

Planning Committee

Tuesday 12 November 2019

6.30 pm

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

Membership

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

Reserves

Councillor Eleanor Kerlake
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

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Contact: Everton Roberts on 020 7525 7221 or email: everton.roberts@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly

Chief Executive

Date: 4 November 2019



Planning Committee

Tuesday 12 November 2019

6.30 pm

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

Order of Business

Item No.	Title	Page No.
	PROCEDURE NOTE	
1.	APOLOGIES	
	To receive any apologies for absence.	
2.	CONFIRMATION OF VOTING MEMBERS	
	A representative of each political group will confirm the voting members of the committee.	
3.	NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	DISCLOSURE OF INTERESTS AND DISPENSATIONS	
	Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	MINUTES	1 - 3
	To approve as a correct record the Minutes of the open section of the meeting held on 14 October 2019.	
6.	DEVELOPMENT MANAGEMENT	4 - 7
	6.1. 301-303 ILDERTON ROAD, LONDON SE15 1NW	8 - 70

Item No.

Title

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6.2. 2 VARCOE ROAD, LONDON SE16 3DG

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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: 4 November 2019

Planning Committee

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

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

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

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

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

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

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

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

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



Planning Committee

MINUTES of the OPEN section of the Planning Committee held on Monday 14 October 2019 at 6.30 pm at Ground Floor Meeting Room G01C - 160 Tooley Street, London SE1 2QH

PRESENT: 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

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

1. APOLOGIES

Apologies for absence were received from Councillor Cleo Soanes.

2. CONFIRMATION OF VOTING MEMBERS

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

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

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

- Addendum report relating to item 6.2

- Members pack relating to item 6.2

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were no disclosures of interests or dispensations.

5. MINUTES

RESOLVED:

That the minutes of the meeting held on 17 September 2019 be approved as a correct record and signed by the Chair.

6. DEVELOPMENT MANAGEMENT

RESOLVED:

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

6.1 32 - 36 LOMAN STREET, LONDON SE1 0EH

The chair reported that officers were advising that item 6.1 should be deferred because late submissions had been received from objectors to which the applicant had requested the opportunity to respond. In the interests of establishing as far as possible accurate facts about the proposal the chair proposed that the application be deferred.

RESOLVED:

That the application be deferred.

6.2 LAND BOUNDED BY RUBY STREET, MURDOCK STREET AND 685-695 OLD KENT ROAD, LONDON SE15 1JS

PROPOSAL:

Demolition of existing buildings and erection of and construction of a part 3, part 7, part 22 storey building (76.6m) from ground level with roof top level amenity space, comprising 111 dwellings, 1,151 sqm (GIA) of D1 floorspace for a church with ancillary communal facilities, 2,173 sqm (GIA) of workspace (B1a and B1c) Use Class) and 87 sqm (GIA) of A1/A2/B1 floorspace, with associated landscaping, car and cycle parking, servicing and

refuse and recycling facilities.

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

There were no objectors present.

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

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.

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

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 conditions set out in the report, referral to the Mayor of London, and the applicant entering into an appropriate legal agreement by no later than 8 April 2020.
2. That in the event that the requirements of 1 above are not met by 8 April 2020 the Director of Planning be authorised to refuse planning permission if appropriate for the reasons set out in paragraph 415 of the report.

The meeting ended at 8.02pm

CHAIR:

DATED:

Item No. 6.	Classification: Open	Date: 12 November 2019	Meeting Name: Planning Committee
Report title:		Development Management	
Ward(s) or groups affected:		All	
From:		Proper Constitutional Officer	

RECOMMENDATIONS

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

BACKGROUND INFORMATION

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

KEY ISSUES FOR CONSIDERATION

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

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

Community impact statement

11. Community impact considerations are contained within each item.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Director of Law and Democracy

12. A resolution to grant planning permission shall mean that the director of planning is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the director of planning shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of law and democracy, and which is satisfactory to the director of planning. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of law and democracy. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
 - a. necessary to make the development acceptable in planning terms;
 - b. directly related to the development; and
 - c. fairly and reasonably related to the scale and kind to the development.

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

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

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

BACKGROUND DOCUMENTS

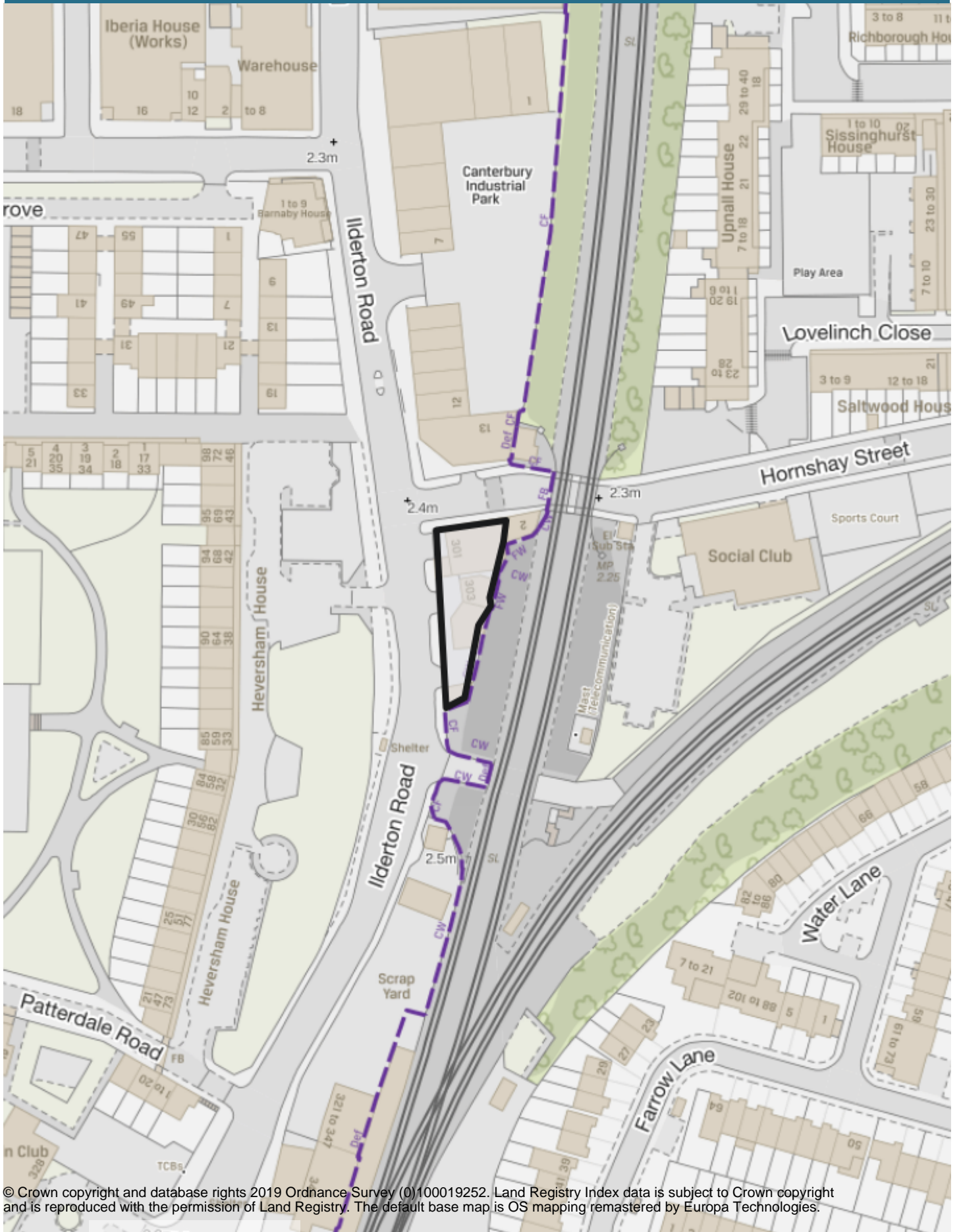
Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Gerald Gohler 020 7525 7420
Each planning committee item has a separate planning case file	Development Management 160 Tooley Street London SE1 2QH	The named case officer as listed or the Planning Department 020 7525 5403

APPENDICES

No.	Title
None	

AUDIT TRAIL

Lead Officer	Chidilim Agada, Head of Constitutional Services	
Report Author	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
Version	Final	
Dated	4 November 2019	
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		4 November 2019



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Scale = 1250

31-Oct-2019

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Item No. 6.1	Classification: Open	Date: 12 November 2019	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 18/AP/2761 for: Full Planning Application Address: 301-303 ILDERTON ROAD, LONDON SE15 1NW Proposal: Demolition of existing buildings and construction of a 12 storey building (+45.3m AOD) (plus basement) comprising 46 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 11/09/2018		Application Expiry Date 11/12/2018	
Earliest Decision Date 04/01/2019			

RECOMMENDATION

1. That the planning committee grant planning permission, subject to:
 - a) Conditions and referral to the Mayor of London and the applicant entering into an appropriate legal agreement by no later than 12 February 2020.
 - b) In the event that the requirements of (a) are not met by 12 February 2020 that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 194 of this report.

EXECUTIVE SUMMARY

2. This major application seeks to redevelop an existing car repairs and hand car wash site on the eastern side of Ilderton Road to provide a mixed-use commercial and residential development of 46 units and 449sqm of B1 commercial floorspace. The scheme is located in a Strategic Preferred Industrial Location and would represent a departure from policy by virtue of proposing the introduction of residential accommodation to a Preferred Industrial Location.
3. The applicant has committed to providing almost 36% affordable housing by habitable rooms which equates to 13 affordable units, with a policy compliant tenure mix. There

would be the potential for uplift in jobs on the site through the re-provision of good quality, flexible commercial space that would be more compatible with the neighbouring uses.

4. The proposed building has been amended and reduced in height and would be 12 storeys and would be of a high quality design and deliver the master-planning aspirations of the draft Old Kent Road Area Action Plan. The ground floor provides an active frontage and the pedestrian environment would be improved.
5. The proposed development would have limited impacts on neighbouring properties in terms of privacy, outlook and daylight and sunlight.
6. The proposed units would have a good standard of residential accommodation with appropriate mitigation measures to ensure noise levels internally are met as well as ensuring noise complaints against future commercial occupiers are minimised.
7. The proposal would be car free and future occupiers would be prevented from obtaining parking permits on the surrounding streets. A s106 contribution would be required to improve local bus infrastructure.
8. The proposal would incorporate measures to reduce its carbon dioxide emissions, and a contribution to the council's Carbon Off-set Green Fund would be secured through a s106 agreement. Conditions are recommended to ensure that ground contamination, surface water drainage, archaeology and ecology would be adequately dealt with.
9. Overall, the clear benefits of the proposal are considered to outweigh the limited harm caused, and it is recommended that planning permission be granted, subject to conditions, a s106 agreement and referral to the GLA.

BACKGROUND INFORMATION

Site location and description

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

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



Details of proposal

19. The amended proposed scheme is for the demolition of the existing buildings for the construction of a 12 storey building to provide 46 residential units and commercial (light industrial) floor space (B1 class use) on the ground and first floor levels. The scheme has been amended following discussions with officers, which was originally for a part 13 part 14 storey building for 48 flats. The amendments show the removal of the mezzanine floor as originally proposed and is replaced with a full first floor level for the commercial work space. This would provide floor-to-ceiling heights of 4m each on the ground and first floor levels and a total of 449sqm of light industrial floorspace, (an increase of 29sqm over the original plans). The amendment also removes two flats on the top floor to provide an enlarged communal amenity space and children's play space on the roof. This has resulted in the building being reduced in overall height.

20. The proposed mix of dwellings are:

	Number of units	Percentage (%)
Studios	6	13
1 bedroom unit	16	34.8
2 bedroom unit	16	34.8
3 bedroom unit	8	17.4
Total	46	100

21. The total maximum height of the building would be 45.3m AOD (42.8m from finished ground floor level). There is a basement proposed which would accommodate cycle storage and plant room.
22. Private amenity space is provided in the form of balconies and a communal garden on the twelfth floor.
23. The scheme shall deliver 13 units as affordable housing to meet local housing needs, which represents 35.9% (rounded up to 36%) of all habitable rooms and 28% of all residential units as affordable.
24. Access to the commercial and residential uses would be from Ilderton Road, each with individual entrances. Servicing of the residential element of the development will be provided from Ilderton Road. To service the commercial space, a secondary servicing area with access taken from Hornshay Street will be delivered to the rear of the building. A ground floor residential refuse store is proposed on the Ilderton Road street frontage.
25. The detailed design has been amended following negotiations with Officers and the predominant material used would be brick.



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

Planning history

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

06/AP/0786 Application type: Full Planning Application (FUL)
 Use as place of worship (Class D2)
 Decision date 10/08/2006 Decision: Refused (REF)
 Reason(s) for refusal:

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

The proposed change of use of the premises to a 'Place of Worship' would, due to the proposed hours of operation and the potential for noise likely to be generated by people entering and leaving the building as well as activities within the premises, result in a loss of amenity to the adjoining residential and business occupiers. In addition, the proposed location adjacent to a hand car wash facility where

compressors are used would compromise the amenity (due to noise) of the users of the proposed place of worship. This would be contrary to policies E.3.1 'Protection of Amenity' and C.3.2 New Religious Buildings of the Southwark UDP (1995) and policies 2.2 Provision of New Community Facilities and 3.2 'Protection of Amenity' of The Southwark Plan [Modifications Version] 2006.

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

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

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

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

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

Planning history of adjoining sites

27. The most relevant and recent planning history on the adjoining sites are as follows:

313-349 Ilderton Road:

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

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

Unit 13 Canterbury Industrial Park, 297 Ilderton Road:

00/AP/1092 - Planning permission granted on 25 August 2000 for:

Light industrial use, assembly and storage of machines for the plastic industry with

occasional use of a spray booth.

Summary of consultation responses

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

Officer response:

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

Officer response:

33. The comments are noted. The proposed development would deliver 29% affordable housing based on units, but would meet the 36% policy based on habitable rooms.
34. A general comment has been made by one member of the public:
As this is a reasonably large development, more green measures should be incorporated into the design. There is scope to include a biodiverse green roof and in the walls such as internal swift nest boxes.

Officer response:

35. The points are noted and these are addressed under the Ecology section of the report.

36. A planning condition will be applied that require swift nesting is provided.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

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

Adopted planning policy

National Planning Policy Framework (NPPF)

38. 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.
39. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

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

London Plan 2016

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

Policy 2.17 Strategic Industrial locations
 Policy 3.3 Increasing housing supply
 Policy 3.5 Quality and design of housing developments
 Policy 3.6 Children and young people's play and informal recreation facilities
 Policy 3.8 Housing choice
 Policy 3.9 Mixed and balanced communities
 Policy 3.10 Definition of affordable housing
 Policy 3.11 Affordable housing targets
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 Affordable housing thresholds
 Policy 4.3 Mixed use development and offices
 Policy 4.4 Managing industrial land and premises
 Policy 5.7 Renewable energy
 Policy 5.8 Innovative energy technologies
 Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.21 Contaminated land
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.7 Location and Design of Tall and Large Buildings
 Policy 7.8 Heritage assets and archaeology
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

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

Core Strategy 2011

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

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

Southwark Plan 2007 (saved policies)

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

1.1 - Access to employment opportunities
 1.2 - Strategic and local preferred industrial locations
 1.5 - Small businesses
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction
 3.9 - Water
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 3.14 - Designing out crime
 3.19 - Archaeology
 3.20 - Tall Buildings
 3.28 - Biodiversity
 4.2 - Quality of residential accommodation
 4.3 - Mix of dwellings
 4.4 - Affordable housing
 4.5 - Wheelchair affordable housing
 5.2 - Transport impacts
 5.3 - Walking and cycling
 5.6 - Car parking
 5.7 - Parking standards for disabled people and the mobility impaired

Council's Supplementary Planning Document (SPD)

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

Greater London Authority Supplementary Guidance

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

Emerging planning policy

Draft New London Plan

47. 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 report is awaited. Given the stage of preparation it can only be attributed limited weight.
48. 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.

Old Kent Road Area Action Plan (OKR AAP)

49. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed very limited weight.
50. Whilst acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 16 which covers the Hatcham and Ilderton Road area. Requirements for this allocation site include replacement of existing employment floor space, provision of housing and on-site servicing.

New Southwark Plan

51. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
52. The site is within the part of the site allocation NSP70 'Ilderton Road'. The vision for this area is for new homes (Class C3), employment (Class B uses), community uses (Class D) and retail (A1-4).

Principle of development

53. The site is located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan. Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan.
54. Strategic policy 10 of the Core Strategy states that the SPIL will be protected for industrial and warehousing uses. The Core Strategy does, however, recognise that structural changes in the economy are resulting in a declining need for industrial land in London. The Core Strategy also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, it sets out the future direction of Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).
55. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPILs are B class uses and other sui generis uses which are inappropriate in residential areas.
56. Adopted London Plan policy 2.17 seeks to promote, manage and where appropriate, protect the Strategic Industrial Land as London's main reservoir of industrial and related capacity, which includes general and light industrial uses. It states that developments on Strategic Industrial Land should be refused unless they provide for broad industrial type activities, are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework, meet the needs of small to medium sized enterprises or provide for small scale 'walk to' services for industrial occupiers such as workplace crèches or cafes.
57. The London Plan designates the Old Kent Road as an opportunity area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes, which has been increased to a minimum of 12,000 homes in the emerging London Plan. It identifies the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the

preparation of a planning framework and a review of the Old Kent Road Strategic Industrial Location.

The Old Kent Road Area Action Plan (OKR AAP)

58. The emerging OKR AAP sets targets of a total of 20,000 new homes and 10,000 new jobs as well as new infrastructure, including parks and schools. It proposes the release of a substantial part of the Preferred Industrial Location designation to allow for the creation of mixed use neighbourhoods, so that new and existing businesses are designed to co-exist with new homes.
59. As stated above, the OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 16 which covers the Hatcham Road and Ilderton Road area.
60. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class floorspace on site, accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area or provide relocation options for businesses that would be displaced by redevelopment and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.
61. Paragraph 216 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and OKR AAP have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.
62. The GLA points out that the Draft London Plan Policy E5 confirms that non SIL uses within SIL should be refused unless there has been a strategically co-ordinated process of SIL consolidation carried out through a planning framework or Development Plan document review process (and adopted as policy in a Development Plan), or as part of a co-ordinated masterplanning process in collaboration with the GLA.
63. The GLA also notes that the OKR AAP and New Southwark Plan proposes the release of significant areas of OKR SIL and would have resulted in the loss of much important industrial capacity within the OKR AAP area. However, these concerns have subsequently been addressed with the GLA and the council agreeing an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area.
64. The GLA and the council have now agreed an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area. As noted in the main section of the report the GLA and the council have worked closely to address these concerns and have agree a potential geography and phasing of SIL release. Members should however note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an EiP and approval of the Secretary of State before they become the adopted development plan position. It should also be noted that there have been a number of objections to the proposed release of industrial land from third parties which would

need to be considered at the EiP.

65. Nonetheless, although the proposed development is on SIL, given the coordinated approach to the managed release of industrial land set out above, the proposed land uses are considered appropriate in strategic planning terms and generally comply with adopted London Plan Policies and the direction of travel of the draft new London plan policies.
66. The site area is 0.057 hectares and currently accommodates 225sqm of existing industrial floorspace capacity of which 168 sqm is general industrial (Use Class B2) and 57sqm industrial-related sui generis. The GLA noted that at a 65% plot ratio, this would equate to 390 sqm of potential industrial floorspace capacity. The scheme had originally proposed 433sqm of light industrial workspace with the provision of a mezzanine floor. Following discussions with the applicant, the mezzanine level has been omitted and a full first floor level is inserted to provide a total 449sqm of B1 class floor space. This would mean that there is no net loss of employment floorspace.
67. Notwithstanding the above, in determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SPIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would therefore justify a departure from the adopted planning policy.
68. Officers consider that the key benefits arising from the proposal would be as follows.

