficial deposits of the Langley Silt Member (Unproductive Strata) and bedrock of the Thanet Formation (Secondary A Aquifer). Various potential current and historical off-site
451. Widespread contamination is considered unlikely ad the preliminary risk assessment has identified a low to moderate risk of soil/groundwater contamination and hazardous ground gas at the site. However, asbestos may be present within the localised Made Ground. Potential geo-hazards have not been identified associated with potential Made Ground beneath the site.

452. The findings of the preliminary risk assessment recommends that an intrusive geo-environmental site investigation is undertaken to assess the potential for contamination and ground gases to impact on the proposed development. The investigation should refine the Site-specific ground model and groundwater regime and enable an assessment of foundation and engineering solutions to be made.
453. The council's environmental protection team have reviewed the preliminary risk assessment and accordingly recommended the attachment of a condition to require a phase 2 site investigation and risk assessment is undertaken. This investigation should include a detailed remediation and/or mitigation strategy to be prepared and submitted. This condition has been included on the draft decision notice.
454. The Environment Agency have reviewed the proposals in relation to contaminated land and made the following recommendation.
455. "We have reviewed the document 'Preliminary Geo-Environmental Risk Assessment' (PRA) by Delta-Simons (reference 18-1625.01 Issue 3 dated 2nd April 2019). The document recommends an intrusive investigation in order to assess the potential for ground contamination to be present. We consider that planning permission should only be granted to the proposed development as submitted if the following planning conditions are imposed as set out below.
456. The recommended conditions are included in the draft decision notice.

Air quality

457. 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. Southwark Plan Policy 3.6, Air Quality, states that planning permission will not be granted for development that would "lead to a reduction in air quality." London Plan (2016) Policy 7.14 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
458. The Air Quality Assessment has found that a construction dust assessment for the construction phase associated with the proposed development is in accordance with the IAQM and GLA guidance on the assessment of dust from demolition and construction. Mitigation measures have been proposed for construction traffic and stationary plant associated with the development. Following successful implementation of the suggested mitigation measures, the residual effects of construction dust and emissions from construction plant/vehicles upon the local area and sensitive receptors although adverse, will be temporary and not significant.
459. The submitted Assessment also considers the impacts that the proposed development would have once construction is complete and the scheme is in operational phase. The potential trip generation predictions demonstrate that the proposed development will not meet the traffic or alignment criteria specified within the EPUK & IAQM, and therefore the potential impact is negligible. Potential mitigation measures have been recommended as part of the proposals to offset the potential impacts associated with the 'air quality neutral' assessment. Furthermore, recommendations have been made for inclusions in the ventilation design to protect future residential receptors being exposed to adverse air quality concentrations.

460. The council's environmental protection team have reviewed the proposal in relation to air quality and accepted the conclusions of the submitted air quality assessment. The incorporation of air source heat pumps are encouraged as the development is considered air quality neutral. Officers recommend that a condition regarding details of a scheme for the internal ventilation of the development including appropriately located plant, inlets and outlets; filtration and treatment of incoming air. This condition is attached to the draft decision notice.

Noise and vibration

461. The submitted noise and impact assessment by Create Consulting Engineers Ltd provides details of the possible environmental acoustic constraints associated with the proposed development site. The acoustic survey has been undertaken to establish the prevailing noise environment at the subject site. The sound levels to which the development will be exposed to have been determined from the results of this survey.
462. In line with BS8233:2014, the ambient noise levels were found to be high enough to warrant a glazing strategy suitable for the environment. The proposed triple glazing and forced ventilation would be suitable for the proposed new residential properties. A plant noise impact assessment for residents was also undertaken in line with the BS4142:2014 methodology with the findings concluding that there is a low risk of adverse impact.
463. A preliminary construction noise assessment in conjunction with BS 5228-1 was carried out recommendations have made for noise mitigation. These include high site hoardings between 2.8m-3m in height to provide screening of the development to nearby residents at low level, and site traffic and vehicle access be kept to minimum as far as reasonably practical. This involves the switching off of engines whiles vehicles are stationary and adding mufflers to the exhausts of site vehicles/plant will reduce ambient sound levels.
464. The council's environmental protection team have reviewed the submitted proposal in relation to noise and vibration and raise no objection to the development provided that an adequate construction environmental management plan is submitted and agreed by the council prior to any demolition works being undertaken on site. This is required to be agreed in writing with the council in order to facilitate an appropriate demolition and construction work that does not incur detrimental amenity impacts to nearby occupiers through noise pollution or nuisance. This is required 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 NPPF 2019.
465. The recommended conditions are included in the draft decision notice.

Odour

466. Given that the proposed flexible A1/A3 Unit can potentially facilitate a commercial kitchen the council's environmental protection team recommend that prior to the commencement of use within this unit, full particulars and details of a scheme of extraction, treatment and venting of odours, fats and particulate matter from the cooking activities shall be submitted to and approved by the Local Planning Authority. Should such venting be required the condition will state that this equipment would need to be accommodated within the building.

Socio-economics effects, population and human health

467. An assessment has been made of the social and economic effects of the proposed scheme. This has considered the extent to which the scheme impacts on employment, population, the local community and social and community infrastructure.
468. The potential significant effects of the proposed development in socio-economic terms are:
- Creation of new jobs during the construction and operational phases of development;
 - Provision of new housing;
 - Provision of open space and playspace; and
469. Regarding human health, the impacts of the development have been assessed against the NHS Healthy Urban Development Unit's 'HUDU Planning for Health – Healthy Urban Planning Checklist'. This process involves assessing the development against 50 criteria.
470. Of the 50 criteria the development has been assessed against, 36 criteria are found to have a positive impact on health and 14 a neutral impact. Mitigation measures have been suggested, as well as the enhancement measures for some of the neutral impacts where applicable. The development is therefore seen to have an overall positive impact on both mental and physical health for residents.

Sustainable development implications

Energy

471. 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. This involves the 'Be Lean', 'Be Clean', 'Be Green' 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 35% reduction against part L of the Building Regulations 2010.
472. An Energy Statement and Strategy has been submitted based on the guidance of the National Planning Policy Framework (2019), The London Plan (2016) and Draft London Plan (2017), Southwark Core Strategy (2011), Southwark Sustainable Design and Construction Supplementary Planning Document (2015), and the Mayor's Energy Assessment Guidance.
473. An updated Energy Statement and Strategy was submitted by the applicant following requests by the GLA to provide information on the following:
- Final savings using the SAP 10 emissions factors
 - A populated GLA carbon emissions spreadsheet for review
 - Further information on overheating risk
 - Provide details on communal heat pumps
 - Outline in detail how the development will be futureproof for future district heating connection

Be Lean (use less energy)

474. 'Be lean' refers to the approach taken by the design team to maximise the positive aspects of the scheme's passive design to minimise the base energy demand of the buildings. As part of this application, key passive ('Be Lean') design features include:
475. After the incorporation of 'Be Lean' passive and active energy efficiency measures, the domestic CO₂ emissions would be, 17% lower than a Part L1A 2013 compliant development, which is the baseline scheme. The non-domestic CO₂ emissions after the incorporation of 'Be Lean' measures would be 23% lower than a Part L2A compliant development.

Be Clean (supply energy efficiently)

476. The proposed design maximises energy efficiency and follows principles of good active system design. The building has been designed to be easily connected to and take advantage of the proposed district heating system to be installed in the local area – the South East London Combined Heat and Power network (SELCHP). This would be required by the Section 106 Agreement.
477. Without connection to SELCHP, 'Be Clean' measures would not provide any further reduction in CO₂ emissions above the 'Be Lean' measures.