Employment floorspace

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

Business relocation and retention

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

Job creation

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

Affordable workspace

72. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floorspace. The actual rents have not yet been confirmed, but Officers consider it appropriate for it to be similar to those levels that have been agreed on the adjoining site to the south at 313-349 Ilderton Road.

This was agreed at £12 per sqft over a 15 year period. The applicant has accepted this level. The rents would be subject to inflation over this time. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area.

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

Specialist workspace provider

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

Provision of housing, including affordable housing

75. The scheme would provide 46 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision.

Impact of the proposed residential use

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

housing would not prejudice the operation of existing businesses of the area.

Prematurity

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

Conclusion on land use

79. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy owing to the introduction of residential into the SPIL would represent a departure from the adopted development plan.
80. This must therefore be weighed against the benefits of the scheme which include:
- the provision of housing, of which 35% would be affordable;
 - re-provision and slight increase of commercial floorspace;
 - the provision of good quality, flexible commercial space that has been designed to include units of varying scale;
 - job creation
 - active frontage
 - delivery of affordable workspace
 - Optimised use of the site.
81. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. Job creation and new housing would be in accordance with the London Plan (2016) requirements for the Old Kent Road Opportunity Area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

Environmental impact assessment

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

Affordable housing

83. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units to be affordable. For developments of 15 or more units affordable housing is calculated as a percentage of the habitable rooms and further information on this can be found in the council's draft Affordable Housing SPD (2011). All of the affordable units should be provided on site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.
84. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing 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 2016 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging NSP 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, this equates to 71.5% social housing and 28.5% intermediate housing.
85. A standard policy compliant 35% of the total habitable rooms offer would equate to 49.7 affordable habitable rooms, with 25% social rent at 35.5 of the total habitable rooms, and 10% Intermediate at 14.2 habitable rooms. This equates to 71.5% social and 28.5% intermediate out of the affordable proportion.
86. In total, 142 habitable rooms would be provided in the development (calculation based on where habitable rooms are greater than 27.5sqm these are counted as two habitable rooms). The development would provide a total of 51 affordable habitable rooms which would equate to an overall provision of 35.9% (rounded up to 36%). The level of provision is therefore acceptable and policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.
87. The proposed 36% habitable rooms offer would provide the following split with 37 social rent habitable rooms (72.5%) and 14 Intermediate habitable rooms (27.5%) as seen in table below. Whilst it deviates from the policy of 71.5% (social rent) and 28.5% (intermediate) split, this is very marginal.

Number of bedrooms	Affordable tenure		Number of affordable units	Percentage (%)
	Social	Intermediate		
Studio units	0	0	0	0
One bedroom	2	2	4	30.8
Two bedrooms	2	1	3	23
Three bedrooms	5	1	6	46.2
Total	9 (72.5%)	4 (27.5%)	13	100

88. Overall, the proposal would provide a total of 13 affordable units in a mix of unit sizes A Section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied

until the affordable units have been completed.

89. The proposed development would have one core which would be shared between the private and affordable units. It is a typical requirement from Registered Provider's that affordable units have their own independent access and lift core. The provision of an additional entrance and core to serve affordable homes is not possible without having a detrimental impact on the scheme. The loss of any net area derived by an additional entrance and core for affordable homes would also have an impact on the overall viability of the project and reduce the amount of affordable housing that could be provided.
90. The applicant has approached a Registered Provider (RP), who they are discussing the affordable units with and has confirmed that they would expect the service charge to be evenly apportioned between all of the flats, as per a private scheme, and then the affordable element is paid directly by the RP. The RP then collects rent from the social tenants at the same level irrespective of the service charge. In effect the RP subsidises the additional cost of the service charge for the tenant. The applicant has confirmed that the rent would not exceed the rent levels determined by the formula set out in the HCA Rent Standard Guidance. As the service charge will not be placed on social tenants, the total rent and service charge would also not exceed the levels within the rent guidance. This would be secured in the s106 agreement to ensure that there would be no additional cost in rent/service charges for the social tenants as a result.

Housing mix

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

Unit Type	Units	Percentage of total number of units
Studio	6	13%
1 bed	16	34.8%
2 bed	16	34.8%
3 bed	8	17.4%
Total	46	100%

93. At 13%, the proportion of studio units exceeds the maximum of 5% permitted. However, the inclusion of a greater number of smaller units is a result of the need to make an efficient use of a small narrow floor plan on such a constrained site. It should also be noted that none of the studio units would be allocated to the affordable tenures.
94. The proposal would also fall short of the other housing policy requirements with 52.2% of the dwellings having two or more bedrooms and 17.4% having three bedrooms. For the affordable housing however, the mix is much improved to the policy position, with 69.2% having two or more bedrooms and 46.2% having three bedrooms. In all, five 3 bedroom social rent flats would be provided and one 3 bedroom intermediate

affordable unit. This affordable mix is welcomed despite the shortfall for the scheme overall, which reflects the challenge of planning a relatively narrow site. Officers note that there is a need for 4 bedroom units in Old Kent Road. The applicant has explored options to provide larger family sized units (4 bedroom flats), but would result in significantly oversized units and reducing the overall number of affordable habitable rooms. It is therefore not possible to deliver any 4 bed units due to site constraints.

95. Officers consider that the overall mix is considered acceptable.

Wheelchair accommodation

96. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site.

97. The scheme with a total of 142 habitable rooms would have required to provide 14 wheelchair habitable rooms. Due to the constraints of the shape and size of the site and the limited opportunity to provide off-street wheelchair parking, the suitability of the site for M4(3) wheelchair accessible accommodation is limited, without losing some of the three bedroom units. The majority of which are affordable.

98. As such, it is considered appropriate to capture this deficit through a financial contribution. The Wheelchair accessible housing: Offset fund requires any shortfall in the required provision of on-site wheelchair housing to be charged at £10,000 per habitable room unit, which totals £140,000 for this scheme. This is considered to be an exceptional case due to the site's relatively small size. Other Old Kent Road schemes have to date made provision on site and it is not anticipated that further exceptions would arise as development in the area comes forward.

Density

99. Policy 3.4 Optimising Housing Potential of the London Plan states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 of the Plan. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 - Providing new homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet.

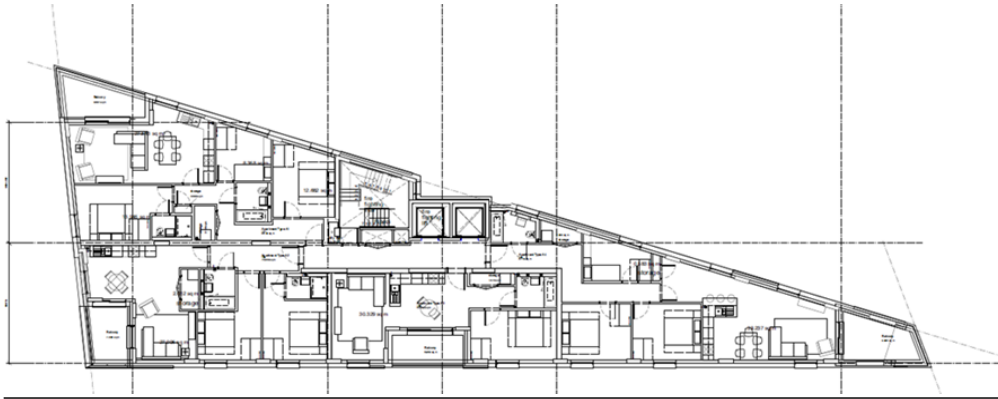
100. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. In order for a higher density to be acceptable, the development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.

101. The development as a whole would have a density of 2,777HR/Ha (including the commercial floorspace). Since the maximum upper limit of 700HR/Ha would be significantly exceeded, the development would need to demonstrate that it would be excellent in relation to housing quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity

Area location would not raise any issues to warrant withholding permission. This is considered in the following paragraphs.

Quality of accommodation

102. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2015 and include guidance on overlooking standards as well as requiring the predominance of dual aspect accommodation.



Aspect

103. The scheme will deliver 30 units (71%) in dual aspect, with only studio and 1 bed units delivered as west facing, single aspect units. No north facing single aspect units are proposed and all of the three bed units would be dual aspect.

Unit sizes

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

Internal daylight within the proposed residential units

105. A daylight and sunlight report and addendum based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
106. A total of 8 no. of the units located across two floors of the development (first and second levels), considered to be the worst-case dwellings in terms of daylight access

have been included in the assessment. All habitable rooms (kitchens, living, dining rooms and bedrooms) within these dwellings were assessed. The results indicate that all of the assessed habitable rooms meet the required ADF target set out by the BRE.

107. The analysis demonstrates that daylight amenity within the proposed residential accommodation will be very good and in full accordance with BRE guidance.

Overlooking

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

Amenity and play space

109. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.

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

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

Private amenity space

111. In this case, a total of 460sqm of private amenity space would need to be provided between the 46 units. In this instance 327sqm of private amenity space is proposed which is short of the required amount. Notwithstanding this, all flats have been provided with private amenity space in the form of balconies with the minimum of 3.1sqm for the studios and a minimum of 5.2sqm for the one bedroom flats. The three bedroom flats which are considered to be family sized units would have a minimum of 10sqm. This is considered acceptable.

112. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. A provision of 133sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 183sqm). The applicant has proposed a 308sqm communal amenity space at level 12 which would fulfil the requirement. However, as discussed below there is also the requirement to provide children's play space which is 195sqm

and should be in addition to communal amenity space. The roof amenity area would be part communal and part children's play space. 195sqm of the 308sqm area would be dedicated to play space, leaving an area of 113sqm of communal amenity space. There would therefore be a shortfall of 70sqm of communal amenity space, which would require a financial contribution of £14,350 (£205 per sqm) and will be secured by Section 106 agreement.

Children's play space

113. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG the development would be required to provide 195sqm of children's play space. Revised plans have been submitted to show 195sqm of play space within the communal amenity area, which meet this requirement.
114. Further design details of the proposed play space within the scheme will be secured by condition.

Public Open Space

115. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 230sqm of public open space for the scheme. This site is not identified within the AAP as providing public open space. A new park space is proposed to the north so off-site payments would go to that space.
116. The applicant has agreed to make the contribution of £47,150 based on the 46 dwellings proposed (at a cost of £205 per sqm as set out in the AAP) and can be secured by the legal agreement.

Noise

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

Conclusion on quality of accommodation

118. The proposed development would provide well lit quality homes that meet the space requirements of the Residential Design Standards SPD. The units would have access to private amenity and communal amenity space and where this is not achieved a contribution is provided to offset the shortfall. Whilst a small number of the units would be single aspect, these are the studios and one bedroom units that overlook Ilderton

Road, which would not have any obstructions and have a good outlook. Mitigation measures are proposed to ensure noise impacts from surrounding uses and the railway are limited. The quality of residential accommodation proposed would be high and would justify the high density of the scheme.

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

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

Daylight and Sunlight impact to existing residential units

120. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing residential properties. The scheme has been revised since, but the daylight and sunlight impact assessment was based on a building that was greater in height. As such, it is not necessary to submit a further daylight and sunlight assessment as the impacts would be less than that originally proposed. The BRE assessment utilised the following methodologies.

25 degree line

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

Vertical Sky Component (VSC)

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

Annual Probable Sunlight Hours (APSH)

123. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times

their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that ‘...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun’. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are applied to overall room based figures.

Overshadowing, sunlight to amenity spaces

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

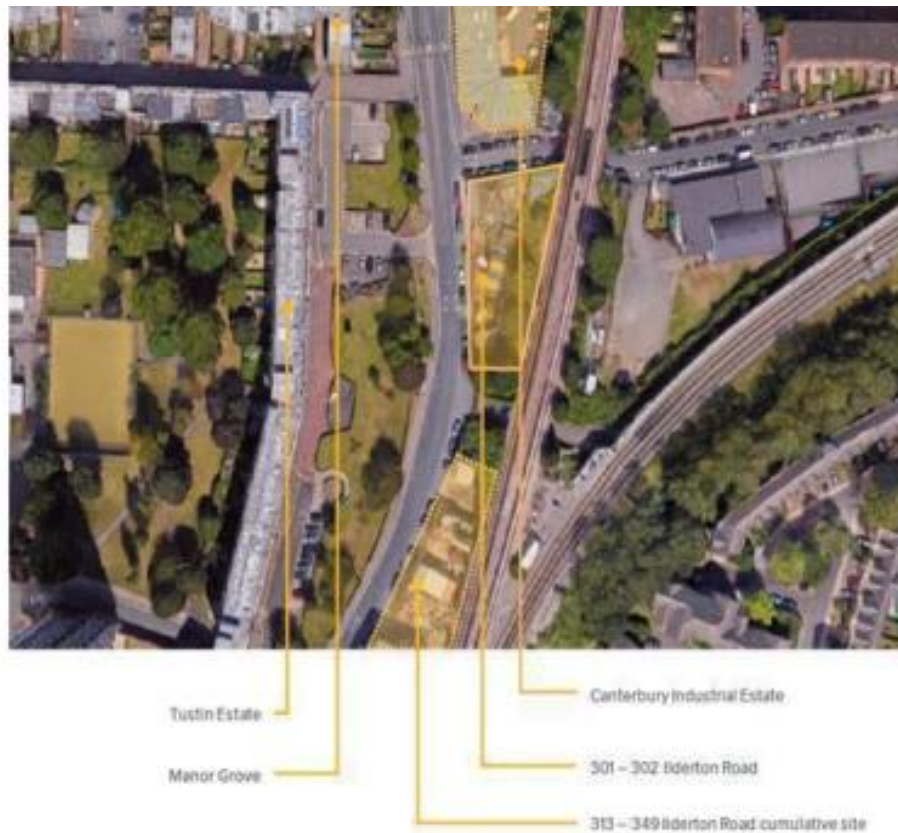


Figure 1: Site location and neighbouring buildings assessed

Tustin Estate

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

Daylight

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

Sunlight

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

Manor Grove

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

Daylight

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

Sunlight

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

Canterbury Industrial EstateDaylight

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

Sunlight

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

313-349 Ilderton Road

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

Daylight

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

Sunlight

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

Conclusion on daylight and sunlight impacts to existing residential units

143. The only noticeable reductions seen would be to the 7 windows in the emerging development at 313-349 Ilderton Road, but as discussed above the retained VSC values are appropriate for such an urban location. Overall, the impacts on daylight and sunlight to neighbouring buildings are limited.

Overlooking

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

Outlook

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

Air Quality

146. 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.
147. The council's Environmental Protection Team (EPT) has reviewed the submission and had requested that the submitted air quality neutral assessment including for transport emissions should also show the building emissions. This has been submitted and EPT is satisfied with the results.

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

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

Transport issues

149. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that the needs of pedestrians and cyclists to be considered and 5.6 establish maximum

parking standards.

Accessibility

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

Servicing

156. The residential refuse collections associated will take place from Ilderton Road.
157. A servicing bay has been provided accessed from Hornshay Road and tracking drawings were provided to demonstrate the appropriate sized vehicles can reverse in and exit in forward gear. As stated above, the proposal had included the possible introduction of loading bays on Ilderton Road and TfL has raised concerns with the reduction of the carriageway.

158. However, following discussions with the applicant and the council's own Transport team, the widening of the footway has now been omitted from the scheme. The carriageway is no longer reduced. The loading bay originally proposed by the applicant has been removed. It is acknowledged by both the Transport Planning team and the council's Highways management team that the exact location of any loading bay could be agreed within the S278 agreement. The S278 works will identify possible locations for a loading bay. The site backs onto a network rail access which is rarely used which contains sufficient space for loading off the main carriageway.
159. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 5000 sqm of non-residential floor-space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
160. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or 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 in this instance would be £4,600.00 based on the 46 residential units and 449sqm of non residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement.

Car parking

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

Cycle parking

163. A total of 92 cycle parking spaces would be provided on-site, comprising 80 spaces at basement level and 12 short-term spaces at ground floor level within lockable cycle stores. The ground floor store would be shared between commercial and residential

visitors which would normally need to be separated.

164. TfL has raised some concerns that the cycle stands may not easily be used by all users. However, Officers consider that conditions securing further details of cycle storage plus the provision of Brompton style cycle hire lockers equivalent to 1 locker per 10% of residential units (10% of which a EV lockers) would be sufficient. The Brompton Lockers offer a flexible cycle hire option to the residents and workers in the development which is mitigation for both cycle parking levels and TfL's request for cycle hire docking station.

Construction management

165. An obligation for a construction management plan is to be secured. Due to the cumulative impact of construction in the Old Kent Road AAP area a contribution of £40 per residential unit will be required to enable the highway authority and councils environment protection team to manage this. This equates to £1,840 for this application and will be secured through S106.

Design issues

166. Strategic Policy 12 of the Southwark Core Strategy states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
167. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. There are no conservation areas or listed buildings in the vicinity of the application site.
168. Although the proposal is considered a tall building, it is not considered that this proposal would result in any harm to designated London wide or local protected views, including the Protected Vista of 2A.1 of the London View Management Framework, which protects views from Parliament Hill Summit to St. Paul's Cathedral. This is demonstrated in their townscape and visual impact assessment and the additional wireframe visualisations.

Height, Scale and Massing

169. Policy 7.7 of the 2016 London Plan, 'Location and Design of Tall and Large Buildings', states that tall buildings should be limited to sites in the Central Activity Zone, opportunity areas, areas of intensification or town centres that have good access to public transport. Furthermore, London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives. Annexe 1 of the 2016 London Plan sets out the specific requirements for the Old Kent Road Opportunity Area, identifying it as having significant potential for residential- led redevelopment. As such, it is considered that the Old Kent Road

Opportunity Area is, in principle, an acceptable location for tall buildings which optimise housing delivery and regeneration benefits.

170. Due to the requirement to provide a full height commercial floor on the first floor level, the building has been revised which makes the ground and first floor level taller. However, the overall building has been reduced in height. The proposed development takes the form of a single block at 12 storeys, but steps up on the southern end of the site up to appear as 13 storeys which is the raised parapet wall to shield the children's play space and communal amenity space to the north on the junction with Hornshay Street. This stepping up is considered appropriate on this junction. It sits below the towers of the Tustin Estate, as stipulated in the AAP. Furthermore, the development immediately to the south of the proposal, at 313-349, is between 11 to 15 storeys high, thus creating a consistent massing height from the site to the Tustin Estate. The form and massing are broadly consistent with the height and mass suggested in the draft AAP.
171. It is also noted that the site to the north on Canterbury Industrial Estate is likely to be developed in the future, which may either be of similar height to that proposed in this scheme or potentially taller given the greater size of that site.

Site layout

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

Architectural design and materiality

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

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

178. There are a number of window types proposed and whilst the eastern and western elevations contain the majority of the smaller windows, these are full height and have sufficient window reveals. These punctuating the facade would create shadows and greater articulation in the elevation.
179. In terms of establishing a hierarchy of fenestration, based on use, the smaller window type is the typical one used throughout the building, but there are three other window types of varying widths, relating to room use and the size of the units.
180. In order to create a greater sense of verticality to the elevations, the architects have made some changes. Primary vertical elements have been identified and emphasised in the east and west elevations of the building. The step in the balconies of the west elevation has been removed and the balconies aligned to create a clearly defined primary vertical element on the facade. This in turn would visually split the facade into two distinct elements. Secondary vertical elements have been created throughout the rest of the facades by ensuring a series of rhythmically spaced reserved vertical zones, where the brick runs continuously from the top to the bottom of the building.
181. In order to modulate the height at the top of the building, the logic of splitting the facade using a primary vertical element is pursued in the treatment of the building's crown. This emphasises the distinction between the facade's elements as well as reducing the elevation's aspect ratio. The revised scheme removes the top floor flats and enlarges the communal amenity space but the window openings that were proposed would now have railings instead of windows. This would effectively create a more sheltered area on the roof terrace to the north of the building and would provide greater privacy should surrounding higher development to the north proceed. As these higher walls would be located to the north of the building, they will not significantly overshadow the terrace.
182. The same approach is achieved on the east elevation where the primary vertical element (in this case the lift and stair core) is emphasised with a slight recess and provides that articulation and depth to the building. This elevation is also important as it is clearly visible from afar and along the railway line.
183. The vertical zone on the western facade continues to the ground floor and aligns with the residential entrance on Ilderton Road. This would increase the legibility of the entrance as it becomes a part of the primary vertical element.
184. Within this simple articulation, the building would have a clear, but subtly differentiated hierarchy of 'base', 'middle' and 'top'. This proposed articulation ensures comfortable proportions and a clear articulation of the mix of uses proposed.
185. The 'base' of the building that includes the ground and first floors is defined by the high floor to floor ceiling heights. This splits the change in function from commercial use to residential uses above and creates a legible commercial frontage with opportunities for signage and activity along the length of the building.