Be Green (Low or Carbon Zero Energy)

478. Centralised heat pumps are proposed in the form of Air Source Heat Pumps (ASHPs). The total heat pump capacity is 129kW, and the heat pump is estimated to deliver 455Mwh per hours which equates to 64% of the residential heat load. The manufacturer has confirmed that the heat pump performance for space heating has been calculated using BS EN 14825 (SCOP).
479. ASHP's with gas fired boilers compared to gas fired boilers alone demonstrate that the fuel costs of the proposed ASPH system will be lower than a gas fired system (As per Section 7.3.3 of submitted Energy Statement and Strategy). Furthermore, the energy and boiler gas consumption will be monitored via the building energy management system.
480. 'Be Green' measures would provide a further 20% reduction in domestic emissions, amounting to a total saving of 37% across the residential component of the proposed development. This represents an annual saving of approximately 79 tonnes of CO₂.
481. Recognising that both the residential and retail aspects would fall below the policy requirements in relation to carbon savings, the total contribution towards the council's carbon offset fund would be £199,200.00. The Applicant has agreed to make this contribution, which would be secured through the Section 106 Agreement and would therefore make this aspect of the scheme fully policy compliant. The carbon offset fund could be used for the installation of PV panels on existing buildings, insulation, tree planting, LED lightbulb exchanges, homeowner grants to replace boilers, funds for community led- projects etc.

Overheating

482. Policy 5.9 of the London Plan "Overheating and Cooling" states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy.

This policy seeks to reduce the impact of the urban heat island effect.

483. In order to demonstrate compliance, the proposals would:

- The communal corridors will be ventilated using an environmental ventilation system to remove excess heat from corridors via the smoke ventilation system.
- Insulation will be applied to distribution pipework in excess of the Building Regulations and British Standards
- The buildings are to be constructed with a concrete frame and floor slabs which increase the thermal mass of the structure
- All windows have solar control glazing that incorporates G value of 0.40 and light transmission of 70%
- Residents will be issued a Home User Guide providing information relating to thermal comfort during the summer months.

BREEAM

484. Strategic Policy 13 of the Core Strategy requires commercial units to achieve BREEAM “excellent” and community facilities to achieve “very good”. A BREEAM Pre-assessment has been undertaken for this development with an initial rating of 67.50% considered to be rated as ‘Very Good’

485. A planning condition is recommended to secure an independently verified BREEAM report demonstrating that these target ratings would be achieved through the detailed and technical design stages.

Planning obligations (Section 106 undertaking or agreement)

486. 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 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.

487. The application would be supported by the following Section 106 obligations:

Table: Section 106 Financial Obligations

| Planning Obligation | Mitigation |
|--|--|
| Archaeology | £11,171.00 |
| Affordable housing monitoring | £7,279.25 (55 affordable units x £132.35) £8,073.35 (If subject grant funding found to secure 6 additional units) |
| Carbon Offset – Green Fund | A maximum of £199,200.00 (Depending on carbon emissions – a calculation will be required in the future, on-site boilers or connection to SELCHP) |
| Delivery and Service Plan bond (Residential) | £16,800.00 ((168 homes x £100) + The council will retain £1,600.00 for assessing the quarterly monitoring for 2 years |
| Delivery and Service Plan bond (Supermarket) | £16,800.00 The council will retain £2,400.00 for assessing the quarterly monitoring for 3 years |
| Greenfield run off rates | £0.00 (£366 per cubic metre shortfall against greenfield run off rates) |
| Private/Communal amenity space | £137,145.00 (£205 per sqm shortfall) (£205 x 669sqm) |
| Play Space | £59,245.00 (£205 per sqm shortfall) (289sqm shortfall) |
| Public Open space | £162,770.00 (£205 per sqm shortfall) |
| Contribution to pay for Brimington Park | Estimated cost: £359,160 |
| Transport for London Buses | £453,600 maximum capped contribution, to be drawn down according to TfL |

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| | methodology review mechanism) (Maximum £2,700 per residential unit) |
| Transport for London Legible signage | Funded through CIL |
| Transport for London Healthy Streets | Funded through CIL |
| Transport for London cycle hire contribution | £8,400 – maybe more if non residential contribution is required (£50 per residential unit plus non residential contribution) |
| Construction Management Contribution | £6,720.00 (£40 per residential unit) |
| Trees | £15,186 |
| Arqiva Mitigation | Proportionate financial contribution based on the number of developments due to come forward and the expected cost of mitigating the impact |
| Admin fee | 2% for all cash contributions plus flat fee of £2,000 for costs incurred in transferring TfL buses contribution |

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

- Affordable housing provisions and delivery controls, including provision for an early stage review;
- Wheelchair accessible housing;
- Marketing, allocation and fit out of the wheelchair units
- Car park/Service bay/Site management plan;
- Brimington Park financial contribution;
- Public realm works plan (including commitment to public access);
- Construction phase jobs, short courses and apprenticeships or Employment and Training Contribution;
- Employment, Skills and Business Support Plan (Construction Phase);
- Highway works – Section 278 agreements with both LBS and TfL;
- 25 no. electric vehicle charging bays (4 rapid);
- Connection to a future district heating system (SELCHP);
- London Living Wage – best endeavours to being offered to all staff employed in the during the construction period;
- Final Demolition and Construction Environment Management Plans;
- Final Delivery and Service Management Plan;
- Final Construction Logistics Management Plan;
- Local Procurement;
- Service charge costs to social rent tenants would be capped within social rent cap

- levels;
 - Securing Bogle Architects to deliver the building detailed design, unless otherwise agreed in writing
489. The S106 heads of terms agreed would satisfactorily mitigate against the adverse impacts of the proposed development.
490. In the event that a satisfactory legal agreement has not been entered into by 5 August 2020, it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015)”.

S278 Works Outline

491. The council's highway officers have indicated that there was more information required in relation to ensuring deliveries will only occur outside of Aldi's operational hours due to the presence of the car park, and how to safely manage the construction access and the temporary Aldi store being located adjacent to one another
492. It is noted that these issues have been mentioned in the draft CEMP and DSP, and conditions regarding the submission of a final CEMP is attached to this decision. Regarding the DSP, this forms part of the S106 obligation. S278 agreement will need to undertaken with Southwark Highways for works to the highway, and traffic management changes. Notwithstanding the S278 with Southwark, the applicant is advised that a separate Section 278 Agreement would be required for the development with TfL.

Mayoral and Southwark Community Infrastructure Levy (CIL)

493. 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.
494. Based on the floor areas provided in the agent's CIL Form dated 24-Apr-19, the gross amount of CIL (pre-relief) is approximately £4,840,940.38, consisting £964,029.47 of Mayoral CIL and £3,876,910.91 of Borough CIL. If CIL relief procedures have been followed correctly after planning permission is granted, it is expected around £1,663,873.36 of Social Housing Relief might be claimed, of which £320,511.30 of MCIL relief and £1,343,362.06 of Borough CIL relief.
495. That is, the anticipated CIL receipt for this scheme is circa £3,177,067.02 net of relief. It should be noted that this is an estimate, and the floor areas will be checked when

related CIL relief claim is submitted after planning approval has been obtained.

Other matters

496. None

Statement of community involvement

497. Consultation was carried out by the applicant prior to the submission of the planning, and during the consideration of the application. The consultation undertaken was carried out with the local community and key stakeholders from the area. This is summarised in the tables below, which are taken from the submitted Development Consultation Charter.

Table: List of meetings

| Meetings | Date | Attendees | Summary of discussions |
|--------------------------|---|--|--|
| Pre application meetings | 4 pre-application meetings and 3 post-submission meetings Pre-application meetings: 24/07/2018 22/10/2018 26/11/2018 14/01/2019 Post-submission meetings: 22/02/2019 18/07/2019 20/08/2019 | Council officers Design team members as necessary | <ul style="list-style-type: none"> - Transport and ground floor layout - Massing and daylight and sunlight - Design development - Elements of design - Landscape - Unit mix - Small amendments |
| Councillor meetings | 8 July 2018 | Planning Officers Cllr J Situ Cllr Richard Livingstone PPR Estates Bogle Architects Kanda Consulting ALDI UK | <ul style="list-style-type: none"> - Affordable housing and unit mix (provision of more 4 beds) - Amenity space - Brimington Park improvements - Public landscaping - Amenity impacts discussion - Design evolution - Servicing - Charging points for electric vehicles - Parking |
| | 16 September 2018 | Cllr M Situ Cllr E Akoto Cllr R Livingstone | <ul style="list-style-type: none"> - Affordable housing increase from 35% to 40% - Possibility to enhance the 4 bed offer further through |

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| | | PPR Estates Bogle Architects Kanda Consulting | council or RP - New Aldi store operation - Contributions to Brimmington Park - Enhancing the public realm and footways - Discussions with neighbours - Amenity impacts |
| Resident group meeting | 18 September 2019 | Radford Court TRA Bogle Architects PPR Estates Kanda Consulting Southwark Planning Officers | - The orientation of the blocks in relation to Radford Court - Amenity impacts of the proposals on residents |
| Design Review Panels | 14 January 2019 11 March 2019 | Design Panel members Officers Design team | - Design, layout, play space, fire strategy and height. |

Table: List of public consultation events carried out

| Public consultation events | Date | Attendees | Summary of feedback |
|-----------------------------------|---------------------------------|-----------------------------------|---|
| Public exhibition 1 | 29 November and 1 December 2018 | 27 members of the public attended | Attendees were generally supportive of the principle of a mixed-use development on this site, including the provision of a new Aldi supermarket and new homes. Attendees particularly interested in the wider masterplan and what was in the processing of being delivered long term in the area. Individual near neighbours raised specific questions relating to personal amenity impact. Most accepted that some impacts were inevitable but we eager to see this minimalised as much as possible as the design evolved. Some attendees noted that they would like to see a |

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| | | | revision to the design preferring a finish and form that referenced the heritage of the area. |
| Public exhibition 2 | 19 February 2019 and 21 February 2019 | 33 members of the public attended | <p>Attendees were pleased to be consulted on the updated proposals. The majority of attendees also welcomed the amendments that were made to the scheme following the first exhibition.</p> <p>Attendees commented that they were please homes for social rent were being provided and highlighted a need for this in the area.</p> <p>Most attendees were pleased the Aldi would retain the parking on-site as they were concerned parking may spill into their streets if they did not. Some attendees noted that they believed a reduction in parking would be preferred to decrease traffic in the area. Attendees who made these comments were pleased that the residential element was car free, though they did note that they would like to see residents-controlled parking in the area, particularly those who lived on Clifton Crescent.</p> <p>Some immediate neighbours were concerned that proposals had the potential to overshadow their own property and sought reassurance that this had been factored into design.</p> <p>Most attendees understood the rational for the reversal positioning of the Towers as this change improved the relationship with the park and those properties on the end of Clifton Crescent located near to the existing building.</p> |

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| | | | <p>Attendees were pleased that an upgrade to the park was planned. Some expressed that they had liked what the developer proposed to deliver at the first consultation event, but they understood the council would undertake a consultation with local residents to discuss the best way to spend the contribution from the developer.</p> <p>Attendees liked the idea of a café space at the entry point to Brimington park as they highlighted that this space was currently not particularly welcoming.</p> |
| Pop up event at Brimington Park at local festival | Date not given | <p>Peckham vision Friends of Peckham East Friends of Brimington Park Cllr R Livingstone Cllr M Situ Local residents and park users c. 51 attendees</p> | <ul style="list-style-type: none"> - Function of the new store - Continuity of service for the Aldi site - Proposed height and on-going development of the OKR - Any impacts on the park (no overshadowing, increased natural surveillance of the park cut through) - Relationship with Tustin House - Funding of Brimington Park improvements |

| Additional consultation activity | Date | Attendees | Summary of feedback |
|---|------------------|--|--|
| Door knocking exercise 1 (pre-exhibition 2) | 14 February 2019 | Kanda (Spoke to inhabitants of 25 properties approx.. 42 people) | <p>The team undertook a door knocking exercise ahead of the second exhibition to discuss the proposals with residents and inform them of the upcoming consultation event.</p> <p>Kanda knocked the doors of properties on Drovers place and Clifton Crescent speaking with residents about the proposals and further</p> |

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| | | | <p>invitation to the drop-in event.</p> <p>Those who were not in received an addressed letter and printed flyer with information relating to the upcoming consultation event.</p> <p>The team spoke to the owners of 25 properties over the course of three hours.</p> <p>Conversations tended to vary in length with the majority going into some detail regarding plans for the site and residents indicating they would welcome the opportunity.</p> |
| Residential door knocking | 3 August 2019 | Kanda 22 properties (29 residents) | <p>Kanda undertook a further door knocking session in the surrounding area to provide updated information to residents following the council's statutory consultation exercise.</p> <p>Canvassers were equipped with a tablet presentation of exhibition materials to talk residents through.</p> <p>Topics discussed again prominently featured the Aldi store continuity of trading and for those immediate neighbours' impact on their personal property.</p> |
| Information stall outside of Aldi 1 | 29 June 2019 (10am-1pm) | Kanda Approximately 30 individual discussions | <p>Kanda consulting delivered a pop-up stall outside of the Aldi store entrance.</p> <p>This took place over the peak Saturday shopping period and included the display of the exhibition materials from the second public consultation event, including updated scheme images.</p> <p>Shoppers were given the opportunity to review materials asking questions and sign a petition in support of the proposals.</p> |

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| Information stall outside of Aldi 2 | 28 August 2019 | Kanda | <p>Kanda consulting delivered a pop-up stall outside of the Aldi store entrance.</p> <p>This took place a midweek lunchtime shopping period and included the display of the exhibition materials from the second public consultation event, including updated scheme images.</p> <p>Shoppers were given the opportunity to review materials ask questions and sign a petition in support of the proposals</p> |
|-------------------------------------|----------------|-------|---|

Consultations

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

Consultation Replies

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

Summary of consultation responses

500. This application was subject to a round of statutory consultation in late May
501. At the time of writing, a total of fourteen consultation responses had been received from members of the public and local businesses and organisations. Thirteen of the fourteen responses are against the proposed development. This includes responses that were received during, and beyond, the original statutory consultation.
502. The main issues raised by residents objecting to the proposed development are:
- The buildings would be too tall and would harm the character and appearance of the area;
 - There would be harmful overlooking and loss of privacy;
 - There would be detrimental loss of daylight and sunlight, and overshadowing from the development;
 - The proposal would be out of character with the surrounding area and would harm the setting of Caroline Gardens Conservation Area and the Grade II Listed Buildings along Clifton Crescent;
 - As the development is proposed to be car free, this would increase demand for parking on surrounding streets leading to additional parking stress in the area;
 - The accumulation of developments will add more traffic to the area leading to disruptions;
 - Increase in pollution levels given the nature of so many new tall developments coming forward in the Old Kent Road;
 - Increased noise pollution from the amount of units proposed and future population