186. Further details on the bricks and external materials and windows could be secured by condition.

Public realm

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

Conclusion on design

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

Impact on trees

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

Planning obligations (S.106 undertaking or agreement)

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

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

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

Archaeology: £3,389

Affordable housing monitoring: £6,500

Carbon Offset – Green Fund: £70,560

Delivery and service bond: £4,700

Communal amenity space space shortfall: £14,350

Public open space: £47,150

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

Transport for London Buses: £31,584

Contribution in lieu of Wheelchair accessible housing: £140,000

Construction management plan review and monitoring: £1,480

Section 106 admin charge at 2% of total.

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

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

194. In the event that an agreement has not been completed by 12 February 2020, the Committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

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

Saved Policy 2.5 Planning Obligations of the Southwark Plan 2007, Strategic Policy 14 Delivery and Implementation of the Core Strategy (2011) Policy 8.2 Planning Obligations of the London Plan (2015) and the Southwark Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015).

Mayoral and Southwark Community Infrastructure Levy (CIL)

195. 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.
196. In this instance the scheme is liable to Mayoral CIL payment and Southwark CIL payment.

Sustainable development implications

197. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor’s energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. Energy statements should demonstrate how the zero carbon target for residential developments will be met, with at least a 35% on-site reduction beyond Part L 2013 and proposals for making up the shortfall to achieve zero carbon, where required. It should also demonstrate at least a 35% on-site reduction beyond Part L 2013 for non-residential development. An Energy statement and Sustainability Assessment based on the Mayor’s hierarchy have been submitted.

Be lean (use less energy)

198. Energy efficiency measures include a range of passive and active measures such as levels of insulation beyond Building Regulation requirements, low air tightness levels, efficient lighting as well as energy saving controls for space conditioning and lighting. The regulated carbon saving achieved in this step of the Energy Hierarchy is 14.6% over the site wide baseline level.

Be clean (supply energy efficiently)

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

plant once development is completed and occupied. Work on developing the SELCHP network is ongoing between the council, the GLA and Veolia. Reports to cabinet are due to be made next year.

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

Be green (low or carbon zero energy)

202. A range of low or zero carbon technologies was considered and photovoltaics (PVs) and air source heat pumps were found as suitable technologies for the development. The PVs have now been removed to create policy compliant amenity and children's playspace on the roof. The regulated carbon saving achieved in this step of the Energy Hierarchy is 2.1% over the site wide baseline level. This would not meet the 20% target for Strategic Policy 13 of the Core Strategy, but it is noted that the development is constrained by its small narrow footprint in what can be achieved and the desire to provide communal amenity space and a small children's play area which means utilising the whole roof.
203. Overall, the proposed measures would result in an overall reduction in carbon dioxide emissions when compared to a scheme compliant with the building regulations. Effort has been made to maximise savings at each step of the Energy Hierarchy as far as technically and financially feasible. The provision of policy compliant playspace and communal amenity space is considered to be a benefit to the scheme and therefore removal of the PVs were necessary. reduction in the number of units resulted in the regulated baseline CO2 per annum being reduced. As a result, this reduced the offset that is required.
204. The total savings across the whole site would be 16.7%, amounting to a 39.2 tonne shortfall.
205. In light of the above, contribution towards the council's carbon offset fund would be required. The applicant has agreed to make the contribution of £70,560 to the carbon off set fund which would therefore make this aspect of the scheme fully policy compliant.

BREEAM

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

Ecology

207. The site in its current condition is of little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.
208. The site adjoins a Site of Importance for Nature Conservation (SINC) designated by

Lewisham Borough Council. Whilst a full ecological assessment is not required, a preliminary bat roost inspection survey of the site was carried out given that it adjoins a borough grade SINC.

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

Other matters

Flood risk and water resources

211. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences. The Environment Agency (EA) confirms that their most recent flood modelling (December 2017) shows that the site is not at risk if there was to be a breach in the defences. Therefore, the EA consider that the development will be at low risk of flooding.
212. Although the EA states that an FRA has not been submitted as part of the application, but one has indeed been submitted. The EA has therefore not reviewed any FRA on this site but took a pragmatic approach and do not object to this application.
213. The council's Flood and Drainage Team has also reviewed the application and notes that developments should seek to limit surface water discharges to the estimated greenfield runoff rate where practical, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan. Given that the estimated greenfield runoff rate for this site is relatively low (0.1 to 0.3 l/s), the team are happy to accept the proposed runoff rate of 2.5 l/s. Therefore, no objections are raised to the proposed surface water strategy. As the strategy is indicative only detailed design should aim to achieve the proposed runoff rates and attenuation volume. A greenfield runoff rate offset of £366 per cubic metre will be secured in in event that there is a shortfall in attenuation required to limit surface water run off to 2.5l/s in a 1 in 100 year storm plus 40% climate change allowance.

Archaeology

214. The site is within the 'Bermondsey Lake' Archaeological Priority Zone (APZ) designed to protect the palaeoecological environment and prehistoric archaeology recovered from the shoreline and relict fills of the large late glacial Bermondsey Lake and the associated riverine geology and topology.
215. An archaeological desk-based assessment has been submitted with the application, which has been reviewed by the council's archaeologist. Whilst the council's archaeologist did not concur with the conclusion of the assessment, it was acknowledged that the precautionary principle should be applied and there is sufficient information to establish that the development is not likely to cause such harm as to

justify refusal of planning permission - provided that conditions are applied to any consent securing a programme of archaeological evaluation, mitigation and reporting.

Contamination

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

Conclusion on planning issues

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

Consultations

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

Consultation replies

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

Summary of public consultation responses

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

Summary of responses from external and statutory consultees

GLA

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

Comment

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

Officer response:

229. Since the Stage 1 report was received, the GLA and the council have now agreed an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area. As noted in the main section of the report the GLA and the council have worked closely to address these concerns and have agree a potential geography and phasing of SIL release. Members should however note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an EiP and approval of the Secretary of State before they become the adopted development plan position. It should also be noted that there have been a number of objections to the proposed release of industrial land from third parties which would need to be considered at the EiP.

Comment

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

Officer response:

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

Comment

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

Officer response:

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

Comment

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

Officer response:

235. The details of the affordable housing offer are set out in the submitted Viability Assessment and the Applicant has confirmed that rent levels would not exceed the rent cap set out by the council for affordable housing, which are lower than the GLA London Affordable rent levels.

Comment

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

Officer response:

237. The applicant has submitted amended plans to show the provision of door step play equipment on the communal roof amenity space.

Comment

238. The GLA notes that the residential density of the proposed development is 2,425 HR/Ha, which exceeds the guidance ranges in the London Plan and the thresholds for increased scrutiny of design quality. However, given the location of the site within the Opportunity Area, the increased density could be supported, but a management plan

detailing day-to-day servicing and delivery arrangements and long term maintenance implications be secured by condition.

Officer response:

239. This is noted and conditions are recommended.

Comment

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

Officer response:

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

Comment

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

Officer response:

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

Comment

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

Officer response:

245. Since the above comment, the applicant has provided visualisations of the scheme demonstrating its limited impact and has been forwarded to the GLA.

Comment

246. No M4(3) 'wheelchair user dwellings' are proposed and whilst the applicant contends the site's awkward shape and layout prevents the provision of these units, the GLA considers alternative design options be explored to ensure that the scheme fully

complies in meeting the London Plan Policy 3.8 and draft London Plan Policy D5.

Officer response:

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

Comment

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

Officer response:

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

Comment

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

Officer response:

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

Transport for London (TfL)

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

Comment

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

Officer response:

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

Comment

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

Officer response:

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

Comment

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

Officer response:

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

Comment

259. The first phase of development on the Old Kent Road Opportunity Area must be accompanied by public transport improvements in the form of increased bus services. It would be necessary for this sum to be secured through a Section 106 agreement, but it can be paid in stages over five years. The first phase of development of the OA requires significant improvements to the environment for walking and cycling in order to support those modes. TfL has been developing a "Healthy Streets" scheme for Old Kent Road. While at an early stage, an emerging scheme offers bus priority, walking and cycling improvements. TfL expects a share of that to be funded by the council. Contributions towards local road bus priority improvements are also sought (bus operational infrastructure and minor station improvements) payable either through a Section 106 agreement or the council's CIL subject to a funding agreement. TfL would expect the council to identify and secure funding for pedestrian and cyclist

improvements on local roads.

Officer response:

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

Comment

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

Officer response:

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

London Borough of Lewisham

263. No objection in principle to development or the height of the building. The intensified land-use as proposed is in principle supportable in this context and would not impact on residents' amenity. However, would like condition securing high quality materials. A construction management plan should be secured via condition.

264. There is concern that the proposal may result in cumulative adverse impacts with respect to on-street parking supply in the area, which appears to be particularly stressed along Hornshay Street which is narrow. It is noted that the Transport Statement prepared by RGP dated August 2018 implies this will be a car-free development. This is welcome and should be secured by conditions of any planning permission and through an accompanying section 106 agreement. Impacts of the proposal on bus capacity should also be considered.

265. The additional cycle and pedestrian traffic to be generated and likely travelling towards and using the park at Bridgehouse Meadow, approximately 220m north-east of the site along Hornshay Street is a concern. It is recommended that the section 106 agreement presumed to accompany any planning permission granted for the scheme should secure a degree of highway improvements along Hornshay Street towards Bridgehouse Meadow to make passage along Hornshay Street towards Bridgehouse Meadow safer.

266. Officer response:
This will be secured through s106 and s278 agreement.

Environment Agency

267. No objection subject to conditions.

Natural England

268. No comments to make.

London Underground Infrastructure Protection

269. No comments to make.

Metropolitan Police Designing Out Crime officer

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

Thames Water

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

London Fire Brigade

272. No comments on the specifics of this development.

Community impact statement / Equalities Assessment

273. 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.

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

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

276. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

Officers are of the view that the development would not cause disadvantage to those with protected characteristics. Reference has been made to wheelchair accessible units not being provided. However, off-set payments will be taken and this will be spent in partnership with Southwark Council's Adult Social Care team to fund projects for existing housing adaptations for people being housed in the community. The reason for not providing wheelchair housing on-site is due to the size of the site and the benefit is also to providing more 3 bedroom affordable units.

Human rights implications

277. 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.
278. This application has the legitimate aim of providing mixed commercial and residential development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2327-301 Application file: 18/AP/2761 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5729 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	Wing Lau, Team Leader	
Version	Final	
Dated	31 October 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		1 November 2019

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

Ecology Officer

Economic Development Team

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

Flood and Drainage Team

HIGHWAY LICENSING

Highway Development Management

Housing Regeneration Initiatives

Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy

Environment Agency

Greater London Authority

London Borough of Lewisham

London Fire & Emergency Planning Authority

London Underground Limited

Metropolitan Police Service (Designing out Crime)

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:

Flat 26 Leybourne House 19 Lovelinch Close SE15 1HL	Flat 42 Heversham House Tustin Estate SE15 1EL
Flat 79 Heversham House Tustin Estate SE15 1ES	65 Manor Grove London SE15 1EH
Flat 78 Heversham House Tustin Estate SE15 1ES	63 Manor Grove London SE15 1EH
Flat 77 Heversham House Tustin Estate SE15 1ES	61 Manor Grove London SE15 1EH
Flat 82 Heversham House Tustin Estate SE15 1ES	71 Manor Grove London SE15 1EH
Flat 81 Heversham House Tustin Estate SE15 1ES	69 Manor Grove London SE15 1EH
Flat 80 Heversham House Tustin Estate SE15 1ES	67 Manor Grove London SE15 1EH
Flat 76 Heversham House Tustin Estate SE15 1ES	59 Manor Grove London SE15 1EH
Flat 72 Heversham House Tustin Estate SE15 1EN	51 Manor Grove London SE15 1EH
Flat 71 Heversham House Tustin Estate SE15 1EN	49 Manor Grove London SE15 1EH
Flat 70 Heversham House Tustin Estate SE15 1EN	1 Hornshay Street London SE15 1HB
Flat 75 Heversham House Tustin Estate SE15 1ES	57 Manor Grove London SE15 1EH

Flat 74 Heversham House Tustin Estate SE15 1ES	55 Manor Grove London SE15 1EH
Flat 73 Heversham House Tustin Estate SE15 1ES	53 Manor Grove London SE15 1EH
Flat 92 Heversham House Tustin Estate SE15 1ES	25 Manor Grove London SE15 1EQ
Flat 91 Heversham House Tustin Estate SE15 1ES	23 Manor Grove London SE15 1EQ
Flat 90 Heversham House Tustin Estate SE15 1ES	21 Manor Grove London SE15 1EQ
Flat 95 Heversham House Tustin Estate SE15 1ES	3 Manor Grove London SE15 1EQ
Flat 94 Heversham House Tustin Estate SE15 1ES	29 Manor Grove London SE15 1EQ
Flat 93 Heversham House Tustin Estate SE15 1ES	27 Manor Grove London SE15 1EQ
Flat 89 Heversham House Tustin Estate SE15 1ES	19 Manor Grove London SE15 1EQ
Flat 85 Heversham House Tustin Estate SE15 1ES	11 Manor Grove London SE15 1EQ
Flat 84 Heversham House Tustin Estate SE15 1ES	1 Manor Grove London SE15 1EQ
Flat 83 Heversham House Tustin Estate SE15 1ES	73 Manor Grove London SE15 1EH
Flat 88 Heversham House Tustin Estate SE15 1ES	17 Manor Grove London SE15 1EQ
Flat 87 Heversham House Tustin Estate SE15 1ES	15 Manor Grove London SE15 1EQ
Flat 86 Heversham House Tustin Estate SE15 1ES	13 Manor Grove London SE15 1EQ
Flat 69 Heversham House Tustin Estate SE15 1EN	Arch 57 Ilderton Road SE15 1NW
Flat 52 Heversham House Tustin Estate SE15 1EN	321-343 Ilderton Road London SE15 1NW
Flat 51 Heversham House Tustin Estate SE15 1EN	349 Ilderton Road London SE15 1NW
Flat 50 Heversham House Tustin Estate SE15 1EN	10 Manor Grove London SE15 1SX
Flat 55 Heversham House Tustin Estate SE15 1EN	2 Hornshay Street London SE15 1HB
Flat 54 Heversham House Tustin Estate SE15 1EN	Pilgrims Way Junior And Infant School Manor Grove SE15 1EF
Flat 53 Heversham House Tustin Estate SE15 1EN	8 Manor Grove London SE15 1SX
Flat 49 Heversham House Tustin Estate SE15 1EN	12 Manor Grove London SE15 1SX
Flat 45 Heversham House Tustin Estate SE15 1EL	6 Barnaby House Manor Grove SE15 1AN
Flat 44 Heversham House Tustin Estate SE15 1EL	5 Barnaby House Manor Grove SE15 1AN
Flat 43 Heversham House Tustin Estate SE15 1EL	4 Barnaby House Manor Grove SE15 1AN
Flat 48 Heversham House Tustin Estate SE15 1EN	9 Barnaby House Manor Grove SE15 1AN
Flat 47 Heversham House Tustin Estate SE15 1EN	8 Barnaby House Manor Grove SE15 1AN
Flat 46 Heversham House Tustin Estate SE15 1EL	7 Barnaby House Manor Grove SE15 1AN
Flat 65 Heversham House Tustin Estate SE15 1EN	3 Barnaby House Manor Grove SE15 1AN
Flat 64 Heversham House Tustin Estate SE15 1EN	Living Accommodation 224 Ilderton Road SE15 1NT
Flat 63 Heversham House Tustin Estate SE15 1EN	Unit 3b Canterbury Industrial Park SE15 1NW
Flat 68 Heversham House Tustin Estate SE15 1EN	313-320 Ilderton Road London SE15 1NW
Flat 67 Heversham House Tustin Estate SE15 1EN	2 Barnaby House Manor Grove SE15 1AN
Flat 66 Heversham House Tustin Estate SE15 1EN	1 Barnaby House Manor Grove SE15 1AN
Flat 62 Heversham House Tustin Estate SE15 1EN	31 Manor Grove London SE15 1EQ
Flat 58 Heversham House Tustin Estate SE15 1EN	Flat 25 Heversham House Tustin Estate SE15 1EL
Flat 57 Heversham House Tustin Estate SE15 1EN	Flat 24 Heversham House Tustin Estate SE15 1EL
Flat 56 Heversham House Tustin Estate SE15 1EN	Flat 23 Heversham House Tustin Estate SE15 1EL
Flat 61 Heversham House Tustin Estate SE15 1EN	Flat 28 Heversham House Tustin Estate SE15 1EL
Flat 60 Heversham House Tustin Estate SE15 1EN	Flat 27 Heversham House Tustin Estate SE15 1EL
Flat 59 Heversham House Tustin Estate SE15 1EN	Flat 26 Heversham House Tustin Estate SE15 1EL
Flat 96 Heversham House Tustin Estate SE15 1ES	Flat 22 Heversham House Tustin Estate SE15 1EL
Unit 5 Canterbury Industrial Park SE15 1NP	Flat 7 Heversham House Tustin Estate SE15 1EJ
Unit 4 Canterbury Industrial Park SE15 1NP	Flat 6 Heversham House Tustin Estate SE15 1EJ
Unit 2 Canterbury Industrial Park SE15 1NP	Flat 5 Heversham House Tustin Estate SE15 1EJ
Unit 1 Canterbury Industrial Park SE15 1NP	Flat 21 Heversham House Tustin Estate SE15 1EL

Unit 9 Canterbury Industrial Park SE15 1NP	Flat 9 Heversham House Tustin Estate SE15 1EJ
Unit 12 Canterbury Industrial Park SE15 1NP	Flat 8 Heversham House Tustin Estate SE15 1EJ
Flat 35 Kentmere House Tustin Estate SE15 1EG	Flat 38 Heversham House Tustin Estate SE15 1EL
Flat 34 Kentmere House Tustin Estate SE15 1EG	Flat 37 Heversham House Tustin Estate SE15 1EL
Flat 33 Kentmere House Tustin Estate SE15 1EG	Flat 36 Heversham House Tustin Estate SE15 1EL
Flat 38 Kentmere House Tustin Estate SE15 1EG	Flat 41 Heversham House Tustin Estate SE15 1EL
Flat 37 Kentmere House Tustin Estate SE15 1EG	Flat 40 Heversham House Tustin Estate SE15 1EL
Flat 36 Kentmere House Tustin Estate SE15 1EG	Flat 39 Heversham House Tustin Estate SE15 1EL
Iberia House Manor Grove SE15 1EQ	Flat 35 Heversham House Tustin Estate SE15 1EL
303 Ilderton Road London SE15 1NW	Flat 31 Heversham House Tustin Estate SE15 1EL
Unit 6 Canterbury Industrial Park SE15 1NP	Flat 30 Heversham House Tustin Estate SE15 1EL
Unit 13 Canterbury Industrial Park SE15 1NP	Flat 29 Heversham House Tustin Estate SE15 1EL
Unit 10 Canterbury Industrial Park SE15 1NP	Flat 34 Heversham House Tustin Estate SE15 1EL
Unit 3a Canterbury Industrial Park SE15 1NP	Flat 33 Heversham House Tustin Estate SE15 1EL
Unit 11 Canterbury Industrial Park SE15 1NP	Flat 32 Heversham House Tustin Estate SE15 1EL
Unit 8 Canterbury Industrial Park SE15 1NP	Flat 4 Heversham House Tustin Estate SE15 1EJ
Flat 27 Kentmere House Tustin Estate SE15 1EG	7 Manor Grove London SE15 1EQ
Flat 5 Kentmere House Tustin Estate SE15 1EG	5 Manor Grove London SE15 1EQ
Flat 4 Kentmere House Tustin Estate SE15 1EG	47 Manor Grove London SE15 1EQ
Flat 3 Kentmere House Tustin Estate SE15 1EG	Flat 1 Heversham House Tustin Estate SE15 1EJ
Flat 8 Kentmere House Tustin Estate SE15 1EG	301 Ilderton Road London SE15 1NW
Flat 7 Kentmere House Tustin Estate SE15 1EG	9 Manor Grove London SE15 1EQ
Flat 6 Kentmere House Tustin Estate SE15 1EG	45 Manor Grove London SE15 1EQ
Flat 2 Kentmere House Tustin Estate SE15 1EG	37 Manor Grove London SE15 1EQ
Tustin Community Centre 328 Ilderton Road SE15 1NT	35 Manor Grove London SE15 1EQ
Flat 98 Heversham House Tustin Estate SE15 1ES	33 Manor Grove London SE15 1EQ
Flat 97 Heversham House Tustin Estate SE15 1ES	43 Manor Grove London SE15 1EQ
Flat 1 Kentmere House Tustin Estate SE15 1EG	41 Manor Grove London SE15 1EQ
224 Ilderton Road London SE15 1NT	39 Manor Grove London SE15 1EQ
Unit 7 Canterbury Industrial Park SE15 1NP	Flat 19 Heversham House Tustin Estate SE15 1EJ
Flat 23 Kentmere House Tustin Estate SE15 1EG	Flat 18 Heversham House Tustin Estate SE15 1EJ
Flat 22 Kentmere House Tustin Estate SE15 1EG	Flat 17 Heversham House Tustin Estate SE15 1EJ
Flat 21 Kentmere House Tustin Estate SE15 1EG	Flat 3 Heversham House Tustin Estate SE15 1EJ
Flat 26 Kentmere House Tustin Estate SE15 1EG	Flat 20 Heversham House Tustin Estate SE15 1EJ
Flat 25 Kentmere House Tustin Estate SE15 1EG	Flat 2 Heversham House Tustin Estate SE15 1EJ
Flat 24 Kentmere House Tustin Estate SE15 1EG	Flat 16 Heversham House Tustin Estate SE15 1EJ
Flat 20 Kentmere House Tustin Estate SE15 1EG	Flat 12 Heversham House Tustin Estate SE15 1EJ

Flat 11 Kentmere House Tustin Estate SE15 1EG	Flat 11 Heversham House Tustin Estate SE15 1EJ
Flat 10 Kentmere House Tustin Estate SE15 1EG	Flat 10 Heversham House Tustin Estate SE15 1EJ
Flat 9 Kentmere House Tustin Estate SE15 1EG	Flat 15 Heversham House Tustin Estate SE15 1EJ
Flat 19 Kentmere House Tustin Estate SE15 1EG	Flat 14 Heversham House Tustin Estate SE15 1EJ
Flat 18 Kentmere House Tustin Estate SE15 1EG	Flat 13 Heversham House Tustin Estate SE15 1EJ
Flat 17 Kentmere House Tustin Estate SE15 1EG	126 Crystal Palace Road London SE22 9ER

Re-consultation: 07/03/2019 and 25/10/2019

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

Economic Development Team
Flood and Drainage Team

Statutory and non-statutory organisations

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

Neighbours and local groups

3 responses have been received.

RECOMMENDATION LDD MONITORING FORM REQUIRED

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

Draft of Decision Notice

Planning Permission was GRANTED for the following development:

Demolition of existing buildings and construction of a 12 storey building (+45.3m AOD) (plus basement) comprising 46 residential dwellings (Class C3) and commercial floorspace (Class B1(c)), creation of a new vehicular access from Hornshay Street with landscaping (including a communal roof garden), cycle parking and associated ancillary development.

At: 301-303 ILDERTON ROAD, LONDON SE15 1NW

In accordance with application received on 21/08/2018

and Applicant's Drawing Nos.

Existing plans

2364_PL_010_1

2364_PL_020_1

2364_PL_030_1

Proposed plans

2364_PL_099_1

2364_PL_100_4

2364_PL_101_4

2364_PL_102_4

2364_PL_103_4

2364_PL_104_4

2364_PL_105_3

2364_PL_106_3

2364_PL_107_3

2364_PL_108_3

2364_PL_109_3

2364_PL_110_3

2364_PL_111_5

2364_PL_113_5

2364_PL_115_2

2364_PL_400_7

2364_PL_401_5

2364_PL_402_6

2364_PL_403_6

2364_PL_500_5

2364_PL_501_5

2364_PL_600_1

Ilderton Road Accommodation Schedule October 2019 v2

Supporting documents

Design and Access Statement, Planning statement, Daylight, sunlight and overshadowing assessment, Transport Statement, Travel Plan, Bat survey report, Desk Study report, Townscape and visual impact assessment, Addendum to Statement Appendix - Verified Views, Energy Statement, Energy Statement Addendum October 2019, Flood risk

assessment and indicative surface water strategy, Delivery and servicing management plan, Basement impact assessment, Archaeological desk based assessment, Arboricultural appraisal and implications assessment, Air quality assessment, Noise impact assessment, Sustainability assessment, Addendum to statement appendix verified views, Swept path analysis 7.5t panel van, Swept path analysis ambulance, 2364_SK024, 2364_SK026, 2364_SK027, 2364_PL_403_3

Subject to the following thirty-six conditions:

Time limit for implementing this permission and the approved plans

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

Reason

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

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

2364_PL_099_1
 2364_PL_100_4
 2364_PL_101_4
 2364_PL_102_4
 2364_PL_103_4
 2364_PL_104_4
 2364_PL_105_3
 2364_PL_106_3
 2364_PL_107_3
 2364_PL_108_3
 2364_PL_109_3
 2364_PL_110_3
 2364_PL_111_5
 2364_PL_113_5
 2364_PL_115_2

2364_PL_400_7
 2364_PL_401_5
 2364_PL_402_6
 2364_PL_403_6

2364_PL_500_5
 2364_PL_501_5

2364_PL_600_1

Reason:

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

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

- 3 No development shall take place, including any works of demolition, until a written Construction Environmental Management Plan (CEMP) for the site has been devised and submitted with the application. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to site management and to use all best endeavours to minimise off site impacts. A copy of the CEMP shall be available on site at all times and shall include the following information:

A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures;
 Compliance with the GLA guidance on Non-Road Mobile Machinery;
 Engineering measures to eliminate or mitigate identified environmental impacts e.g. acoustic screening, sound insulation, dust control, emission reduction, location of specific activities on site, etc., together with air and noise monitoring to demonstrate that potential impacts are being successfully controlled;
 Arrangements for direct responsive contact for nearby occupiers with the site management during demolition and/or construction (signage on hoardings, newsletters, resident's liaison meetings);

A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Details of the routing of in-bound and outbound site traffic, one way site traffic, lay off areas, etc; and Details of accurate waste identification, separation, storage, registered waste carriers for transportation and disposal to appropriate destinations.

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

Reason:

To ensure that occupiers of neighbouring premises and the wider environment do not suffer a loss of amenity by reason of unnecessary pollution or nuisance, in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007) and the National Planning Policy Framework 2012

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

Reason

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

Reason

In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

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

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

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

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

Reason

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

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

Reason:

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

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

Reason:

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

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

Reason:

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

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

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

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2018.

- 12 Samples of all external facing materials to be used in the carrying out of this permission shall be presented to the Local Planning Authority and approved in writing before any above grade works, in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

- 13 Bay studies at a scale of 1:20 of facades from parapet to ground, including window design, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work (excluding demolition) in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with saved Policies: 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

- 14 Section detail-drawings at a scale of 1:5 through:
the facades and balconies;
parapets and roof edges; and
heads, cills and jambs of all openings
to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced (excluding demolition); the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan 2007.

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

Reason

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

- 16 Before any above grade work hereby authorised begins details and drawings of the facilities to be provided for the secure and covered storage of cycles including cycle hire lockers shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking facilities provided shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

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

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

Reason

To ensure the proposal complies with The National Planning Policy Framework 2018, Strategic Policy 13 - High Environmental Standards of The Core Strategy 2011 and Saved Policies 3.3 Sustainability and 3.4 Energy

Efficiency of the Southwark Plan 2007.

- 18 Before any above grade work hereby authorised begins, details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority. The biodiversity (green/brown) roof(s) shall be:
- biodiversity based with extensive substrate base (depth 80-150mm);
 - laid out in accordance with agreed plans; and
 - planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (focused on wildflower planting, and no more than a maximum of 25% sedum coverage).
- The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.
- The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
- Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies saved policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core strategy.
- 19 Before any above grade work hereby authorised begins, details of the green walls shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.
- The green wall shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.
- Discharge of this condition will be granted on receiving the details of the Walls and Southwark Council agreeing in writing the submitted plans.
- Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy
- 20 Final designs should achieve a surface water runoff rate of 2.5 l/s and associated attenuation volumes, proposed in the applicant's 'Flood Risk Assessment & Indicative Surface Water Drainage Strategy' (133334-R1(1)-FRA). Appropriate Sustainable Drainage Systems (SuDS) should be used, such as permeable paving proposed in the indicative strategy, although Southwark's preference is for 'green' SuDS such as rain gardens or bioretention areas.
- Reason:
To limit surface water discharges to the sewer network to estimated greenfield runoff rates, or as close as possible, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan.
- 21 Prior to commencement of works above grade, details of Swift nesting bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.
- No less than 12 No. nesting bricks shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.
- The Swift nesting bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.
- Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies Policy 3.28 of the Southwark Plan 2007 and Strategic Policy 11 of the Southwark Core strategy.
- 22 Prior to works commencing above grade, full details of all proposed planting of three highways trees shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design

and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

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

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 23 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including details of the play space, cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

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

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2018 Chapters 8, 12, 15 & 16 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

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

- 24 Before the first occupation of the building hereby permitted, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

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

Reason:

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

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

- 26 The residential accommodation hereby approved shall not be occupied until the ground and first floor commercial units have been fitted out in accordance with the approved B1(c) fit out details, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring residential properties do not suffer a loss of amenity by reason of noise nuisance from fit out works after residential accommodation has been occupied, in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 27 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the building[s] as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosure[s] of any building[s] hereby permitted.

Reason

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

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

Reason:

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

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

Bedrooms - 35dB LAeq T_∫, 30 dB LAeq T*, typical noise levels of 45dB LAFmax T *

Living rooms- 35dB LAeq T_∫

Dining room - 40 dB LAeq T_∫

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

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

Reason:

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with 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 Prior to occupation, details of the marketing materials for sale and rental properties shall be submitted and approved in writing by the local planning authority clearly identifying the development as car free and that all new residents should sign acknowledgement of the permit free status of their new home.

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.

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

Reason:

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

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

Reason:

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

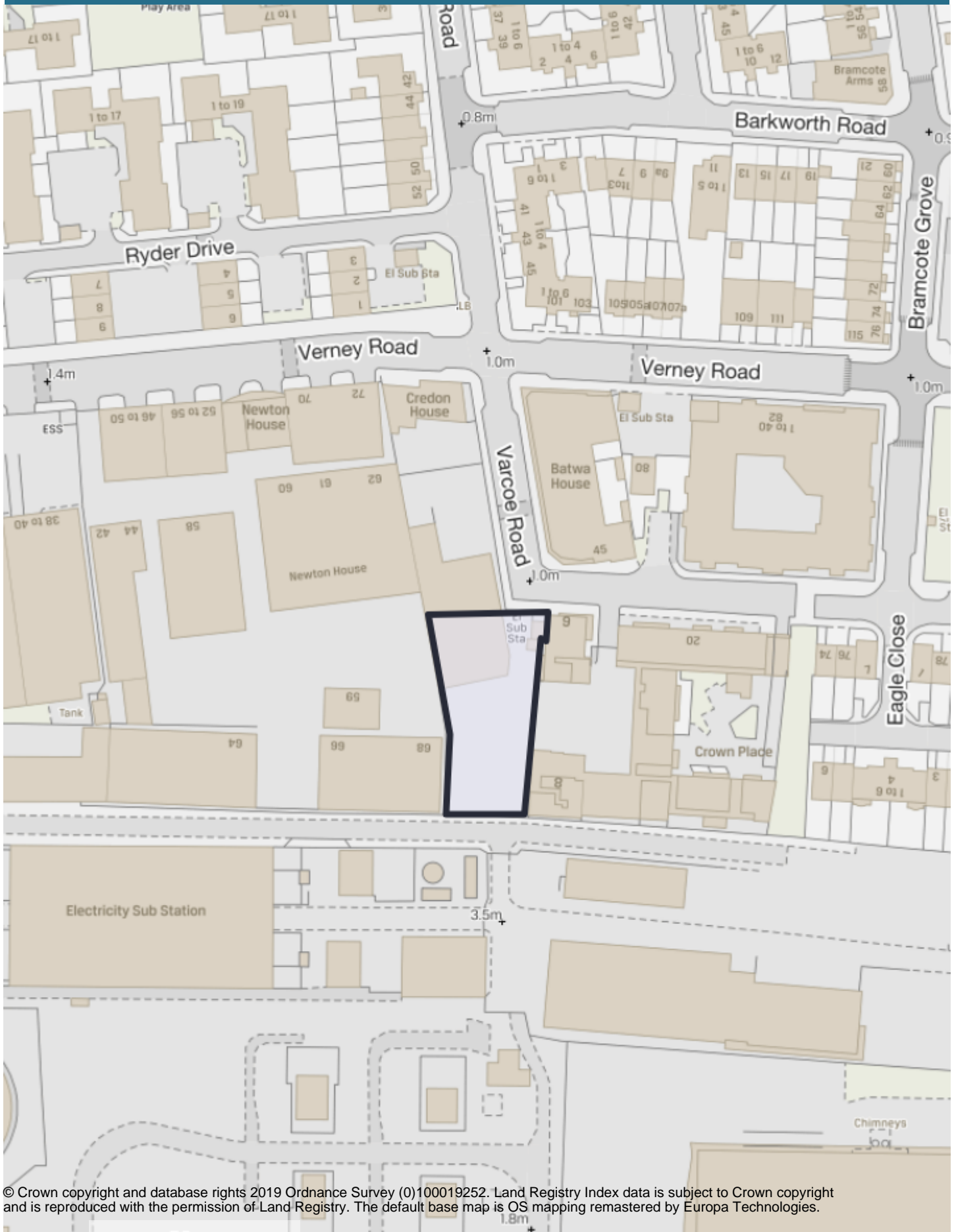
- 36 The development hereby permitted shall be constructed to include the energy efficiency measures and photovoltaic panels as stated in XCO2 for TLS Investments dated August 2018 and submitted with the application. All measures and technologies shall remain for as long as the development is occupied.

Reason:

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

Statement of positive and proactive action in dealing with the application

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



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Item No. 6.2	Classification: Open	Date: 12 November 2019	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 18/AP/2895 for: Full Planning Application Address: 2 VARCOE ROAD, LONDON SE16 3DG Proposal: Demolition of existing buildings and erection of a new mixed use development comprising a part 7, part 9 storey (maximum height above ground of 29.99m) building of 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director of Planning		
Application Start Date 19/09/2018		Application Expiry Date 19/12/2018	
Earliest Decision Date 28/10/2018			

RECOMMENDATION

1. That the planning committee grant planning permission, subject to:
 - a) Conditions and the applicant entering into an appropriate legal agreement by no later than 12 February 2020.
 - b) In the event that the requirements of (a) are not met by 12 February 2020. that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out at paragraph 191 of this report.

EXECUTIVE SUMMARY

2. This major application seeks to redevelop an existing industrial yard and storage building on the south eastern side of Varcoe Road to provide a mixed-use commercial and residential development of 74 units and 288sqm of B1 commercial floorspace. The scheme is located in a Strategic Preferred Industrial Location and would represent a departure from policy by virtue of proposing the introduction of residential accommodation to a Preferred Industrial Location.
3. The applicant has committed to providing 35.1% affordable housing by habitable rooms which equates to 24 affordable units, with a proposed tenure split of approximately 25% social rented and 10% intermediate by habitable rooms. There would be the potential for uplift in jobs on the site through the re-provision of good quality commercial space that

would be more compatible with the neighbouring uses, which comprise residential to the north and east of the site.

4. The proposed building is part 7/part 9 storeys and would be of a high quality design and deliver the master-planning and aspirations of the draft Old Kent Road Area Action Plan. The ground floor provides an active frontage.
5. The proposed development would have limited impacts on neighbouring properties in terms of privacy and outlook. Daylight and sunlight impacts are not considered to be so adverse to significantly impact on the amenity of neighbouring residents.
6. The proposed units would have good standard residential accommodation with appropriate mitigation measures to ensure noise levels internally are met as well as ensuring noise complaints against future commercial occupiers are minimised.
7. The proposal would be car free and future occupiers would be prevented from obtaining parking permits on the surrounding streets should a controlled parking zone be introduced. A s106 contribution would be required to improve local bus infrastructure.
8. The proposal would incorporate measures to reduce its carbon dioxide emissions, and a contribution to the council's Carbon Off-set Green Fund would be secured through a s106 agreement. Conditions are recommended to ensure that ground contamination, surface water drainage, archaeology and ecology would be adequately dealt with.
9. Overall, the clear benefits of the proposal are considered to outweigh the limited harm caused, and it is recommended that planning permission be granted, subject to conditions and a s106 agreement.

Site location and description

10. The application site currently comprises an industrial yard and storage building (B8 Class use). The existing building is a single storey pitched roof brick shed with access from Varcoe Road. The whole site measures 0.12 hectares.
11. It falls within a mixed residential and industrial area. Immediately to the west of the site is an industrial yard with associated buildings, yard and car parking (occupied by the T Marchant Industrial Estate). To the east of the site are two blocks of flats, known as Crown Place. To the north of the site was a former service station (1 Varcoe Road) which had a building and an open yard used for vehicle storage whilst they await repair, but planning permission was recently granted (under ref 16/AP/5235 dated 28/09/2017) for a 6 to 8 storey residential building with commercial and retail at ground floor. Upon site visit, this development has been implemented and still under construction.
12. The south part of the site was historically part of the Surrey Canal. Further south of the site is Southwark's Integrated Waste Management Facility (IWMF) and the New Cross Electricity Substation.
13. The site is within the following policy designations:

Urban Density Zone
Preferred Industrial Location (Strategic)

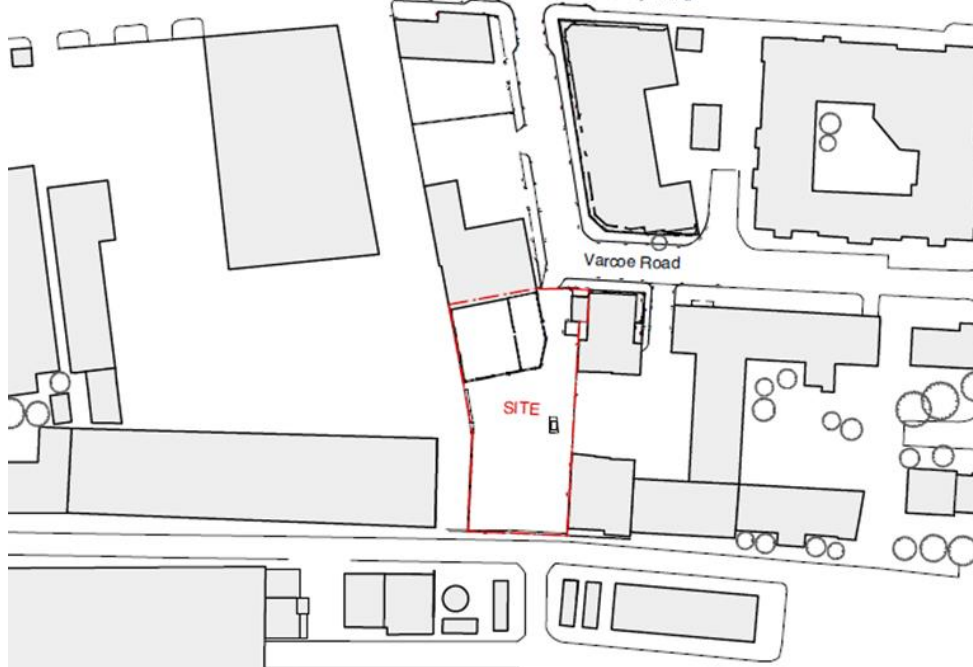
Air Quality Management Area (AQMA)
Bermondsey Lake Archaeological Priority Zone (APZ)

14. The site is also within the Old Kent Road Opportunity Area: Sub Area 3 – Sandgate Street and Verney Road (specifically OKR13). The site also falls within a Site Allocation (NSP67) outlined in the emerging New Southwark Plan.
15. The site is also within the adopted London Plan's Strategic Industrial Land (SIL).
16. The site is not within a conservation area and buildings are not listed. There are no nearby heritage assets in its immediate setting. The Grade II listed gasholder to the south is not within immediate views of this application site. The site has an official PTAL rating of 1b and is also within Flood Zone 3.