- of the area
 - Increased use of Brimmington Park at night time would further exacerbate noise pollution to nearby occupiers
 - There continues to be no graphic illustrations of where tall buildings are anticipated to be within the Old Kent Road Area
 - Tall buildings do not deliver the kind of housing needed to address housing shortages within Southwark, rather the development brings forward a surplus of one- and two-bedded units;
 - The development will result in the Aldi store being unavailable and this will have a significant impact on the customers who use the store due to the good quality of the supermarket. It is noted that a temporary store will be constructed, however, it will not be of the same efficiency or capacity as the current store
 - The development would affect existing views neighbouring properties have of Honor Oak, Dulwich and Crystal Palace due to the width and height of the development
 - Loss of employment to Aldi workers during the redevelopment of the site, and the Aldi needs to be returned to the site following construction
 - Tower blocks of this height are not safe for residents in case of emergency.
503. Officer response: All of the issues raised in these objections are addressed in full in the main body of the report. For reference to the specific areas raised please refer to the paragraphs identified in Table below.

| Objections | Summary of Response |
|---|---|
| The buildings would be too tall and would harm the character or skyline. | The acceptability of the tall buildings is discussed in the main body of this report in the section on design considerations. The proposal would be in compliance with the draft OKR AAP as well as adopted planning policy, being located in an Opportunity Area; and making a positive contribution to the landscape. |
| There would be harmful overlooking and loss of privacy. | This is addressed in the main body of this report in the section on the impact of the proposed development on the amenity of adjoining occupiers. There would not be any harmful overlooking or loss of privacy to neighbouring properties to an extent that warrants a reason for refusal. |
| There would be a harmful loss of daylight and sunlight and harmful overshadowing. | A full daylight, sunlight and overshadowing assessment has been submitted and is summarised in the section of this report on the impact of the proposed development on the amenity of adjoining occupiers. This section concludes that there would be no significant adverse impacts on some neighbouring residential properties in terms of daylight and sunlight. |
| The proposal would be out of character with the surrounding area. | The response of the design to the character of the area, including its Opportunity Area status, is addressed in the section of this report on design considerations. The design is considered to be of high quality. |
| The proposal would involve the loss of Aldi and it should be placed back in once the development is completed | OKR 17 of the OKR AAP specifically mentions the subject site as being available for development subject to a solution to keep the Aldi store operational during the development of the site. With the aspirations of the OKR AAP in mind, a separate planning application has been submitted under reference 19/AP/1766. This application is for the temporary use of an Aldi store on the northwest corner of the subject site that enables Aldi to still be |

| | |
|--|--|
| | operational during the construction phase. This application is in line with the aspirations of the development site. |
| It would increase traffic and place additional pressure on car parking | Traffic impacts are considered in the Transport section of this report. The predicted trips are considered acceptable. The scheme would be car free with the exception of disabled car parking, and financial contributions would be made to Santander cycle hire and bus services. A cash bond will also be held against the submitted Delivery Service Plan and the pedestrian environment would be enhanced. No new residents would be allowed parking permits. |
| It would increase noise. | Residential design standards ensure that negative impacts of noise between use classes are mitigated and kept at appropriate levels. The council's Environmental Protection Team has reviewed the submitted material and is satisfied subject to recommended conditions. |

504. The comments raised by residents of the nearby Tustin Estate supporting the proposed development are:

- A safer environment with a clear effort from the applicant to reduce and design out crime
- Significant new employment opportunities and creating new jobs for local people
- New cafe, helping to re-establish Old Kent Road as a High Street for local residents
- Opportunity for new affordable homes as part of the project.

505. PR consultants, Kanda, have submitted a petition that contains 23 signatures confirming support for the proposal to redevelop the Aldi site. This was obtained from information stalls set up outside the store last summer.

GLA

506. The GLA's Stage 1 response considers the principle of development and proposed land uses to be appropriate and generally in compliance with London Plan policies. The design is also considered acceptable. However, the report also raises a number of issues with the proposals that would not be in conformity. Through the application process, these have been addressed, as set out below.

507. Excessive car parking proposed: The GLA considered that the proposed quantum parking is excessive, as it would not be in line with the aspirations of reducing traffic stress on the Old Kent Road, and is contrary to efforts of climate mitigation.

508. Officer response: In order to incentivise Aldi to redevelop the site, the requirement to retain car parking is an imperative aspect. In order to provide an area of parking for customers, the development proposes four rapid charging points that has the ability to increase to 25 once the development is completed. This is encouraging as charging points can be conveniently located to enable nearby residents to charge their vehicles whilst using the Aldi supermarket. Furthermore, the provision of charging points can assist in influencing customers in using the advance vehicle technologies.

509. Surface Water Drainage: The submitted Surface Water Drainage Strategy does not comply with London Plan Policy 5.13 as it does not give appropriate regard to the drainage hierarchy and greenfield runoff rate.

510. Officer Response: Further information was submitted following the comments from the GLA Officer. The council's Flood Risk and Drainage Officer raises no objection to the further information provided and has recommended conditions be attached to the draft decision notice. Given the instruction of the Flood Risk and Drainage Officer conditions have been attached to the draft decision notice.

TfL

511. Cycle parking: TfL have raised a strong objection to the under provision of cycle parking and its non-compliance with London Cycle Design Standards.
512. Officer Response: During the pre-application process it was agreed with LBS that a total of 284 (184 spaces for private housing, 100 for affordable housing) long stay cycle spaces would be provided for the residential units, and the reasoning for this is due to the limited amount of space available on the first floor, given that this level also facilitates the podium amenity and play space. However, in light of the objection from TfL, the cycle provision has been increased to 284 spaces with 48 spaces to be provided in the form of cycle hangars. This is in line with both adopted and emerging London Plan standards.
513. Bakerloo Line Extension: TfL has been identifying the potential BLE tunnel alignment routes to connect the proposed BLE stations. Whilst this work is subject to further development and future consultation, TfL confirm that work to date suggests a desire to run tunnels under the application site. TfL therefore requested that the applicant should engage with them in order to secure conflict-free corridors for running tunnels prior to construction and that the council confirms that TfL has no objection in this respect prior to determination.
514. Officer Response: The applicant has been in discussions with LBS and TfL, subject to agreeing foundation designs with TfL would not impede the delivery of the BLE. A condition is attached to this draft decision. The condition is in relation to the safe facilitation of the Bakerloo Line Extension tunnels that are proposed to run underneath the site. This will involve a detailed design and construction method statement for all ground floor structures, foundations, basements/or any other structures below ground level including piling and any other permanent installations relevant to the development.
515. Concern regarding construction of temporary store and mixed use development at the same time: TfL have questioned the need for the temporary store and how the construction of this and the mixed-use development would occur on site.
516. Officer Response: The temporary store is required in order to incentivise Aldi to bring the site forward for development. This is outlined in the OKR of the OKR AAP. This is considered to be the solution to keep Aldi operational during the development of the site. Once development of the ground floor and podium are complete, it is envisaged that Aldi can move into the ground floor whilst construction on the upper floors takes place.
517. Car Parking: TfL note that the proposed car parking is excessive and should be reduced.
518. Officer Response: The applicant has agreed to undertake a parking survey following the completion of the development to survey parking numbers during weekdays and weekends. The results of the survey will enable the applicant to remove car parking if it

is not of a necessity. Notwithstanding this, the north/northwest portion of the development site has potential for a phase 2 proposal that would further reduce car parking in the future.

London Underground

519. No comments to make on the application. The previously discussed BLE comments were from TfL's BLE project team.

Metropolitan Police

520. The Designing Out Crime Officer advises that they have met with the applicant and is satisfied that, should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of both Secured by Design Homes 2016 and Commercial 2015 guides. A two - part condition (pre-commencement of works and pre-occupation) requiring the proposed development to adhere to the principles and physical security requirements of Secured By Design is recommended.
521. Officer response: The recommended conditions are included with this recommendation.

Natural England

522. No comments to make on the application.

Environment Agency

523. Planning permission should only be granted subject to the conditions recommended.
524. Officer response: The recommended conditions are included.

Health and Safety Executive (HSE)

525. As the proposed development does not lie within the consultation distance of a major hazard site or major accident hazard pipeline, there is no need to consult HSE on this application, and HSE therefore has no comments to make.