Figure 1: Aerial view of the site



Figure 2: The site



Details of proposal

17. The application has been amended following discussions with the applicant. It is now proposed to demolish the existing building and redevelop the site to provide a part 7, part 9 storey building (max 29.99m high) to accommodate 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.

Table: The mix of dwellings are as follows:

	Number of units	Percentage (%)
1 bedroom unit	37	50
2 bedroom unit	34	45.9
3 bedroom unit	3	4.1
Total	74	100

18. The height of the building has been reduced so that the total maximum height of the building would be 29.99m from the finished ground level. There was a basement proposed, which has now been omitted from the proposal.
19. Private amenity space is provided in the form of balconies and a communal garden and play space on the 7th floor for all tenures.
20. The scheme shall deliver 24 units as affordable housing to meet local housing needs, which represents 35.1% of all habitable rooms and 32.4% of all residential units as affordable. There shall be 17x social rented and 7x intermediate units which are accessed from the core in the northern part of the site with the private units accessed from the southern core.

21. Access to the commercial and residential uses would be from Varcoe Road, each with individual entrances, circulation space and cycle storage. The pick-up and drop-off area provided at the north eastern corner of the site off Varcoe Road allows for servicing to take place off-street and turn around within the development site to leave in forward gear. Refuse storage are proposed on the ground floor and collection will take place from the double yellow lines located in the immediate vicinity of the site access, off Varcoe Road.



Figure 3: CGI of development looking from the north west including adjoining development at 1 Varcoe Road.



Figure 4: CGI of development looking from the east including adjoining development 1 Varcoe Road.

Planning history

22. There is no relevant planning history on the site.

Planning history of adjoining sites

23. The most recent and relevant history on adjoining sites are at 1 Varcoe Road:

Ref 16/AP/5235 Planning permission granted 28/09/2017

Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor (Use Class B1, A1-A3).

Ref 18/AP/1535 Planning permission granted 26/07/2018

Non-material amendments to planning permission 16-AP-5235 for 'Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor (Use Class B1, A1-A3).' consisting of:

- a) Adjustment to the finished floor levels resulting in the overall building height increasing by 2 bricks.
- b) Enclosure of communal resident space by fire-rated partitions;
- c) Change two lower internal communal spaces from a triple storey stair and single storey communal room to a double storey stair and communal room; fenestration to west elevation amended accordingly.
- d) Internal layout of ground floor plant spaces reconfigured to accommodate further structural and services coordination.
- e) Internal layout of ground floor commercial spaces reconfigured to accommodate further structural and services coordination.
- f) Reconfiguration of ground floor fenestration to west elevation (rear light well) to accommodate new windows to the commercial space and adjacent louvers to plant areas adjusted following further services coordination.
- g) Podium terrace landscape updated with planters and furniture.
- h) Internal plan for Unit Type B amended following fire strategy update and further coordination with structure and services.
- i) Internal plan for Unit Type C (wheelchair housing unit) amended following fire strategy update and further coordination with structure and services.
- j) Layout of 6th and 7th floor rooftop amenity spaces amended to accommodate landscaping; planters and benches added, footprint of brick piers increased and aluminium cladding removed from rear of the terrace and replaced with brick.
- k) Boiler flue heights adjusted on roof.
- l) Size of window to top of stairs adjusted due to further structural and services coordination.
- m) Layout of high level roofs adjusted due to further services coordination.
- n) Addition of ground floor PPC mild steel gate at the end of the east elevation to control access to the rear of the building from the street.
- o) Refinement of the reconstituted stone façade profiles to coordinate with the brick coursing.

Ref 19/AP/1993 Planning permission granted 01/08/2019

Non-material amendment to planning permission 16/AP/5235 (Demolition of existing building and development comprising a part six, part 7 and part eight storey building to accommodate 57 new affordable residential units (Use Class C3) and provision of flexible employment / retail space on ground floor [Use Class B1, A1-A3]) for the following changes:

- Minor adjustment to the location of opening doors for the employment/ retail space on ground floor;
- Double doors along the rear elevation on the ground have been changed to single doors;
- Double door to bin store has been changed to single opening door and fixed panel;
- Change of the opening direction of the door into the escape stair on floor 1 to 5;
- Bathrooms in two of the dwellings have been adjusted to achieve a Building Regulations M4(3) compliant lay out; and
- Minor adjustments to the smoke shaft system with as a result the fans from the northern shaft being located on the roof.

Other permissions have been granted to discharge the conditions and s106 obligations of planning permission 16/AP/5235.

4-28 Varcoe Road (also known as Crown Place)

The most relevant planning history for this site is:

Ref 07/AP/2375 Planning permission granted 06/02/2008

Re-development of existing site with two blocks of part five / part six storeys comprising one commercial unit on the ground floor, and 18 self contained flats on upper floors with associated car parking and cycle storage.

There are other decisions relating to the amendments of the above planning permission.

Sumner Works, 76-78 Verney Road (also now known as Batwa House)Ref 03/AP/1278 Planning permission granted 01/11/2004

Redevelopment of site to provide 45 residential units (comprising 8x1 bed, 31x2 bed and 5x3 bed flats) in a block of part three/ part six storeys together with associated car parking (14 spaces) and amenity space.

Ref 05/AP/2118 Planning permission granted 21/12/2006

Redevelopment of site to provide 45 residential units (comprising of 10 x 1 bed, 28 x 2 bed, 1 x 2 bed (wheelchair), 6 x 3 bed flats) in a block of part 3/part 6 storeys together with parking. Resubmission. Amendments to approved development 03-AP-1278 including a reduction in on-site car parking from 14 spaces to 13 spaces, modifications to elevational treatment and minor changes to the roof and window fenestration and alterations to the dwelling mix.

Summary of consultation responses

24. At the time of writing, a total of 2 neighbour responses have been received. The objections raised by the residents are summarised below:
- Concerns over the lack of car parking on site given the car free scheme approved to the north. Currently there is one access road which already presents parking difficulties and access to buildings.
 - Consideration of the height of the buildings and its compliance with the Area Action

Plan.

- Concern that there may be loss of light to Batwa House and Crown Place apartments and the two adjacent blocks.
- No provision of jobs which is envisaged in the Area Action Plan.
- Unaffordable high rise developments and would not meet the need for housing in London. The development should be in line with the Area Action Plan.
- Neighbours have not received postal notification of this application.
- Suggest that planting is required to the northern edge of the roof terrace in order to provide screening and prevent overlooking of the roof garden of 1 Varcoe Road which is currently in construction.

Officer response:

- 25.
- The site has a PTAL of 3 (under the manual assessment of the PTAL rating). The applicant has demonstrated in their Transport Assessment that there would not be any impact on the local highway network. This is further discussed in the Transport section of the report.
 - The height of the building at a maximum 9 storeys is considered to be appropriate given the changing townscape of the Old Kent Area. It is not considered to be excessive given the consented scheme immediately to the north and the immediate area is generally between 6 to 8 storeys.
 - Following review of the submitted daylight and sunlight assessment, there would be impacts on the neighbouring buildings, but it is not considered to be of a level that would significantly impact on the neighbours' amenity.
 - The proposed commercial unit on the ground floor would provide a greater employment density than the existing scaffolding yard.
 - A policy compliant of at least 35% affordable housing (based on habitable rooms) is proposed.
 - Letters sent to local residents, the display of a site notice and a notice in the local press has been undertaken and this satisfies consultation requirements by the Local Planning Authority.
 - Details of the communal rooftop amenity space will be secured by condition and the northern boundary could have appropriate planting or other treatment to limit any overlooking onto 1 Varcoe Road.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

26. The main issues to be considered in respect of this application are:
- Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area;
 - Environmental impact assessment;
 - Provision of commercial space
 - Affordable housing;
 - Design issues, including height, scale and massing;
 - Housing mix;
 - Quality of accommodation;
 - Impact upon the amenity of neighbouring residential and commercial occupiers and

- the surrounding area;
- Transport issues;
- Ecology
- Planning obligations (Section 106 Undertaking or Agreement);
- Sustainable development implications;
- Other matters.

Adopted planning policy

National Planning Policy Framework (NPPF)

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 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
29. Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes
Chapter 6 Building a strong, competitive economy]
Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

30. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:
31. Policy 2.17 Strategic Industrial locations
Policy 3.3 Increasing housing supply
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people's play and informal recreation facilities
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies

Policy 5.11 Green roofs and development site environs
 Policy 5.12 Flood risk management
 Policy 5.13 Sustainable drainage
 Policy 5.21 Contaminated land
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.13 Parking
 Policy 7.2 An inclusive environment
 Policy 7.3 Designing out crime
 Policy 7.4 Local character
 Policy 7.6 Architecture
 Policy 7.8 Heritage assets and archaeology
 Policy 7.21 Trees and woodlands
 Policy 8.2 Planning obligations
 Policy 8.3 Community infrastructure levy

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

Core Strategy 2011

34. 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:
35. Strategic policy 1 - Sustainable development
 Strategic policy 2 - Sustainable transport
 Strategic policy 5 - Providing new homes
 Strategic policy 6 - Homes for people on different incomes
 Strategic policy 7 - Family homes
 Strategic policy 10 - Jobs and businesses
 Strategic policy 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (saved policies)

36. 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:
37. 1.1 - Access to employment opportunities
 1.2 - Strategic and local preferred industrial locations
 1.5 - Small businesses
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction
 3.9 - Water
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 3.14 - Designing out crime
 3.19 - Archaeology
 3.28 - Biodiversity
 4.2 - Quality of residential accommodation
 4.3 - Mix of dwellings
 4.4 - Affordable housing
 4.5 - Wheelchair affordable housing
 5.2 - Transport impacts
 5.3 - Walking and cycling
 5.6 - Car parking
 5.7 - Parking standards for disabled people and the mobility impaired

Council's Supplementary Planning Document (SPD)

38. Sustainable design and construction SPD (2009)
 Sustainability assessments SPD (2009)
 Sustainable Transport SPD (2010)
 Affordable housing SPD (2008 - Adopted and 2011 - Draft)
 Residential Design Standards SPD (2015)
 Section 106 Planning Obligations and Community Infrastructure Levy (2015)
 Development Viability SPD (2016)
- Greater London Authority Supplementary Guidance
39. Housing SPG (2016)
 Providing for Children and Young People's Play and Informal Recreation (2008)
 Use of planning obligations in the funding of Crossrail (2010)
 Affordable Housing and Viability SPG (2017)

Emerging planning policy

Draft New London Plan

40. 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 EIP continued until May 2019 and until the London Plan reaches formal adoption it can only be attributed limited weight. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for housing of 12,000 and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

Old Kent Road Area Action Plan (OKR AAP)

41. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed very limited weight.
42. Whilst acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate Street, Verney Road and Old Kent road (South) area. Requirements for this allocation site include replacement of existing employment floor space and provision of housing.

New Southwark Plan

43. For the last 5 years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.
44. The site is within the part of the site allocation NSP67 'Sandgate Street and Verney Road'. The vision for this area is for new homes (Class C3), retail (Classes A1-A4 on the Old Kent Road frontage, community uses (Class D), employment (Class B uses), community uses (Class D) and public open space including Surrey Canal Linear Park.

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

45. The site is located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan. Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan.
46. Strategic policy 10 of the Core Strategy states that the SPIL will be protected for industrial and warehousing uses. The Core Strategy does, however, recognise that structural changes in the economy are resulting in a declining need for industrial land in London. The Core Strategy also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, it sets out the future direction of Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP).
47. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPILs are B class uses and other sui generis uses which are inappropriate in residential areas.
48. Adopted London Plan policy 2.17 seeks to promote, manage and where appropriate, protect the Strategic Industrial Land as London's main reservoir of industrial and related capacity, which includes general and light industrial uses. It states that developments on Strategic Industrial Land should be refused unless they provide for broad industrial type activities, are part of a strategically co-ordinated process of SIL consolidation through an opportunity area planning framework, meet the needs of small to medium sized enterprises or provide for small scale 'walk to' services for industrial occupiers such as workplace crèches or cafes.
49. The London Plan designates the Old Kent Road as an opportunity area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes, which has been increased to a minimum of 12,000 in the emerging London Plan. It identifies the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the preparation of a planning framework and a review of the Old Kent Road Strategic Industrial Location.

The Old Kent Road Area Action Plan (OKR AAP)

50. The emerging OKR AAP sets targets of a total of 20,000 new homes and 10,000 new jobs as well as new infrastructure, including parks and schools. It proposes the release of a substantial part of the Preferred Industrial Location designation to allow for the creation of mixed use neighbourhoods, so that new and existing businesses are designed to co-exist with new homes.
51. The emerging AAP contains proposals for an innovative mix of industrial and residential uses in a detailed master planning approach across the Opportunity area, including phased rationalisation of and proposed new sites for SIL. While the draft new London Plan and OKR AAP currently have limited or very limited weight in planning decisions, it is important to note the future strategic direction envisaged for the Old Kent Road in the adopted London Plan as further policy is being developed in line with the aspirations of Southwark Council and the Mayor for the designated opportunity area.

52. As stated above, the OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate and Verney Road area.
53. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class floorspace on site, accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area or provide relocation options for businesses that would be displaced by redevelopment and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.
54. Paragraph 48 of the NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The New Southwark Plan and OKR AAP have been subject to extensive consultation however they have yet to be subject to independent examination and therefore the documents have limited weight. They do, however, provide an indication of the direction of travel for planning policy in the opportunity area.
55. It is noted that the Draft London Plan Policy E5 confirms that non SIL uses within SIL should be refused unless there has been a strategically co-ordinated process of SIL consolidation carried out through a planning framework or Development Plan document review process (and adopted as policy in a Development Plan), or as part of a co-ordinated masterplanning process in collaboration with the GLA.
56. The OKR AAP and New Southwark Plan proposes the release of significant areas of OKR SIL and would have resulted in the loss of much important industrial capacity within the OKR AAP area. However, these concerns have subsequently been addressed with the GLA and the council agreeing an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area.
57. Although the proposed development is on SIL, given the coordinated approach to the managed release of industrial land set out above, the proposed land uses are considered appropriate in strategic planning terms and generally comply with London Plan Policies. Members should, however, note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position.
58. The site area is 0.12 hectares and currently accommodates 275sqm of existing industrial floorspace within a warehouse building. The remainder of the site is an open yard for scaffolds. The scheme had originally proposed residential on the ground floor, but following discussions with the applicant, this has been omitted and the central part of the ground floor would now provide 288sqm of B class floorspace, a slight increase over the existing provision.
59. Notwithstanding the above, in determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SPIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would therefore justify a departure from the adopted planning policy.
60. Officers consider that the key benefits arising from the proposal would be as follows.

Regeneration of industrial areas

61. There is a need for the borough to balance the protection and enhancement of industrial sites with the delivery of other aspirations and requirements, including increasing housing provision.
62. It has been identified that future employment uses in the old Kent Road will require a mixture of spaces suitable for a broad mix of uses, including small to medium logistics, light industrial, small office and co-working space, which should be provided in a mixture of building typologies that should be well adapted with good servicing provision with access to upper floors and fit out.

Employment floorspace

63. As explained above, there would now be the provision of employment use on the ground floor level. This would be an enhanced B class space and would potentially increase the number of jobs created on the site. It has been calculated that a range of 6 to 24 Full-time Equivalent (FTE) jobs for managed workspace could be provided with the proposal over the potential 4 FTE jobs that a retained storage and distribution space could support. To meet the policy requirements and to improve the likelihood of B1(c) occupiers leasing the units, it is recommended that the internal B1(c) fit out of the proposed commercial units would be secured through condition and a clause in the Section 106 Agreement. The space will be conditioned to be used for B1(c) use only.

Business relocation and retention

64. The existing business and operation on the site is for a scaffolding company. It is understood that the company has been operating on the site since the 1960s and over time the business has grown and operations have been migrated to much larger sites in London. The site has therefore been made largely redundant and has been used as excess storage. It is therefore considered that there are no issues in respect of business relocation and retention.

Job creation

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

Affordable workspace

66. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floorspace. The applicant has agreed the rents to be at £11 per sqft over a 15 year period, which is considered appropriate and is marginally more than those levels that have been agreed on other sites in the Old Kent Road area. The applicant has accepted this level. The rents would be subject to inflation over this time. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area.

Specialist workspace provider

67. The employment space has been designed to be flexible so that it could accommodate a

range of different unit sizes and shared workspaces. Details of a specialist workspace provider could be secured through a s106 planning obligation.

Provision of housing, including affordable housing

68. The scheme would provide 24 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision.

Impact of the proposed residential use

69. It is recognised that the introduction of residential units could restrict and prejudice the operation of existing businesses in the area. Given the changing nature of the uses now carried out within the area, it is not felt that these businesses would be prejudiced and they could continue to operate and co-exist with the introduction of new residential uses provided schemes are well designed for this mix. Residential accommodation within a mixed use context is already established within the immediate area. A residential development block is currently under construction at 1 Varcoe Road and to the east of the site are already established residential apartments. This mixed use development was considered to be a benefit to the area and the introduction of housing would not prejudice the operation of existing businesses of the area.

Prematurity

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

Conclusion on land use

71. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy and saved policy 1.2 of the Southwark Plan owing to the introduction of residential into the SPIL would represent a departure from the adopted development plan.
72. This must therefore be weighed against the benefits of the scheme which include:
- the provision of housing, of which 35.1% would be affordable;

- re-provision of enhanced commercial floorspace;
- the provision of good quality, flexible commercial space;
- job creation
- active frontage
- delivery of affordable workspace
- Optimised use of the site.

73. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. Job creation and new housing would be in accordance with the London Plan (2016) requirements for the Old Kent Road Opportunity Area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

Environmental impact assessment

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

Affordable housing

75. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units to be affordable. For developments of 15 or more units affordable housing is calculated as a percentage of the habitable rooms and further information on this can be found in the council's draft Affordable Housing SPD (2011). All of the affordable units should be provided on site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.

76. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing 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 2016 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging NSP 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, this equates to 71.5% social housing and 28.5% intermediate housing.

77. In total, 188 habitable rooms would be provided in the development. The development would provide a total of 66 affordable habitable rooms which would equate to an overall provision of 35.1%. The level of provision is therefore acceptable and policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed. Consultants acting on behalf of the council have reviewed the assessment and concludes that the scheme is effectively in a breakeven position and is considered marginally viable on this basis.