Historic England (HE)

526. Historic England raises no objection to the scheme given that the proposed development will be of similar height to the existing Tustin Estate residential towers.

Arqiva

527. Arqiva object to the proposed development because, like other schemes along the Old Kent Road, this proposal would affect their line of sight dish link between BBC Broadcasting House and our broadcast installation at Wrotham, causing significant disruption to broadcast radio services, against the public interest. In the light of this and the other schemes along the Old Kent Road, they have been exploring the possibility of alternative routing for this link. This work is ongoing and they consider that implementation should be subject to contributions from the various developers.
528. Officer response: It is considered reasonable to request a proportionate financial contribution from the applicant in this case, to be paid towards the cost of disruption to

be based on the number of developments due to come forward within the line of broadcast and the expected cost of mitigating the impact. This contribution can then be replicated across other schemes and it is for Arqiva to satisfy us that their estimate is reasonable. This payment will be secured through the Section 106 in consultation with Arqiva.

Thames Water

529. The proposed development is located within 15m of a strategic sewer. Thames Water request that the following condition be added to any planning permission. No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.
530. Thames Water also identify that There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. Thames Water needs to check that the development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read 'guide working near or diverting our pipes'. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-divertingour-pipes>.
531. With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses. Thames Water would advise that with regard to waste water network and waste water process infrastructure capacity, Thames Water would not have any objection to the above planning application, based on the information provided.
532. Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - 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.
533. Thames Water also recommend informatives be attached to the draft decision notice in relation to underground water assets and water main crossings nearby to the development.

534. Officer Response: Recommended conditions and informatives have been included in the draft decision notice. It should also be noted that an Opportunity Area-wide Integrated Water Management Strategy (IWMS) is currently being produced.

Network Rail

535. Network rail are concerned by the cumulative impact that this and other proposed developments in the area will have on stations at Queens Road Peckham and South Bermondsey. No formal objection is made however.

Internal Consultees

536. The advice received from other Southwark officers has been summarised in the table below. Further detail is provided throughout this report.

| Officer | Summary of comments | Officer response |
|-------------------------------------|---|--|
| Urban Forester | The development would result in the removal of 10 trees and one off-site tree. Where planting is shown in or adjacent to car parking a sustainable volume of rootable soil is needed which can be provided via a suitable proprietary soil cell design such as SilvaCell or GreenBlueUrban. No objection to the proposal subject to conditions. | Recommended conditions included |
| Local Economy Team (LET) | Support the application subject to s106 and CIL requirements | Recommended contributions to be secured through the S106 |
| Environmental Protection Team (EPT) | Approve subject to conditions | Recommended conditions included with this report. |
| Ecology Team | No objection. Recommendations contained within section 6 of the additional Bat Survey should be implemented. | |
| Flood risk and drainage team | Southwark's preference is for attenuation tanks to be installed outside of the building footprint. Since an external access and inspection chamber is proposed and given the site constraints, Flood risk and Drainage Team would not object to the proposals in this instance subject to conditions | Approve subject to condition |
| Transport | Approve subject to conditions and Section 106 clauses. | Recommended conditions included with this report, or as clauses in S106. |
| Highways | No objection subject to a condition relating to a DEMP and CEMP | Recommended conditions attached |
| Public Health | No conditions required. | No conditions required. |
| Planning Policy | Advice given on emerging policy and waste apportionment. | Advice included in relevant paragraphs of this report. |
| Archaeology | No objection to the findings contained within the submitted Heritage Desk Based Assessment. A condition in relation to a watching brief is | Recommended condition included. |

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| | recommended to be attached to the draft decision notice | |
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Community impact statement / Equalities Assessment

537. 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.
538. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
539. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
540. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. This is addressed in detail in the relevant section of this report.

Conclusion on planning issues

541. The major redevelopment of the site is supported and welcomed in principle. The principle of housing on the site is also accepted, and would be in line with policy aspirations to increase the number of new homes in the area.
542. The re-provision of the existing Aldi supermarket is welcomed and follows the aspirations of OKR17 within the OKR AAP.
543. In advance of adopted town/district centres in the Old Kent Road, the quantum of town centre uses including retail and flexible unit accords with the sequential approach to development and therefore can be supported.
544. The proposed mix of uses would add to the vibrancy of the area which would be

complemented by public realm improvements to Old Kent Road and existing car park. There would be a relationship established between the site and Brimington Park that would significantly improve amenity provision within the area.

545. The scheme would deliver the following major regeneration benefits:

- 168 new homes to the borough's housing stock;
- 36% affordable housing overall (26% social rented and 10% intermediate) with potential to increase to 40% affordable housing subject to grant funding that would provide an overall 26% social rented and 14% intermediate;
- The re-provision of the Aldi supermarket floorspace;
- 50 new full time equivalent jobs;
- A contribution to the Brimington Park, including delivery mechanisms secured through the Section 106;
- Improvements to Old Kent Road and existing car park area;
- An uplift in the number of trees and ecology value of the site; and
- Improved connectivity for cyclists and pedestrians.

546. The proposals would deliver a high standard of accommodation, which would comply with the majority of the standards and principles of exemplary residential design, as set out in Southwark's residential design standards SPD. The scheme would include a majority of dual aspect units (83% dual aspect affordable apartments with the private units offering 73%) of which is considered very good taking into account the high density of the scheme. Each unit would have access to private amenity as well as the play and amenity space at podium level.

547. The transport issues associated with this scheme have been addressed through negotiation, and it would provide good quality pedestrian and cycle permeability and residential management to reduce the impact of servicing and delivery whilst allowing for the emerging plans for the surrounding public highway to be facilitated. It is noted that the applicant has agreed to conduct parking surveys following completion of the development to ascertain if parking can be reduced in the future.

548. The impacts of the scheme on neighbouring properties in relation to daylight and sunlight would not result in detrimental harm to the living conditions of neighbouring occupiers. Furthermore, in many cases, where the results would not satisfy the BRE Guidelines, the retained levels would be within the range considered acceptable for an urban location.

549. The architectural design is considered to be of the highest quality and, any harm to the settings of surrounding conservation areas is considered to be outweighed by the major regeneration benefits of the proposals.

550. It is therefore recommended that planning permission be granted subject to conditions, referral to the Mayor of London, referral to the Secretary of State and the agreement of a Section 106 Legal Agreement under the terms as set out above.

Human rights implications

551. This planning application engages certain human rights under the Human Rights Act 1998 (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.

552. This application has the legitimate aim of providing new mixed use 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.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

553. None.

BACKGROUND DOCUMENTS

| Background Papers | Held At | Contact |
|--|--|--|
| Southwark Local Development Framework and Development Plan Documents | Place and Wellbeing Department 160 Tooley Street London SE1 2QH | Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 0254 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 | Troy Davies, Team Leader | |
| Version | Final | |
| Dated | 13 December 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 of Environment and Leisure | No | No |
| Strategic Director of Housing and Modernisation | No | No |
| Director of Regeneration | No | No |
| Date final report sent to Constitutional Team | | 16 December 2019 |

APPENDIX 1**Consultation undertaken****Site notice date:** 20/05/2019**Press notice date:** 16/05/2019**Case officer site visit date:** 20/15/2019**Neighbour consultation letters sent:** 21/05/2019**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 & Open Spaces

Property Division

Public Health Team

Waste Management

Statutory and non-statutory organisations

Arqiva - digital communications

Civil Aviation Authority

Council for British Archaeology

Environment Agency

Greater London Authority

Health & Safety Executive

Historic England

London Borough of Lewisham

London Fire & Emergency Planning Authority, Fire Safety Regulations

London Underground Limited

Metropolitan Police Service (Designing out Crime)