78. A standard policy compliant 35% habitable rooms offer would equate to 65.8 affordable

habitable rooms, with 25% social rent at 47 habitable rooms, and 10% Intermediate at 18.8 habitable rooms.

79. The proposed 35.1% habitable rooms offered would have a split of 46 social rent habitable rooms (69.7%) and 10.6 Intermediate habitable rooms (30.3%) as seen in the table below. Whilst the above split falls short of the 71.5% social and 28.5 intermediate, this is only a very marginal deviation.

Table: Affordable mix

Number of bedrooms	Affordable tenure (habitable rooms)		Number of affordable units	Percentage (%)
	Social	Intermediate		
One bedroom	16	2	9	37.5
Two bedrooms	18	18	12	50
Three bedrooms	12	0	3	12.5
Total	46 (69.7%)	20 (30.3%)	24	100

80. Overall, the proposal would provide a total of 24 affordable units in a mix of unit sizes. A Section 106 agreement is recommended to secure the delivery of these units, including a clause preventing more than 50% of the private units from being occupied until the affordable units have been completed.
81. The affordable and private units each have their separate entrance, circulation and cores. The affordable is located in the northern section of the building (7 storeys), with the private units located in the southern element. The two tenures are separated by the ground floor commercial space.

Housing Mix

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

Unit Type	Units	Percentage of total number of units
1 bed	37	50%
2 bed	34	45.9%
3 bed	3	4.1%
Total	74	100%

84. The proposal would also fall short of the above housing policy requirements with 50% of the dwellings having two or more bedrooms and 4% having three bedrooms. For the affordable housing however, the mix is much improved to the policy position, with 62.5% having two or more bedrooms and 12.5% having three bedrooms. This affordable mix is welcomed despite

the shortfall for the scheme overall, which reflects the challenge of planning a relatively narrow site, which is constrained by the developments that immediately adjoin it.

85. Officers consider that the wider benefits of the scheme including an improved affordable rent level for workspace outlined in this report would outweigh any harm caused by this shortfall in the housing mix.

Wheelchair accommodation

86. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site.
87. The applicant has confirmed that a total of 7 units would be wheelchair accessible. Following review of the scheme and discussions with the applicant, 3 of the units would be allocated as intermediate with the remaining 4 in the private tenure.

Density

88. Policy 3.4 Optimising Housing Potential of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range 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.
89. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. In order for a higher density to be acceptable, the development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.
90. The development as a whole would have a density of approximately 1,633HR/Ha (including the commercial floorspace). Since the maximum upper limit of 700HR/Ha would be significantly exceeded, the development would need to demonstrate that it would be excellent in relation to housing and design quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration of the area, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD 2015 met. This is summarised in the table below with full assessment and commentary provided in other sections of the report.

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed units would provide for built in storage that would meet or exceed the standards set in the Residential Design SPD.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded between habitable rooms. The development is designed to avoid direct overlooking.
Good sunlight and daylight standards	The majority of the units would have good sunlight and daylight standards achieved. This is further explained in this report.
Exceed minimum ceiling heights of 2.3m	All rooms within the proposed dwelling would exceed the minimum 2.6 metre ceiling height.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in the subsequent section on outdoor amenity space, <i>Children's Play Space and Public Open Space</i> section of this report. Where the recommended 10 sqm private amenity space has not been met, the shortfall has been included as communal amenity space in line with the Residential Design Standards SPD.
Secure by Design certification	This scheme would achieve Secured by Design Accreditation. Conditions to require this are recommended
No more than 5% studio flats	No studio flats are proposed.
Maximise the potential of the site	The potential of this site would be maximised, delivering improved commercial floor space, new dwellings achieving an exemplary standard of design, outdoor space and play space, without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	10% of the proposed units would be suitable for wheelchair users.
Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The development is capable of achieving BREEAM "excellent" upon fit out of the commercial units; a condition to this effect has been included. The development would need to make a £111,168 carbon off

	set payment contribution as the residential element is not capable of delivering zero carbon homes. The applicant has agreed to make the payment which makes this aspect of the scheme fully policy compliant.
Minimised of noise nuisance between flats through vertical stacking of similar room types	The plans submitted demonstrate that a very good level of stacking has been achieved where kitchens are stacked above kitchens and bedrooms over bedrooms. There are just some instances where this stacking would not be achieved where the floorplans change. However, these instances are few and the noise impact assessment demonstrates that the internal noise levels could be achieved and as such is considered to be acceptable. This is explained in further detail in this report.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace and investment in local transport and public space.
Include a predominance of dual aspects units	59% of the total units (43 units) proposed would be dual aspect. 71% of the affordable units would have dual aspect and 50% of the private units would have dual aspect.
Have natural light and ventilation in all kitchens and bathrooms	All kitchens would benefit from natural light and ventilation due to their open plan configuration. Bathrooms on the other hand would not achieve this as all bathrooms would be internalised but will benefit from mechanical ventilation.
At least 60% of units contain two or more bedrooms	The proposed development proposes that 50% of the total number of units across all tenures would have two or more bedrooms, falling short of the 60% requirement. The dwelling mix within the affordable tenure is however at 72.5%, which is a positive aspect of the proposal.
Significantly, exceed the minimum floor space standards	All units would meet the minimum space standards.
Minimise corridor lengths by having additional cores	No more than 6 flats per core is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core.

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

Quality of accommodation

92. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2015 and include guidance on overlooking standards as well as requiring the predominance of dual aspect accommodation. The above table summarised some elements of the design and how it is considered to be of exemplary standard. The following paragraphs discuss the internal daylight within the proposed residential units, overlooking issues, amenity space, child play space and noise implications.

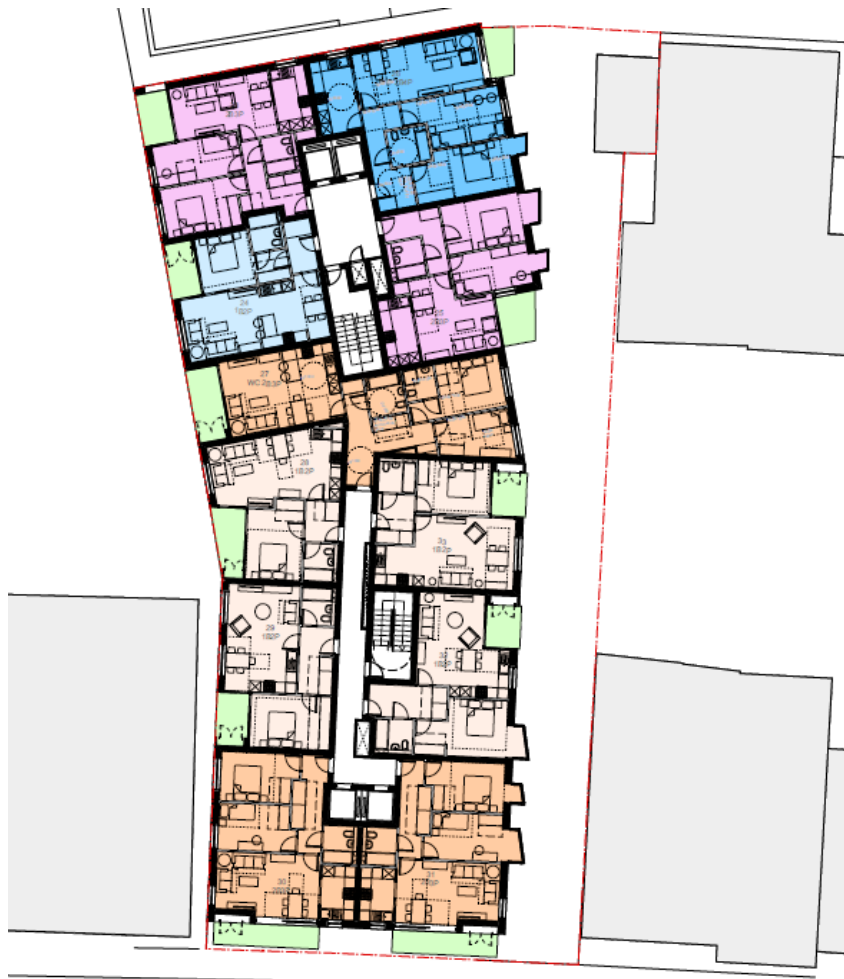


Figure 5: Typical layout on upper floors

Internal daylight within the proposed residential units

93. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working plane within a room. ADF determines the natural internal light or daylight appearance of a room and the BRE guidance

recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.

94. The submitted daylight and sunlight assessment provides two scenarios for the future internal daylight levels. Scenario one is based on the existing site situation, without the development of 1 Varcoe Road and with the existing warehouse building to the west on site (at T Marchants Estate). Scenario two is based on the future surrounding context with 1 Varcoe Road built and the warehouse to the west removed as per the OKRAAP.
95. The results indicate that 210 out of 217 (97%) rooms meet their target value for daylight in terms of ADF for their room use. In the future context, this would be 201 out of 217 (93%) rooms.
96. There are two bedrooms on the first floor (in the private units) that have a low ADF value in the existing context. However, when the development of the adjoining site to the west eventually comes forward, the existing warehouse located on the boundary is likely to be removed which would improve the daylight levels for these bedrooms.
97. Those rooms that do not meet in the future context are mainly the kitchens in the northern section of the building and immediately adjoin the development at 1 Varcoe Road. The ADF levels for these kitchens (2 kitchens on each floor) are very low. However, Officers agree that these kitchens are galley style kitchens where preparation of food is the main purpose and the living dining room is the main living space. The associated living/dining room to these units do have a good ADF value. It is considered that on balance, given that 93% of the rooms in the future context would meet the minimum ADF, this is acceptable.

Overlooking

98. The proposed building would sit to the west of Crown Place. The windows at Crown Place facing this site are not main living spaces. However, there are some habitable room windows and balconies further into this neighbouring site and are at perpendicular angle to the east elevation of the proposed building. In any case, the proposed building has been designed to limit any direct overlooking. Habitable room windows in the proposed building do not have direct line of site into those windows at Crown Place. There are protruding bays to some of the proposed rooms that allow for views out to the north and south and thereby limiting direct overlooking into the Crown Place flats.

Amenity and play space

99. All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per AAP 10.
100. The following amount of amenity space would need to be provided:
 - For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;

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

Private amenity space

101. In this case, a total of 740sqm of private amenity space would need to be provided between the 74 units. In this instance 464sqm of private amenity space is proposed which is short of the required amount. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. A provision of 276sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 326sqm). The applicant has proposed a roof amenity space that has a total area of 466sqm at level 7, which is accessed by both tenures and includes sitting areas and landscaping. However, as discussed below there is also the requirement to provide children's play space which is 187sqm and should be in addition to communal amenity space. The roof amenity area would be part communal and part children's play space. 187sqm of the 466sqm area would be dedicated to play space, leaving an area of 279sqm of communal amenity space. There would therefore be a shortfall of 47sqm of communal amenity space, which would require a financial contribution of £9,635 (£205 per sqm) and will be secured by Section 106 agreement. This would go towards creating the Verney Road linear park, as part of the OKRAAP masterplan.

Children's play space

102. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the June 2019 calculator) the development would be required to provide 187sqm of children's play space. Play space based on the New Southwark Plan calculations would be 156.4sqm.
103. Revised plans have been submitted to show 187sqm of play space within the communal amenity area, which meet this requirement.

Public Open Space

104. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 370sqm of public open space for the scheme, but given the small area of the site and the development essentially occupying the whole area of the site, there is limited space available to provide public open space. It is also a no-through route and therefore limits its usability as a public open space.
105. The applicant has agreed to make the contribution of £75,850 based on the 74 dwellings proposed (at a cost of £205 per sqm as set out in the AAP) and can be secured by the legal agreement and can go towards the delivery of the Verney Road linear park.

Table 5 explaining the playspace and amenity space proposed against policy requirement:

	Policy requirement	Proposal	Difference
Communal	50sqm shortfall of 276sqm	279sqm (inclusive of the 276sqm shortfall in private amenity space provided as communal amenity space)	47sqm
Private	740sqm	464sqm	276sqm
Dedicated children's play space	187sqm required by the June 2019 GLA calculator	187sqm	0sqm

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

106. Sufficient outdoor space has been designated to meet the private amenity, communal amenity and children play space requirements of the Residential Design SPD and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG as outlined in the table above. Where this is not provided, off-set payments would be made.
107. In respect of the public open space as required by the draft AAP, and although the applicable policy of the OKR AAP currently has limited weight, a financial contribution in-lieu of providing such space on-site would be expected and will be secured through the Section 106 agreement.
108. All communal amenity space would be equally accessible to all tenures. Service charge costs to social rent tenants would be capped within social rent cap levels.

Noise

109. The site is located within the SPIL, and the proposed residential units would adjoin existing commercial units to the west and south, although these sites may come forward with similar mixed schemes. A noise impact assessment has therefore been undertaken to assess whether the site would be suitable for residential development.
110. The report has been reviewed by the council's Environmental Protection Team (EPT) and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers. Mitigation measures such as alternative ventilation for all habitable rooms and higher than standard specification glazing have been recommended by the applicants.
111. The rear balconies to the first and second floors are proposed as winter gardens which provides some protection from noise emitting from the neighbouring site.

Conclusion on quality of accommodation

112. The proposed development would provide generally well lit quality homes that meet the space requirements of the Residential Design Standards SPD. The units would have access to private amenity and communal amenity space and where this is not achieved a contribution is provided to offset the shortfall. Whilst a number of the units would be single aspect, these are not the family sized dwellings. Mitigation measures are proposed to ensure noise impacts from surrounding uses are limited.

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

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

Daylight and Sunlight impact to existing residential units

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

25 degree line

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

Vertical Sky Component (VSC)

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

No Sky Line (NSL)

117. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.

Annual Probable Sunlight Hours (APSH)

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

Overshadowing, sunlight to amenity spaces

119. Open spaces should retain a reasonable amount of sunlight throughout the year. The BRE states that for an amenity space to “appear adequately sunlit throughout the year, at least half of the area should receive at least 2 hours of sunlight on 21 March”. Where this is not achieved, the difference between the area achieving 2 hours of sun on 21 March should be no less than 0.8 times its former value.
120. The neighbouring residential units that have the potential to be impacted in terms of daylight and sunlight are located at:
- Batwa House, Varcoe Road
 - Crown Place, Varcoe Road
 - Consented scheme at 1 Varcoe Road

Assessment

121. It should be noted that the applicant has carried an impact assessment on three different scenarios as it is envisaged that future developments are likely to come forward on the adjoining sites. This sets alternative target values. The BRE guidelines does state that different targets may be used based on the special requirements of the proposed development or its location.
122. Furthermore, the BRE guidance comments that where existing buildings has windows that are unusually close to the site boundary and taking more than their fair share of light, then the targets for these windows could be set to those for a ‘mirror-image’ building of the same height and size, an equal distance away on the other side of the boundary. In this case, the Crown Place buildings to the east of the site are located on the boundary with the application site. It is considered appropriate to have alternative targets based on the ‘mirror-image’. The applicant has therefore set out targets based on three scenarios:
123. Scenario one:
Existing surrounding context (drawings 11-01 to 11-03 in Appendix 1 of the assessment).
124. Scenario two:
Future surrounding context - consented and under construction 1 Varcoe Road scheme and the warehouses to the west of the development site replaced as per the OKRAAP (drawings

11-04 to 11-06 in Appendix 1 of the assessment).

125. Scenario three:
Mirror image massing of Crown Place (drawings 11-15 to 11-17 in Appendix 1 of the assessment). Existing and future surrounding context against the mirror image massing.
126. In terms of assessing the impact on the existing surrounding buildings, Officers have taken the view that scenario two is appropriate as the consented scheme at 1 Varcoe Road under construction, This considers the cumulative daylight impact.

Batwa House

Daylight

127. A total of 16 windows were assessed at Batwa House building. A summary of the effects on VSC and NSL is found in the table below.

Table: Summary of VSC impacts

Total no. of windows tested	Total no. of windows satisfying BRE %	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
16	12	1	1	2

Table: Summary of NSL impacts

Total no. of rooms tested	Total no. of rooms satisfying BRE	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
12	8	1	0	3

The NSL results show that of the 12 rooms tested, 8 would satisfy the BRE criteria.

128. The above demonstrates that there would be some significant, adverse impacts upon daylight to some of the residential units within Batwa House. However, it should be noted that the 1 Varcoe Road scheme had reduced the levels to Batwa House to a greater degree.
129. For the VSC test, where windows are not compliant there are at least two windows to those living rooms. The biggest loss in terms of NSL is to the first floor living room within Batwa House, but the ratio of VSC loss to these living room windows are not as significant. It should also be noted that those windows and rooms most affected have balconies facing the site and the BRE guidance notes that balconies to existing buildings can reduce levels of light to the rooms they serve. In summary, the impact upon the existing flats within Batwa House is considered to be acceptable.

Sunlight

130. The results show that out of the 16 south facing windows tested, 8 would satisfy the BRE criteria. The results indicate that 2 out of the 4 living rooms analysed would have at least one window that meet the BRE guidelines in terms of APSH. Of the remaining living rooms, the loss is not considered to be of a significant level.

Crown Place

131. In this instance, Officers consider it is appropriate to analyse the proposed scheme against the target values in the future surrounding context. Officers have also considered the results against the mirror-image massing in the future surrounding contexts. The tables below summarises the VSC and NSL impacts based on Scenario two (the future surrounding context).

Daylight

Table: Summary of VSC impacts

Total no. of windows tested	Total no. of windows satisfying BRE %	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
87	29	13	5	40

Table: Summary of NSL impacts

Total no. of rooms tested	Total no. of rooms satisfying BRE	No. of windows not satisfying BRE		
		20-29.9% reduction	30-39.9% reduction	>40% reduction
67	34	2	4	27

132. It is noted that there would be windows that would experience a noticeable change in VSC levels. However, the significant losses are mainly to bathrooms and bedrooms and when assessing daylight levels within new developments the BRE guidance sets a lower target for bedrooms than for kitchens and living rooms, presumably because bedrooms are predominantly used at night and for sleeping. This can also be attributed to the fact that the existing building on the site is modest in size, being single storey and most of the site is an open yard. As such it has little, if any impact upon levels of light to the surrounding properties and the existing windows in Crown Place currently experience good daylight levels.
133. Officers have also analysed the results based on the mirror-image test. This considers what impact building a mirror image of Crown Place on the application site would have upon the existing Crown Place property. It demonstrates that if a mirror image were constructed on the

site the VSC and NSL losses would not be as significant. This demonstrates that even though the proposed building would have a greater impact, a mirror image would also have significant impacts upon the neighbouring building.

134. There are balconies to some of the flats in Crown Place and the BRE guidance notes that balconies to existing buildings can reduce levels of light to the rooms they serve. The applicant has included an assessment with the balconies removed using the mirror-image test. This shows that the VSC and NSL losses would not be significant in such an urban location.

Sunlight

135. The results indicate that 23 out of the 24 living rooms analysed would meet the BRE guidelines in terms of APSH. The one window that fails would serve a living room and this room has a total of 3 windows. It is therefore considered that the impacts on sunlight levels to Crown Place are not significant.

1 Varcoe Road

136. The consented building to the north would not have any habitable room windows that face the application site and therefore the applicant has not carried out an assessment of the daylight and sunlight impacts to this consented building. The proposed building at 2 Varcoe Road also does not sit significantly beyond the rear building line of 1 Varcoe Road and as such, there would be limited impacts on the future residents.

Impact on the T Marchant Industrial Estate

137. The site adjoining to the west is an industrial site so has not been subject to any BRE daylight and sunlight tests. The masterplan sets out the kind of development on the adjoining site and it is envisaged that the southern part would be low rise industrial units (Class B1 or B8) which would immediately adjoin 2 Varcoe Road. The northern part of the site is envisaged to comprise of mixed use development (residential and commercial). With this in mind, it is not considered that the proposed development would impact on the natural light to any future residential properties.