National Air Traffic Safeguarding Office

National Grid Transmission, National Grid House

National Planning Casework Unit

Natural England - London Region & South East Region

Network Rail (Planning)

Thames Water - Development Planning

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

Neighbour and local groups consulted:

The Occupier FLAT 1 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 10 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 11 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 12 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 13 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 14 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 15 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 16 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
 The Occupier FLAT 17 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
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 The Occupier FLAT 19 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
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 The Occupier FLAT 3 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
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 The Occupier FLAT 9 BOWNESS HOUSE TUSTIN ESTATE HILLBECK CLOSE LONDON SE15 1DS
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 The Occupier LIVING ACCOMMODATION CANTERBURY ARMS 871 OLD KENT ROAD LONDON SE15 1NX
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 The Occupier RAILWAY ARCH 85 CULMORE ROAD LONDON SE15 2RQ
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 The Occupier 1 CLIFTON CRESCENT LONDON SE15 2RX
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 The Occupier 10 GRASMERE POINT OLD KENT ROAD LONDON SE15 1DT
 The Occupier 10 WINDERMERE POINT OLD KENT ROAD LONDON SE15 1DY
 The Occupier 11 GRASMERE POINT OLD KENT ROAD LONDON SE15 1DT
 The Occupier 11 WINDERMERE POINT OLD KENT ROAD LONDON SE15 1DY

The Occupier FLAT 1 RADFORD COURT 814 OLD KENT ROAD LONDON SE15 1AJ
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 The Occupier FLAT B 28 WAGNER STREET LONDON SE15 1NN
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 The Occupier FLAT 3 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier FLAT 4 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier FLAT 5 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier FLAT 6 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier FLAT 7 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier FLAT 8 29 CHESTERFIELD WAY LONDON SE15 2LL
 The Occupier THE REDEEMED CHRISTIAN CHURCH OF GOD 30 WAGNER STREET LONDON SE15 1NN
 The Occupier TUSTIN COMMUNITY CENTRE 328 ILBERTON ROAD LONDON SE15 1NT
 The Occupier FLAT 1 37 CHESTERFIELD WAY LONDON SE15 2AW
 The Occupier FLAT 10 37 CHESTERFIELD WAY LONDON SE15 2AW
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The Occupier FLAT 7 37 CHESTERFIELD WAY LONDON SE15 2AW
The Occupier FLAT 8 37 CHESTERFIELD WAY LONDON SE15 2AW
The Occupier FLAT 9 37 CHESTERFIELD WAY LONDON SE15 2AW
The Occupier FLAT 1 43 CULMORE ROAD LONDON SE15 2RQ
The Occupier FLAT 2 43 CULMORE ROAD LONDON SE15 2RQ
The Occupier CANTERBURY ARMS 871 OLD KENT ROAD LONDON SE15 1NX
The Occupier ARCH 77 876 OLD KENT ROAD LONDON SE15 1NQ
The Occupier RAILWAY ARCHES 72 TO 74 876 OLD KENT ROAD LONDON SE15 1NQ
The Occupier GROUND FLOOR 880 OLD KENT ROAD LONDON SE15 1NQ
The Occupier FLAT ABOVE 881 OLD KENT ROAD LONDON SE15 1NL
The Occupier GROUND FLOOR LEFT 881-883 OLD KENT ROAD LONDON SE15 1NL
The Occupier GROUND FLOOR RIGHT 881-883 OLD KENT ROAD LONDON SE15 1NL
The Occupier FLAT A 882 OLD KENT ROAD LONDON SE15 1NQ
The Occupier FLAT B 882 OLD KENT ROAD LONDON SE15 1NQ
The Occupier FLAT C 882 OLD KENT ROAD LONDON SE15 1NQ
The Occupier GROUND FLOOR 882 OLD KENT ROAD LONDON SE15 1NQ
The Occupier FLAT ABOVE 883 OLD KENT ROAD LONDON SE15 1NL
The Occupier FLAT ABOVE 885 OLD KENT ROAD LONDON SE15 1NL
The Occupier BREFFINI ARMS 888 OLD KENT ROAD LONDON SE15 1NQ
The Occupier ROOM 1 888 OLD KENT ROAD LONDON SE15 1NQ
The Occupier ROOM 5 888 OLD KENT ROAD LONDON SE15 1NQ
The Occupier WINDSOR HALL 888 OLD KENT ROAD LONDON SE15 1NQ
The Occupier ARCH 68 897A OLD KENT ROAD LONDON SE15 1NL
The Occupier ARCH 69 897A OLD KENT ROAD LONDON SE15 1NL
The Occupier ARCH 70 897A OLD KENT ROAD LONDON SE15 1NL
The Occupier ARCH 71 897A OLD KENT ROAD LONDON SE15 1NL

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

Archaeological Officer
 Ecology Officer
 Economic Development Team
 Environmental Protection Team
 Flood and Drainage Department
 Urban Forester

Statutory and non-statutory organisations

Arqiva - digital communications
 Environment Agency
 Health & Safety Executive
 London Underground Limited
 Metropolitan Police Service (Designing out Crime)
 National Air Traffic Safeguarding Office
 Natural England - London Region & South East Region
 Network Rail (Planning)
 Thames Water - Development Planning
 Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

Email representation
 1B Clifton Crescent SE15 2RX
 12 Clifton Crescent SE15 2RX
 17 Clifton Crescent SE15 2RX
 19 Clifton Crescent SE15 2RX
 39 Clifton Crescent SE15 2RX
 39 Clifton Crescent SE15 2RX
 43 Clifton Crescent SE15 2RX
 46 Clifton Crescent SE15 2RX
 54 Clifton Crescent SE15 2RX
 Flat 43, Grenier Apartments, 18 Gervase Street SE15 2RS
 Flat 20, Radford Court, 814 Old Kent Road SE15 1AJ
 68 Grasmere Point, Old Kent Road, SE15 1DU
 43 Montague Square, SE15 2LQ

RECOMMENDATION

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

| | | | |
|-------------------------|----------------------------------|--------------------|-------------|
| Applicant | PPR OKR LIMITED | Reg. Number | 19/AP/1322 |
| Application Type | Full Planning Application | Case Number | TP/2168-816 |
| Recommendation | Grant subject to Legal Agreement | | |

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing building and redevelopment of the site to provide a new building of up to 13 and 21 storeys in height (maximum height 73.60m above ground level). Redevelopment to comprise 168 residential units (Class C3), a 1,778 sqm (GIA) retail unit (Class A1) and a 52 sqm (GIA) flexible retail unit (Class A1/A3), with associated landscaping, car parking, servicing, refuse and plant areas, and all ancillary or associated works.

At: 840 OLD KENT ROAD, LONDON SE15 1NQ

In accordance with application received on 26/04/2019

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

BMD.18.022.DR.P101 REV A – OVERALL GENERAL ARRANGEMENT

BMD.18.022.DR.P301 REV A – PLANTING PLAN

PL_100_190930 – REV 1 – PROPOSED GROUND FLOOR PLAN – 1/200

PL_100M-I_190930 REV 3 – TRANSFER FLOOR

PL_101_190930 REV 1 - PROPOSED TYPICAL RESIDENTIAL FLOORPLAN LEVELS 4 - 6

PL_121_190930 REV 1 - ROOF PLAN

PL_200_190630 REV 1 - PROPOSED NORTH / SOUTH SECTIONS

PL_201_190930 REV 1 - PROPOSED EAST / WEST SECTIONS

PL_202_190930 REV 1 - PROPOSED EAST / WEST & NORTH / SOUTH SECTIONS

PL_300_190930 REV 1 - PROPOSED SOUTHEAST / NORTHEAST ELEVATIONS

PL_301_190930 REV 1 - PROPOSED NORTHWEST / SOUTHWEST ELEVATION

PL_400_190930 – REV 1 – PROPOSED GROUND FLOOR PLAN – 1/100

PL_400M_190930 REV 2 – PROPOSED TRANSFER FLOOR PLAN 1/100

PL_401_190930 REV 1 - PROPOSED 1ST - 3RD FLOOR

PL_404_190930 REV 1 - PROPOSED 4TH - 6TH FLOOR

PL_407_190930 REV 1 - PROPOSED 7TH FLOOR

PL_411_190930 REV 1 - PROPOSED 8TH - 11TH FLOOR PLAN

PL_412_190930 REV 1 - PROPOSED 12TH FLOOR PLAN

PL_413_190930 REV 1 - PROPOSED 13TH - 14TH FLOOR PLAN

PL_415_190930 REV 1 - PROPOSED 15TH - 17TH FLOOR PLAN

PL_418_190930 REV 1 - PROPOSED 18TH - 19TH FLOOR PLAN

PL_420_190930 REV 1 - PROPOSED 20TH FLOOR PLAN

PL_421_190930 REV 1 - PROPOSED ROOF PLAN

PL_500_190930 REV 1 - PROPOSED NORTH / SOUTH SECTIONS

PL_501_190930 REV 1 - PROPOSED NORTH / SOUTH SECTIONS

PL_502_190930 REV 1 - PROPOSED EAST / WEST ELEVATION

PL_503_190930 REV 1 - PROPOSED EAST / WEST SECTION

PL_600_190930 REV 1 - PROPOSED NORTHEAST ELEVATION

PL_601_190930 REV 1 - PROPOSED SOUTHWEST ELEVATION

PL_602_190930 REV 1 - PROPOSED NORTHWEST / SOUTHEAST ELEVATION

PL_800_190930 REV 1 - COMMUNITY ROOM

PL_904_190930 REV 1 - INDICATIVE DETAIL 1

PL_905_190930 REV 1 - INDICATIVE DETAIL 2

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 development shall take place, including any works of demolition, until a written Construction Environmental Management Plan (CEMP) for the site has been devised. 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;
 - Site perimeter continuous automated noise, dust and vibration monitoring;
 - Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction (including NRMM), location of specific activities on site, etc.;
 - Compliance with non-road mobile machinery (NRMM) London emission standards <http://nrmm.london/> ;
 - 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;
 - Site traffic – Routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc.;
 - Waste Management – Accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.
- Guidance on preparing CEMPs and best construction practice can be found at <http://www.southwark.gov.uk/noise-and-antisocial-behaviour/construction-noise>
- All demolition and construction work shall then be undertaken in strict accordance with the plan 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 2019.
- 4
- a) Prior to the commencement of any development other than demolition works, a Phase 2 site investigation and risk assessment shall be completed in accordance with a scheme 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 and/or mitigation strategy shall be prepared and submitted to the Local Planning Authority for approval in writing to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, controlled waters, buildings and other property and the natural and historical environment. The approved remediation scheme (if required) shall be implemented during the development works.
- c) Following the completion of the works and measures identified in the approved remediation strategy, a verification report shall be submitted 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 2019.

5

Prior to the commencement of works relating to any part of the development (excluding any works such as:

- a. demolition and soft strip
- b. site clearance
- c. site investigations, testing or surveys
- d. the provision of infrastructure boreholes permitted by the Town and Country Planning General Permitted Development Order 1995 or any amendment or replacement thereof
- e. excavation above -1.0m AOD, deposition, compaction, levelling of materials to new contours and works connected with infilling
- f. construction of temporary accesses and/or highway works to facilitate the carrying out of the Development including internal haul roads
- g. archaeological investigations and digs
- h. ecological surveys, investigations or assessments (including, for the avoidance of doubt, investigations or assessments relating to bats)
- i. decontamination and remediation works
- j. site preparation
- k. the construction of boundary fencing or hoardings (including the erection of an enclosure for the purpose of site security), erection of temporary facilities for security personnel and the erection of security cameras
- l. erection of boards advertising the development and other site notices
- m. the construction of a temporary site compound and welfare facilities/buildings/enclosures, or temporary buildings moveable structures works plant or machinery and storage areas, or a temporary marketing suite that does not form a structure or part of a structure that will become part of the development after its use as temporary offices
- n. establishing temporary accommodation/facilities ahead of construction asbestos removal
- o. new transformer/statutory services provision and the laying and diversion of infrastructure and services
- p. access works or works subject to separate agreements under s184 or s278
- q. works and operations to enable any of the foregoing to take place)
 - a detailed design and construction method statement(s) for all of:
 - (i) the ground floor structures,
 - (ii) foundations,
 - (iii) basements, and
 - (iv) any other structures below ground level, including piling and any other permanent installations relevant to the development,

in each case in so far as these extend below -1.0m AOD, shall be submitted to and approved by the Local Planning Authority in consultation with Transport for London which:

- (i) Accommodate the proposed location of the Bakerloo Line Extension tunnels and other Bakerloo Line

Extension structures in the vicinity of the site; and

(ii) Accommodate ground movement arising from the construction of the proposed Bakerloo Line Extension; and

(iii) Mitigate the effects of noise and vibration arising from the operation of the Bakerloo Line Extension within its tunnels and its other structures.

1.1 For the avoidance of doubt:

- (a) the detailed design and construction method statement shall accommodate the “proposed location of the Bakerloo Line Extension tunnels and other Bakerloo Line Extension structures in the vicinity of the site” as these are designed and as this design information is in the public domain at the point of applying to discharge this condition. It shall not be necessary for the developer to wait until TfL has progressed the design to a more detailed level until this obligation can be discharged;
- (b) the detailed design and construction method statement shall accommodate “ground movement arising from the construction of the proposed Bakerloo Line Extension” by reference to the construction methodology for the Bakerloo Line Extension as such information is in the public domain at the point of applying to discharge this condition. It shall not be necessary for the developer to wait until TfL has progressed the construction methodology to a more detailed level until this condition can be discharged;
- (c) the detailed design and construction method statement shall “mitigate the effects of noise and vibration arising from the operation of the Bakerloo Line Extension within its tunnels and its other structures” by reference to the operational noise and vibration effects of the Bakerloo Line Extension as such information is in the public domain at the point of applying to discharge this condition. It shall not be necessary for the developer to wait until TfL has undertaken noise and vibration assessment to a more detailed level until this condition can be discharged;
- (d) it shall not be necessary for the Local Planning Authority to wait for a substantive response from TfL before discharging this condition if the period of 21 days has elapsed since the Local Planning Authority first consulted TfL in connection with the discharge of this condition and no response has been received in that period.

1.2 The development shall be carried out in all respects in accordance with the approved design and method statements. All relevant structures and works comprised within the development hereby permitted and required by this condition shall be completed prior to the occupation of the development (unless otherwise agreed by the Local Planning Authority).

1.3 No alteration to these aspects of the development shall take place without the approval of the Local Planning Authority in consultation with Transport for London. Where any alteration of these aspects of the development is sought by the developer then paragraph 1.1 shall apply.

1.4 In paragraph 1.1(d) a “substantive response” shall mean a response by TfL that it either approves or rejects (in the case of a rejection reasons must be given) the detailed design and construction method statement; or a request by TfL for further information; for the avoidance of doubt a holding response shall not be considered a “substantive response” for the purposes of this condition.”

6 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

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 contained in the method statement. Following the pre-commencement meeting 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.