Fire safety

138. The applicant was asked to demonstrate how the scheme would comply with Building Regulations Part B (Fire Safety) as it is built on the western boundary and residential windows and balconies overlook this yard. This is to provide Officers with the confidence of the buildability and deliverability of the scheme so close to an industrial site. The applicant submitted a fire strategy and the council's Building Control considered that whilst further calculations and technical information are required, the development could sit on the boundary. This would be subject to Building regulations control post-permission stage. Officers would highlight that the site is constrained and there would not be any possibility of moving this building back by 1m from the boundary. Any movement of the building to the east of the site would have an unacceptable impact on the adjoining neighbours' amenity without reducing the depth of the building. Furthermore, the potential loss of units if the building was to reduce would make the scheme unviable.

Overlooking

139. As noted above, the scheme has been designed to avoid direct overlooking into neighbouring properties. There are windows on the northern flank wall facing the 1 Varcoe Road scheme, but there are no windows on the adjoining consented scheme. Batwa House is located to the north east of the application site and is at an oblique angle, which means that there would not be direct views of these neighbours from the proposed habitable rooms.
140. The scheme has been designed to limit overlooking into Crown Place properties, as discussed above. The scheme does propose windows and balconies to the rear on the western elevation (only from first floor upwards). At present, the adjoining site to the west is an industrial use and no residential properties are present. However, Officers acknowledge that this adjoining site is likely to be developed in the future as per the OKRAAP. The masterplan is that this area of the adjoining site would remain industrial. As such, those western windows proposed on the rear elevation would not impact on any residential units.

Outlook

141. It is considered that the proposed development will provide an improved outlook for nearby residential properties as the scheme would place a site that does not currently enhance the street townscape and is partly in a poor condition. The windows at Crown Place serve mainly non-habitable rooms or secondary windows to living rooms. The proposed development is of sufficient distance from neighbouring residential properties and would therefore not impact on their outlook or appear overbearing.

Air Quality

142. 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.
143. The council's Environmental Protection Team (EPT) has reviewed the submission and has not raised any objections.

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

144. The proposed non-residential floorspace in the form of B1(c) would be likely to be more compatible with residential uses than the existing use on the site. The noise transmission would be controlled by planning conditions, as recommended by the council's EPT. Overall it is not considered that any of the uses proposed would result in any significant loss of amenity to neighbouring residential occupiers, nor would they hinder the operation of the neighbouring industrial and warehousing units.

Transport issues

145. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards.

Accessibility

146. The site has an official PTAL (public transport accessibility level) of 1b (low) and is not located in a controlled parking zone (CPZ). However, the applicant has carried out a PTAL manual assessment in their Transport Assessment which showed that the site realistically had a PTAL of 3 (medium). It is noted that the site to the north (1 Varcoe Road) was considered to have a PTAL 3 rating and therefore Officers accept this assessment.
147. The submitted Transport Assessment (TA) was revised and is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development. As part of the TA they referred to surveys carried out from recent developments in the area that were still relevant.
148. The trip generation analysis demonstrates that the site would create a maximum of 7 vehicular movements for the residential and 13 for the commercial. These vehicle movements would not generate any significant adverse impact on the existing movements on the adjoining roads. Indeed, the type and size of the vehicles associated with the proposed development would be different to that entering the site for its current use and is considered to be more compatible with the surrounding residential uses to the north and east. It is not considered that the proposed development would impact on the local highway network in terms of trip generation.
149. The proposal is car free and does not provide off street disabled parking. Whilst it is not located within a CPZ, the council's programme for introduction and revision of CPZ's includes this area. Although the scheme does not provide any on-site wheelchair parking, a parking beat survey was undertaken in the vicinity of the site and there was spare capacity for an additional which demonstrated there is some capacity. This capacity could allow for applications for blue badge parking for wheelchair units if requested.
150. A condition would also ensure that no future residents or occupiers of the proposed development could obtain resident parking permits for any future CPZ. It is also recommended that a condition to ensure all marketing of the development promotes car free living, to ensure the occupants are well aware they will not be entitled to permits.
151. The site has a medium PTAL and the nearest bus stop on Ilderton Road has access to the P12 bus route a single decker linking Canada Water to Peckham via the Old Kent Road. It is also possible to walk through the Bramcote Estate to Rotherhithe New Road where the 381 can be accessed this is a double decker service that connects Waterloo to Peckham via Canada Water and the Blue (shopping centre).
152. The site is within walking distance of South Bermondsey Station. Within the next ten years the area is likely to benefit from the Bakerloo Line Extension and a new Bermondsey' station on the London Overground network 'New would be located on Surrey Canal Street.
153. As a borough the council agree with Transport for London (TfL) that bus services will need to be increased in the area ahead of the BLE to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has been spent appropriately and the evidence for the further draw is the fairest way this could be managed. The proposal is that there is a maximum cap for TfL to call on which is £2,700 per unit. This will be able to be requested in stages between 3 - 5 years. The

initial contribution will be £300 per unit which will equate to £22,200 and this will be secured by S106.

154. Highways and transport infrastructure requirements are covered under CIL and the public highway improvements in the OKR Action Area would be delivered from a combination of land gain, s278 and CIL.

Servicing

155. The residential refuse collections will take place from Varcoe Road. It is noted that the refuse store for the private units are located on the southern end of the development, which would mean more than 10m of dragging distance and is not ideal for refuse collectors. However, with a robust servicing and management plan this could detail the servicing arrangements.
156. The proposal for on-site servicing is welcome together with a pick-up/drop-off area. However, the pick-up/drop-off area will also be used for servicing vehicles as turning area. The strategy will only be beneficial if managed properly to avoid vehicles reversing into the public highway if the pick-up/drop-off area is occupied when another vehicle arrives.
157. For a light 4.6t light van, the area allows for vehicles to enter and exit in forward gear. The vehicle tracking movement for 8m rigid vehicle shows vehicle reversing into the site since there is insufficient room for it to turn around and exit in forward gear. This manoeuvre would need to be managed well.
158. As such, a condition requiring a comprehensive and robust servicing and management plan is recommended prior to occupation detailing how on site servicing will be managed and any adverse impacts on the public road network mitigated.
159. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 5000 sqm of non-residential floor-space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
- (i) necessary to make the development acceptable in planning terms;
 - (ii) directly related to the development; and
 - (iii) fairly and reasonably related in scale and kind to the development.
160. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or 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 in this instance would be £7,500.00 based on the 74 residential units and 288sqm of non residential floorspace. The applicant has agreed to the contribution which can be collected via the legal agreement.

Type	Quantum	Bond Amount
Residential	74	£7,400.00
Non Residential	288sqm	£100.00
Daily Trips	20	£7,500.00

Cycle parking

161. The site is located close to Quietway 1 and will be in close to the proposed new linear park.
162. The proposals will provide 116 secure and covered cycle parking spaces for residents of which 18 will be provided in the form of Sheffield stands (15% of total). The cycle parking spaces for the apartments will be available to residents in two separate stores at ground level near the building entrances. This adheres to London Plan standards with some room for growth and it is recommended that detailed design should be submitted, to be secured by condition. The visitor cycle parking to the south of the site is compliant with London Plan but it is considered that locations could be reviewed and to be agreed by condition.
163. The council now has a programme to deliver the Santander cycle hire scheme for this site and a small contribution of £2,960 towards this is sought. There will be docking stations at South Bermondsey Station, and within the Liveable Neighbourhood which will be able to link to Bermondsey Tube, Canada Water, Surrey Quays and the Old Kent Road.

Highway improvements, walking and public realm

164. The area on Varcoe Road has generally narrow footways and are of a poor condition. The application provides for wider footways which will be delivered through the S278 agreement.

Construction management

165. This site is in a constrained location given that it is only accessed from Varcoe Road and close to residential areas. An obligation for a construction management plan is therefore to be secured.
166. Due to the cumulative impact of construction in the Old Kent Road AAP area a contribution of £20 per residential unit will be required to enable the highway authority and council's environment protection team to manage this. This equates to £1,480 for this application and will be secured through S106.

Design issues

167. Strategic Policy 12 of the Southwark Core Strategy states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
168. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see

substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. There are no conservation areas or listed buildings in the vicinity of the application site.

Height, Scale and Massing

169. The building is 29.99m in height (from finished ground level) and does not constitute a 'tall building'. However, Officers have acknowledged that it does only fall marginally short of the 30m threshold for a tall building. It is 7 storeys on the northern end of the site, stepping up to 9 storeys to the south. The surrounding buildings have the following heights:
170. Batwa House - 6 storeys
Crown Place - 6 storeys
1 Varcoe Road consented scheme - part 6, part 7 and part 8 storeys
171. Given this context, although at its highest point the building would be one storey taller than the consented 1 Varcoe Road scheme, it would not be significantly taller than its context and officers consider that it would be appropriate in the street scene and of a proportionate scale in relation to its neighbours.
172. The building steps up to 9 storeys to the south and provides a termination of this street before the waste facility to the south.
173. The ground floor commercial unit has a floor to ceiling height of approximately 3.65m, which falls short of the desired 4m that is required in the AAP. However, this is designed to align with the floor to ceiling height on the adjoining consented scheme at 1 Varcoe Road. This is considered to be a sensible and coherent design approach.
174. Overall, it is considered that the building form is acceptable in terms of the emerging and existing context. The siting, scale, mass and height of the proposal would be proportionate. The arrangement of the various heights have been carefully considered at street level and above, The proposal responds to the potential future development around the site, as illustrated in the draft OKR AAP.

Site layout

175. The development is a single block, though it is articulated into two blocks, optimising the site area. The building is located on the western part of the site, with the eastern part providing the main access to the building. This access comprises an area of soft and hard landscaping for pedestrian access. Towards the northern end of the site, a shared surface drop off area is immediately accessed from Varcoe Road, with the remaining part of the access to be pedestrian only. The 'lane' as described by the applicant is a no-through route and is terminated by the visitors cycle stands and an area of soft landscaping.
176. The building has been sited to align with 1 Varcoe Road and is also consistent with the OKR masterplan. This is also to provide adequate outlook and protect the daylight to Crown Place properties. This continuation of the building along the western side is a sensible and logical approach. To the south of the site, the facade is set back to align with the residential building to the east (Crown Place), bounded by a change in level and the retaining wall at ground floor.
177. Ground floor entrances to both the residential and commercial areas are all on the eastern

elevation and the ground floor building line is recessed with the first floor slightly overhanging. However, it is considered that it would still create a generous approach to the residential lobby and commercial units.

178. The ground floor western façade would be blank to allow for future development on the adjoining site.

Detailed design, fenestration and materiality

179. Officers were originally concerned with the height, massing and layout, but this has been revised to address the concerns raised. The design proposed is of a high quality that responds well to the character of the surrounding context and the aspirations as set out in the AAP. The surrounding area is of mixed character and styles of architecture.
180. In terms of its composition, the two volumes combining to provide one building would be appropriate and would respond appropriately to the site's context. This is also seen at the consented scheme 1 Varcoe Road. The building is also designed with a base, middle and top. The ground floor is set back with the first floor overhanging slightly. The ground floor comprising the residential lobbies and a commercial unit in the centre provides an active frontage with its high floor-to-ceiling height glazed façade.
181. The building is well articulated and modulated with balconies and bay windows. The balconies would have open metalwork and bright coloured soffits, where details could be secured by a condition. The east elevation would have protruding window features in the form of angled bay windows adding variety and interest to this façade.
182. The ground floor western façade is left blank to ensure it does not compromise future development of the adjoining site. The two floors above would have 'wintergardens' that could open up as balconies.
183. Details such as coloured glazed bricks on some of the soldier course of the windows and sawtooth glazed brick stretched horizontally across the facades add life to this building. It is considered that this detailing would be appropriate for the building proposed, adding articulation and interest to the elevation on all floors. The predominant use of masonry for the whole building follows the design guidance of the draft AAP
184. In order to ensure that the depth of architectural expression and the quality and contrast of the materials achieved, a condition is to be imposed requiring materials samples to be presented on-site to and approved by the Local Planning Authority.

Conclusion on design

185. The building would be of an appropriate height and scale, being sympathetic with the consented scheme to the north and is accordingly considered acceptable. The revisions received satisfy Officer's original concerns. The design quality, and use of brick would ensure that a high quality of finish would be achieved and conditions are recommended in relation to detailed design and material samples.

Impact on character and setting of a listed building and/or conservation area

186. The Grade II listed gasholder (No.13, Old Kent Road former gasworks) is located some

distance away from the application site. It is not considered that the proposed development would harm the character, appearance of the setting of the heritage asset.

Impact on trees

187. There are no existing trees on the site and the plans indicate there would be the planting of trees in the landscaped forecourt. However, it is also noted that the majority of the site frontage is hard landscaping. In light of this and given the constraints of the site to provide any more tree planting, the opportunity exists for a contribution to be required to enhance amenity within the vicinity via street trees at a cost of £3,000 per tree. The council's Urban Forester has confirmed that given the limited site frontage to Varcoe Road, 3 No. trees would be sufficient, totalling a £9,000 contribution.

Planning obligations (S.106 undertaking or agreement)

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

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

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

Archaeology: £6,778

Affordable housing monitoring: £3,176.4

Carbon Offset – Green Fund: £111,168

Delivery and service bond: £7,500

Public open space: £75,850

Trees: 3,000 per tree (for 3 No. trees) totalling £9,000

Transport for London Buses: £22,200

Santander bicycle hire scheme: £2,960

Contribution in lieu of private / communal amenity space: £9,635

Construction management plan review and monitoring: £1,480

Section 106 admin charge at 2% of total

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

- Affordable housing provisions
- Appointment of workspace co-ordinator
- Affordable workspace – 10% of floorspace at 28.8sqm
- Terms for the affordable workspace – £11 per sq ft, over a 15 year period
- Jobs, skills and training during construction period (including fall-back financial contribution if targets not met). This includes targets of 13 No. jobs or max £55,900 offset, 13 No. Training courses or max £1,950 offset and 3 No. Apprenticeships or max £4,500 offset;
- Marketing, allocation and fit out of the 7 No. wheelchair units;
- Highway works – s278 agreement to repave the footway fronting the development including new kerbing on Varcoe Road using materials in accordance with Southwark's Streetscape Design Manual (precast concrete slabs and granite kerbs).
- Service management plan
- Car club membership for 3 years
- Parking permits exclusion zone for future occupants
- Connection to a future district heating system
- Off-set contribution will be secured in in event that there is a shortfall in attenuation required

191. In the event that an agreement has not been completed by 12 February 2020, the Committee is asked to authorise the director of planning to refuse permission, if appropriate, for the following reason:

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

Mayoral and Southwark Community Infrastructure Levy (CIL)

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

193. In this instance the scheme is liable to Mayoral CIL payment and Southwark CIL payment.

Sustainable development implications

194. Policy 5.2 of the London Plan requires major developments to provide an assessment of their

energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. Energy statements should demonstrate how the zero carbon target for residential developments will be met, with at least a 35% on-site reduction beyond Part L 2013 and proposals for making up the shortfall to achieve zero carbon, where required. It should also demonstrate at least a 35% on-site reduction beyond Part L 2013 for non-residential development. An Energy statement based on the Mayor's hierarchy has been submitted.

Be lean (use less energy)

195. Energy efficiency measures include a range of passive measures such as solar shading, thermal mass and passive ventilation where possible to manage heat. Other measures include efficient building fabric, improved building air tightness and efficient lighting. The regulated carbon saving achieved in this step of the Energy Hierarchy is 27.8% over the site wide baseline level.

Be clean (supply energy efficiently)

196. The applicant has explored the use of a combined heat and power (CHP), but it was considered that the air source heat pump would be the better alternative technology to provide both the heating and cooling of the development. Air source heat pumps being electric will also benefit from the decarbonisation of the UK power grid and improvement in carbon factors.
197. The site is located within an area where there are plans for the delivery of a district heating network, referred to as "SELCHP" energy system. The GLA has highlighted that connection to the network should be prioritised and evidence of correspondence with the network operator should be provided.
198. The applicant has committed to connect to SELCHP and it is standard that major developments in parts of the council would be future-proofed for connection to a future district heating system which would be secured through the S106 agreement.

Be green (low or carbon zero energy)

199. A range of low or zero carbon technologies was considered and photovoltaics (PVs) and air source heat pumps were found as suitable technologies for the development. The regulated carbon saving achieved in this step of the Energy Hierarchy is 10% over the site wide baseline level. This would not meet the 20% target for Strategic Policy 13 of the Core Strategy, but it is noted the roof area provides communal amenity space and a small children's play area which means utilising the whole roof would not be feasible.
200. Overall, the proposed measures would result in an overall reduction in carbon dioxide emissions when compared to a scheme compliant with the building regulations. Effort has been made to maximise savings at each step of the Energy Hierarchy as far as technically and financially feasible.
201. For the residential element, a 39.03% carbon reduction would be achieved meeting the minimum 35% requirements (against Part L of the Building Regulations 2013) as set out in

policy 5.2 of the London Plan. For the commercial element, a 25.2% reduction in carbon emissions would be achieved, falling short of the 35%. However, the total savings across the whole site would be 37.8%. The London Plan does have a zero carbon homes target and would require the development to make a carbon offset payment for the remaining shortfall.

BREEAM

202. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken which demonstrates that an 'Excellent' standard can be achieved, which meet the required "Excellent" standard that is required for the commercial element. A pre-fit condition for the commercial workspace to secure an 'Excellent' standard is therefore recommended.

Biodiversity

203. The site is an industrial scaffolding yard with hardstanding and in its current state there is little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.
204. Ecological appraisal of the site comprises a desk study and an Extended Phase 1 Habitat survey with specific focus on bats and nesting birds. This report presented the findings of the above surveys and the council's Ecology Officer agrees with the results. The report and planning statement make recommendations that ecological enhancement should be secured conditions. The council's Ecology Officer has advised a number of conditions including swift bricks, sparrow terraces and bat tubes and biodiverse roof. A management plan is also required via a condition to cover those enhancements.

Flood Risk and Water Resources

205. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences. Following amended plans, a revised Flood Risk Assessment (FRA) was submitted. The Environment Agency (EA) was re-consulted and has not made any objections to the proposals subject to their recommended conditions.
206. The council's Flood and Drainage Team has also reviewed the application and notes that the development would seek to limit surface water discharges to the estimated greenfield runoff rate where practical, in line with Southwark's Strategic Flood Risk Assessment and Policy 5.13 of the London Plan.
207. A greenfield runoff rate offset of £366 per cubic metre will be secured in in event that there is a shortfall in attenuation required to limit surface water run off, which is required by the draft draft AAP 11.

Other matters

Archaeology

208. The site is within the Bermondsey Lake Archaeology Priority Zone (APZ) and a desk-based assessment of the site identifying any likely archaeological potential has been prepared by applicant, which has been reviewed by the council's archaeologist.

209. It was originally considered by the council's archaeologist that a small scale pre-determination evaluation was required particularly as a basement was previously proposed. The basement has since been omitted from the scheme and it has been accepted that as this is a small site and the adjoining site at 1 Varcoe Road did not produce nationally significant archaeological results, conditions would suffice, which would secure a programme of archaeological evaluation, mitigation and reporting prior to any demolition. It should be noted that Officers are taking a pragmatic stance in this instance as access to the area for a single geo-archaeological borehole is not possible. It does not set a precedent for any future developments on surrounding sites.