- 7 Prior to the commencement of works, full details of the proposed trees to be planted including a replacement tree on Leo Street 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 2019 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 No works shall commence until full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS) have been submitted to and approved in writing by the Local Planning Authority, including detailed design, size and location of attenuation units and details of flow control measures. The strategy should achieve a reduction in surface water runoff rates during the 1% Annual Exceedance Probability (AEP) event plus climate change allowance, as detailed in the 'Flood Risk Assessment & Surface / Foul Water Management Report' prepared by PPR OKR LIMITED (dated September 2019, Rev D); the drainage layout should be in line with Appendix G, including access/inspection units external to the building footprint. The applicant must demonstrate that the site is safe in the event of blockage/failure of the system, including consideration of exceedance flows. It is recommended that applicant liaises with the drainage systems manufacturer to ensure that detailed design includes consideration of overflows, inspection/maintenance and installation. The site drainage must be constructed to the approved details.

Reason: To minimise the potential for the site to contribute to surface water flooding in accordance with Southwark's Strategic Flood Risk Assessment (2017) and Policy 5.13 of the London Plan (2015).

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.

- 9 Prior to commencement of any relevant works above grade (excluding demolition), detailed drawings at a scale of 1:5 or 1:10 through:
- i) all facade variations; and
 - ii) shop fronts and residential entrances; and
 - iii) all parapets and roof edges; and
 - iv) all balcony details; and
 - v) 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. 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 the National Planning Policy Framework 2019, Policy 7.7 Location and Design of Tall Buildings of the London Plan 2016, Strategic Policy SP12 'Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12 Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007).
- 10 Prior to the commencement of works above grade (excluding demolition), samples of all external facing materials and full-scale (1:1) mock-ups of the facades to be used in the carrying out of this permission shall be presented on site to the Local Planning Authority and approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given. The facades to be mocked up should be agreed with the Local Planning Authority.

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 the National Planning Policy Framework 2019, Policy 7.7 of the London Plan 2016, Strategic Policy SP12 ' Design & Conservation - of the Core Strategy (2011) and Saved Policies: 3.12

Quality in Design; 3.13 Urban Design; and 3.20 Tall buildings of The Southwark Plan (2007)

- 11 Before any above grade work hereby authorised begins (excluding demolition), 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.

- 12 Prior to the commencement of above grade works (excluding demolition), details and 1:50 scale drawings of the secure cycle parking facilities, ground level car parking and servicing layout and its relationship with the public highway shall be submitted to be approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided prior to the occupation of the development and thereafter 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.

- 13 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 'Very Good' 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 2019, 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.

- 14 i) Prior to commencement of works thereby affected, details of the green roof proposed shall be submitted to and approved in writing by the Local Planning Authority. The roof 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 green 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 roof shall be carried out strictly in accordance with the details approved and shall be maintained as such thereafter.

Discharge of this condition will be granted on receiving the details of the green roof and Southwark Council agreeing the submitted plans.

ii) Once the green roof is completed in full in accordance to the agreed plans 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 policy 5.11 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 15 Prior to the installation of any lighting, a detailed lighting strategy and design for all internal and external lighting, demonstrating compliance with the Institute of Lighting Professionals (ILP) Guidance Notes, shall be submitted to and approved by the Local Planning Authority in writing. 23.00 hrs shall be the curfew for light pollution / light spillage assessment and implementation of the approved lighting strategy. If mitigation is required to avoid harmful light pollution or light spillage it shall be implemented prior to the first use of the building and retained as such thereafter.

Reason:

In order that the Council may be satisfied as to the details of the development in the interest of the visual amenity of the area, the amenity and privacy of adjoining occupiers, and their protection from light nuisance, in accordance with The National Planning Policy Framework 2019, 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.

- 16 Prior to the commencement of any landscaping works, 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 2019 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.

- 17 No later than 6 months prior to occupation of the development hereby approved, the applicant shall submit details of all the play spaces proposed and details of the play equipment to be installed on the site, 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.

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 2019 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

- 18 Before any above grade work hereby authorised begins (excluding demolition), 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.

- 19 Prior to the commencement of works above grade (excluding demolition), the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body.

M4 (Category 3) 'wheelchair user dwellings'.- at least 10%

M4 (Category 2) 'accessible and adaptable':- remaining units

Reason:

In order to ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2016 Policy 3.8 (Housing choice).

- 20 Prior to commencement of above grade work (excluding demolition), the following further information on the Air Source Heat pumps should be submitted and approved by the Local Planning Authority:

- The heat pump's total capacity (kWth).
- An estimate of the heating and/or cooling energy (MWh/annum) the heat pumps would provide to the development and the percentage of contribution to the site's heat loads.
- Details of how the Seasonal Coefficient of Performance (SCOP) and Seasonal Energy Efficiency ratio (SEER) has been calculated for the energy modelling. This should be based on a dynamic calculation of the system boundaries over the course of a year i.e. incorporating variations in

source temperatures and the design sink temperatures (for space heat and hot water).

- Manufacturer datasheets showing performance under test conditions for the specific source and sink temperatures of the proposed development and assumptions for hours spent under changing source temperatures. Whether any additional technology is required for hot water top up and how this has been incorporated into the energy modelling assumptions.
- An estimate of the expected heating costs to occupants, demonstrating that the costs have been minimised through energy efficient design.
- The expected heat source temperature and the heat distribution system temperature with an explanation of how the difference will be minimised to ensure the system runs efficiently.
- A commitment to monitor the performance of the heat pump system post construction to ensure it is achieving the expected performance approved during planning.

Reason:

To ensure the proposal complies with The National Planning Policy Framework 2019, The London Plan 2016, 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.

- 21
- a) During all below grade works (except demolition to ground slab level only) the applicant shall maintain an archaeological watching brief in accordance with an archaeological written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The below-grade works shall not be carried out otherwise than in accordance with any such approval given.
 - b) In the event that archaeological finds or deposits are found at any time when carrying out the approved development that could be deemed to be of national significance, they shall be reported immediately to the Local Planning Authority, and a scheme for their protection, investigation, recording and/or preservation shall be submitted to the Local Planning Authority for approval in writing
 - c) Within six months of the completion of the archaeological site works, a report detailing the results of the work, 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: To ensure that the archaeological interest of the site is preserved by record or in situ, that archaeological operations are undertaken to an acceptable standard, and in order to mitigate the impact of the works on the archaeological resource, 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.

- 22
- Before any work above grade hereby approved begins (excluding demolition), full particulars of the sprinkler system to be used within the ground floor units shall be submitted to and approved by the Local Planning Authority, The development shall not be carried out otherwise than in accordance with any approval given.

Reason: To ensure that there is an adequate level of fire safety within this mixed use development

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.

- 23 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

- 24 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

- 25 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 approve 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 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.

- 26 Before the marketing of the development, details to ensure the promotion of car free living is clear to the occupiers of the new development.

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.

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.

- 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 Aldi shall only be between the following hours: 06.00 to 23.00hrs on Monday to Saturdays and on 09:00 to 18:00 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_δ, 30 dB LAeq T*, typical noise levels of 45dB LAFmax T *

Living rooms- 35dB LAeq T_δ

Dining room - 40 dB LAeq T_δ

* - 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 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.

- 34 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.

- 35 The use hereby permitted for the Aldi store shall not be carried on outside of the hours of:
08:00 to 22:00; on Monday to Saturdays, and;
11:00 to 17:00; on Sundays and Bank Holidays.

The use hereby permitted for the flexible A1/A3 purposes shall not be carried on outside of the hours of:

07:00 to 18:00; on Monday to Saturdays, and;
07:00 to 16:00; on Sundays and Bank Holidays.

Reason:

To safeguard the amenities 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.

Informative notes to the applicant relating to the proposed development

THAMES WATER

1. There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

GENERAL

2. For the avoidance of doubt, condition 5 does not affect the ability of anyone with an interest in land to make a claim for compensation under the compensation code

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