Contamination

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

Conclusion on planning issues

211. The proposed development would result in the introduction of residential uses into the SIL and would therefore represent a departure from the adopted development plan. However, the adopted London Plan clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing. In advance of emerging policy being adopted, and SIL being formally released, this proposal must be weighed against the wider regeneration benefits of the scheme.
212. The proposed development would potentially increase the numbers of jobs on the site and deliver new housing, including a policy compliant level of affordable housing in terms of habitable rooms. Affordable workspace has also been proposed. Recognising the changing character and uses carried out in the immediate area and in particular the surrounding block of flats, it is not felt that any harm to existing businesses would arise by the introduction of housing on this site. In light of this it is considered that the principle of the proposed development should be supported in this instance.
213. The proposal would deliver a good standard of accommodation with limited impacts on existing neighbours' amenity. It is noted that the impacts of the scheme in relation to daylight and sunlight, are on balance considered acceptable, and whilst there would be departures from the BRE guidelines, the daylight and sunlight levels are still considered adequate for a dense urban area. The design and materiality is considered to respond well to the existing character and surrounding context.
214. It is therefore recommended that planning permission be granted subject to conditions and the completion of a legal agreement under the terms as set out above.

Consultations

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

Consultation replies

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

Summary of consultation responses

217. At the time of writing, a total 2 No. consultation responses have been received from members of the public. The objections raised have been summarised above.

Summary of responses from external and statutory consultees

Environment Agency

218. No objection subject to conditions.

Health and Safety Executive (HSE)

219. The site lies within the consultation distance of a major hazard site - Old Kent Road Gas Holder Station. The HSE does not advise, on safety grounds, against the granting of planning permission.

Historic England

220. No comments to make.

London Underground Infrastructure Protection

221. No comments to make.

Metropolitan Police Designing Out Crime officer

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

Natural England

223. No comments to make.

Thames Water

224. The proposed development is located within 15m of Thames Water's underground water assets and as such would like an informative attached to any approval granted.

Community impact statement / Equalities Assessment

225. 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.

226. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
227. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
228. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
229. The building and yard is currently used for a scaffolding company, though most of the site is now largely redundant. There are therefore no impacts on persons sharing relevant protected characteristics within the site. The immediate adjoining area comprises a mix of residential and industrial use. It is not considered that the proposed mixed use scheme would give rise to any equalities issues in respect of persons sharing the relevant characteristics set out above.

Human rights implications

230. 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.
231. This application has the legitimate aim of providing 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.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2324-72 Application file: 18/AP/2895 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5729 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	Wing Lau, Team Leader	
Version	Final	
Dated	1 November 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	1 November 2019	

APPENDIX 1**Consultation undertaken****Site notice date:** 05/10/2018**Press notice date:** 04/10/2018**Case officer site visit date:** 05/10/2018**Neighbour consultation letters sent:** 27/09/2018**Internal services consulted:**

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

Statutory and non-statutory organisations consulted:

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

Neighbour and local groups consulted:

Flat 1 1 Barkworth Road SE16 3BY

3 Barkworth Road London SE16 3BY

404 Crown Place Apartments 20 Varcoe Road SE16 3AD

403 Crown Place Apartments 20 Varcoe Road SE16

45 Credon Road London SE16 3AA
 Flat 4 1 Barkworth Road SE16 3BY
 Flat 3 1 Barkworth Road SE16 3BY
 Flat 2 1 Barkworth Road SE16 3BY
 41 Credon Road London SE16 3AA
 Flat 1 43 Credon Road SE16 3AA
 46-50 Verney Road London SE16 3DH
 66 Verney Road London SE16 3DH
 Flat 4 43 Credon Road SE16 3AA
 Flat 3 43 Credon Road SE16 3AA
 Flat 2 43 Credon Road SE16 3AA
 80 Verney Road London SE16 3DB
 103 Verney Road London SE16 3DA
 Flat 6 101 Verney Road SE16 3DA
 1 Ryder Drive London SE16 3BB
 64 Verney Road London SE16 3DH
 Flat 1 Arundel Court SE16 3DB
 Flat 5 101 Verney Road SE16 3DA
 Flat 1 101 Verney Road SE16 3DA
 Flat 6 1 Barkworth Road SE16 3BY
 Flat 5 1 Barkworth Road SE16 3BY
 Flat 4 101 Verney Road SE16 3DA
 Flat 3 101 Verney Road SE16 3DA
 Flat 2 101 Verney Road SE16 3DA
 2 Varcoe Road London SE16 3DG
 Flat 5 6 Varcoe Road SE16 3DG
 Flat 4 6 Varcoe Road SE16 3DG
 Flat 3 6 Varcoe Road SE16 3DG
 Flat 8 6 Varcoe Road SE16 3DG
 Flat 7 6 Varcoe Road SE16 3DG
 Flat 6 6 Varcoe Road SE16 3DG
 Flat 2 6 Varcoe Road SE16 3DG
 Flat 25 Batwa House SE16 3BF
 Flat 19 Batwa House SE16 3BA
 3AD
 408 Crown Place Apartments 20 Varcoe Road SE16 3AD
 407 Crown Place Apartments 20 Varcoe Road SE16 3AD
 406 Crown Place Apartments 20 Varcoe Road SE16 3AD
 402 Crown Place Apartments 20 Varcoe Road SE16 3AD
 307 Crown Place Apartments 20 Varcoe Road SE16 3AD
 306 Crown Place Apartments 20 Varcoe Road SE16 3AD
 305 Crown Place Apartments 20 Varcoe Road SE16 3AD
 401 Crown Place Apartments 20 Varcoe Road SE16 3AD
 309 Crown Place Apartments 20 Varcoe Road SE16 3AD
 308 Crown Place Apartments 20 Varcoe Road SE16 3AD
 G06 Crown Place Apartments SE16 3AD
 G05 Crown Place Apartments SE16 3AD
 G04 Crown Place Apartments SE16 3AD
 G09 Crown Place Apartments SE16 3AD
 G08 Crown Place Apartments SE16 3AD
 G07 Crown Place Apartments SE16 3AD
 G03 Crown Place Apartments SE16 3AD
 501 Crown Place Apartments 20 Varcoe Road SE16 3AD
 410 Crown Place Apartments 20 Varcoe Road SE16 3AD
 409 Crown Place Apartments 20 Varcoe Road SE16 3AD
 G02 Crown Place Apartments SE16 3AD
 G01 Crown Place Apartments SE16 3AD
 502 Crown Place Apartments 20 Varcoe Road SE16 3AD
 304 Crown Place Apartments 20 Varcoe Road SE16 3AD
 101 Crown Place Apartments 20 Varcoe Road SE16 3AD
 10 Varcoe Road London SE16 3DG
 104 Crown Place Apartments 20 Varcoe Road SE16 3AD
 103 Crown Place Apartments 20 Varcoe Road SE16 3AD
 102 Crown Place Apartments 20 Varcoe Road SE16 3AD
 201 Crown Place Apartments 20 Varcoe Road SE16 3AD
 58 Verney Road London SE16 3DH
 68 Verney Road London SE16 3DH
 42 Verney Road London SE16 3DH
 108 Crown Place Apartments 20 Varcoe Road SE16 3AD

Flat 18 Batwa House SE16 3BA	107 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 1 6 Varcoe Road SE16 3DG	106 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 8 8 Varcoe Road SE16 3DG	210 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 7 8 Varcoe Road SE16 3DG	209 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 6 8 Varcoe Road SE16 3DG	208 Crown Place Apartments 20 Varcoe Road SE16 3AD
70-72 Verney Road London SE16 3DH	303 Crown Place Apartments 20 Varcoe Road SE16 3AD
52-56 Verney Road London SE16 3DH	302 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 9 8 Varcoe Road SE16 3DG	301 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 5 8 Varcoe Road SE16 3DG	207 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 1 8 Varcoe Road SE16 3DG	203 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 9 6 Varcoe Road SE16 3DG	202 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 4 8 Varcoe Road SE16 3DG	105 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 3 8 Varcoe Road SE16 3DG	206 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 2 8 Varcoe Road SE16 3DG	205 Crown Place Apartments 20 Varcoe Road SE16 3AD
2 Ryder Drive London SE16 3BB	204 Crown Place Apartments 20 Varcoe Road SE16 3AD
Flat 33 Arundel Court SE16 3DB	Flat 20 Batwa House SE16 3BA
Flat 32 Arundel Court SE16 3DB	Flat 2 Batwa House SE16 3BA
Flat 31 Arundel Court SE16 3DB	Flat 4 Batwa House SE16 3BA
Flat 36 Arundel Court SE16 3DB	Flat 3 Batwa House SE16 3BA
Flat 35 Arundel Court SE16 3DB	Flat 21 Batwa House SE16 3BA
Flat 34 Arundel Court SE16 3DB	Flat 38 Batwa House SE16 3BF
Flat 30 Arundel Court SE16 3DB	Flat 34 Batwa House SE16 3BF
Flat 26 Arundel Court SE16 3DB	Flat 33 Batwa House SE16 3BF
Flat 25 Arundel Court SE16 3DB	Flat 32 Batwa House SE16 3BF
Flat 24 Arundel Court SE16 3DB	Flat 37 Batwa House SE16 3BF
Flat 29 Arundel Court SE16 3DB	Flat 36 Batwa House SE16 3BF
Flat 28 Arundel Court SE16 3DB	Flat 35 Batwa House SE16 3BF
Flat 27 Arundel Court SE16 3DB	Flat 14 Batwa House SE16 3BA
Unit 59 42-72 Verney Road SE16 3DH	Flat 13 Batwa House SE16 3BA
Second Floor Credon House SE16 3DA	Flat 12 Batwa House SE16 3BA
Flat 39 Arundel Court SE16 3DB	Flat 17 Batwa House SE16 3BA
Flat 38 Arundel Court SE16 3DB	Flat 16 Batwa House SE16 3BA
Flat 37 Arundel Court SE16 3DB	Flat 15 Batwa House SE16 3BA
Part First Floor Credon House SE16 3DA	Flat 11 Batwa House SE16 3BA
149 Ormside Street London SE15 1TF	Flat 7 Batwa House SE16 3BA
Flat 40 Arundel Court SE16 3DB	Flat 6 Batwa House SE16 3BA
Flat 23 Arundel Court SE16 3DB	Flat 5 Batwa House SE16 3BA
Flat 6 Arundel Court SE16 3DB	Flat 10 Batwa House SE16 3BA
Flat 5 Arundel Court SE16 3DB	Flat 9 Batwa House SE16 3BA
Flat 4 Arundel Court SE16 3DB	Flat 8 Batwa House SE16 3BA
Flat 9 Arundel Court SE16 3DB	Flat 31 Batwa House SE16 3BF

Flat 8 Arundel Court SE16 3DB
 Flat 7 Arundel Court SE16 3DB
 Flat 3 Arundel Court SE16 3DB
 5 Ryder Drive London SE16 3BB
 4 Ryder Drive London SE16 3BB
 3 Ryder Drive London SE16 3BB
 Flat 2 Arundel Court SE16 3DB
 1 Varcoe Road London SE16 3DG

6 Ryder Drive London SE16 3BB
 Flat 19 Arundel Court SE16 3DB
 Flat 18 Arundel Court SE16 3DB
 Flat 17 Arundel Court SE16 3DB
 Flat 22 Arundel Court SE16 3DB
 Flat 21 Arundel Court SE16 3DB
 Flat 20 Arundel Court SE16 3DB
 Flat 16 Arundel Court SE16 3DB
 Flat 12 Arundel Court SE16 3DB
 Flat 11 Arundel Court SE16 3DB
 Flat 10 Arundel Court SE16 3DB
 Flat 15 Arundel Court SE16 3DB

Flat 14 Arundel Court SE16 3DB
 Flat 13 Arundel Court SE16 3DB
 405 Crown Place Apartments 20 Varcoe Road SE16 3AD

Flat 43 Batwa House SE16 3BF
 Flat 42 Batwa House SE16 3BF
 Flat 41 Batwa House SE16 3BF
 62 Verney Road London SE16 3DA
 Flat 45 Batwa House SE16 3BF
 Flat 44 Batwa House SE16 3BF
 Flat 40 Batwa House SE16 3BF
 211 Crown Place Apartments 20 Varcoe Road SE16 3AD
 G10 Crown Place Apartments SE16 3AD
 Flat 39 Batwa House SE16 3BF
 West Newton House SE16 3DA
 East Newton House SE16 3DA
 Flat 27 Batwa House SE16 3BF
 Flat 26 Batwa House SE16 3BF
 Flat 25 Batwa House SE16 3BF
 Flat 30 Batwa House SE16 3BF
 Flat 29 Batwa House SE16 3BF
 Flat 28 Batwa House SE16 3BF
 Flat 24 Batwa House SE16 3BF
 Ground Floor And Part First Floor Credon House SE16 3DA
 60-61 Verney Road London SE16 3DH
 Flat 23 Batwa House SE16 3BF
 Flat 22 Batwa House SE16 3BF
 Flat 1 Batwa House SE16 3BF

Re-consultation: 10/07/2019

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

Economic Development Team
Flood and Drainage Team

Statutory and non-statutory organisations

Environment Agency
Health & Safety Executive
Historic England
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region
Thames Water - Development Planning
London Underground Infrastructure Protection

Neighbour consultation

Two representations received from residents on Varcoe Road

APPENDIX 3

**RECOMMENDATION
LDD MONITORING FORM REQUIRED**

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	Mr Gertner End Game Capital (SE London) Ltd	Reg. Number	18/AP/2895
Application Type	Full Planning Application	Case Number	TP/2324-72
Recommendation	Grant subject to Legal Agreement		

Draft of Decision Notice

Demolition of existing buildings and erection of a new mixed use development comprising a part 7, part 9 storey (maximum height above ground of 29.99m) building of 288sqm commercial floor space (Use Class B1) and 74 residential dwellings (Use Class C3) with associated bin stores, cycle stores, plant rooms and hard and soft landscaping.

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

At: 2 VARCOE ROAD, LONDON SE16 3DG

In accordance with application received on 04/09/2018

and Applicant's Drawing Nos.

414PL000_Site Plan_Rev A

Existing and demolition plans

414PL001_Site Plan Existing

414PL002_Existing Elevations

414PL010_Demolition Plan

414PL011_North Elevation

414PL012_East Elevation

414PL013_West Elevation

414PL014_South Elevation

Proposed plans

414PL100 Ground Floor Plan_RevA

414PL101 Ground Floor Plan_RevA

414PL102 First Floor Plan_RevB

414PL103_Second Floor Plan_ RevB

414PL104_Third Floor Plan_RevB

414PL105_Fourth Floor Plan_RevB

414PL106_Fifth Floor Plan_RevB

414PL107_Sixth Floor Plan_RevB

414PL108_Seventh Floor Plan_RevA

414PL109_Eighth Floor Plan_RevA

414PL110_Roof floor Plan_RevA

414PL300_Elevation East _Rev A

414PL301_Elevation West _Rev A

414PL302_Elevation South _Rev A

414PL303_Elevation North _Rev A

414PL200_Section AA_Rev A

414PL201_Section BB_Rev A

414PL202_Section CC_Rev A

414PL203_Section DD_Rev A

414PL204_Section EE_Rev A

414PL205_Section FF_Rev A

414PL500_Detail 01

414PL501_Detail 02

414PL502_Detail 03/04

414PL503_Detail 05

414PL504_Detail 06

414PL505_Detail 07

AccommodationSchedule_190920

190918_Detailed_Flat_Schedule_RevC

NIA_TenureSchedule_190930

GEA and GIA Schedule March 2019

Supporting documents

Covering Letter 15 April 2019, Planning Statement Supplemental April 2019, Design and Access Statement April 2019, Energy Statement March 2019, BREEAM Office Building Pre-assessment Report January 2019, Transport Assessment April 2019, Delivery and Servicing Plan October 2018, Daylight and Sunlight report June 2019, Archaeology and Heritage Assessment August 2018, Air Quality Assessment September 2018, Air Quality Neutral Update August 2019, Daylight and Sunlight Assessment June 2019, Ecological Appraisal August 2018, Flood Risk Assessment August 2018, Preliminary Risk Assessment April 2018, Noise Impact Assessment October 2019, Servicing and Refuse Management Plan October 2018, Consultation Statement September 2018, HCA Development Appraisal Tool February 2019, Affordable Housing Viability Appraisal Executive Summary May 2019

Subject to the following thirty-five conditions:

Time limit for implementing this permission and the approved plans

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

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

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

414PL100 Ground Floor Plan_RevA

414PL101 Ground Floor Plan_RevA

414PL102 First Floor Plan_RevB

414PL103_Second Floor Plan_ RevB

414PL104_Third Floor Plan_RevB

414PL105_Fourth Floor Plan_RevB

414PL106_Fifth Floor Plan_RevB

414PL107_Sixth Floor Plan_RevB

414PL108_Seventh Floor Plan_RevA

414PL109_Eighth Floor Plan_RevA

414PL110_Roof floor Plan_RevA

414PL300_Elevation East _Rev A

414PL301_Elevation West _Rev A

414PL302_Elevation South _Rev A

414PL303_Elevation North _Rev A

414PL200_Section AA_Rev A

414PL201_Section BB_Rev A

414PL202_Section CC_Rev A

414PL203_Section DD_Rev A

414PL204_Section EE_Rev A

414PL205_Section FF_Rev A

414PL500_Detail 01

414PL501_Detail 02

414PL502_Detail 03/04

414PL503_Detail 05

414PL504_Detail 06

414PL505_Detail 07

Reason:

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

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

3 Archaeological evaluation

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

Reason: In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

4 Archaeology mitigation

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

Reason: In order that the details of the programme of works for the archaeological mitigation are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

5 Archaeology foundation design

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

Reason: In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the

preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

6 Archaeology post-excavation

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

Reason: In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

7 Contamination

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

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

8 Contamination

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

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

9 SUDs

No works shall commence until the applicant has submitted full details of the proposed surface water drainage system incorporating Sustainable Drainage Systems (SuDS), including detailed design, size and location of attenuation units and details of flow control measures, plus supporting hydraulic calculation sheets, shall be submitted to and approved in writing by the Local Planning Authority. The strategy should achieve a reduction in surface water runoff rates in line with the Flood Risk Assessment & Indicative Surface Water Drainage Strategy prepared by RSK dated 21 August 2019 (Ref: 133317-R1(2)-FRA) for storm events up to and including the 1% Annual Exceedance Probability (AEP) event plus climate change allowance. Opportunities for biodiverse green roofs should be also maximised at the site. 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), Policy AAP11 of the Old Kent Opportunity Area Action Plan, and Policy 5.13 of the London Plan (2015).

10 Verification remediation

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

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

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

11 B1 fit out

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

Reason

In granting this permission the Local Planning Authority has had regard to the special circumstances of this case in accordance with Strategic Policy 1.2 Strategic and local preferred industrial locations of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan 2007 and the National Planning Policy Framework 2019.

12 Amenity space details

Before any above grade work hereby authorised begins on any of part of the development, the applicant shall submit details of all the communal amenity space and play spaces proposed for approval by the Local Planning Authority. The submission shall include soft and hard landscaping and boundary treatment including screening to the roof terrace. The development shall not be carried out otherwise than in accordance with any such approval given and thereafter the space shall be retained for play purposes.

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

Reason:

In order that the Council may be satisfied with the details of the play strategy, in accordance with: the National

Planning Policy Framework 2019, Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2016; Strategic Policies 11 (Open Spaces and Wildlife) and 12 (Design and Conservation) of the Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), 3.13 (Urban Design) and 4.2 (Quality of Residential Accommodation) of the Southwark Plan 2007.

13 Biodiverse roof

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

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 5.11 of the London Plan 2016, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

14 Birds and bats

Before any above grade work hereby authorised begins, details of bird and bat nesting bricks / tubes 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 8 Sparrow terraces or internal bricks and 3 bat tubes shall be provided and the details shall include the exact location, specification and design of the habitats. The features shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

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

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 7.19 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

15 Swift bricks

Before any above grade work hereby authorised begins, details of no less than 10 internal Swift bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

Details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained.

The Swift bricks shall be installed strictly in accordance with the details so approved, shall be maintained as such thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: The National Planning Policy Framework 2019, 7.19 of the London Plan 2016, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

16 Landscaping

Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including details of the play space, cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use. The play equipment shall be provided in accordance with the details thereby approved prior to the occupation of the residential units. All playspace and communal amenity space within the development shall be available to all residential occupiers of the development in perpetuity.

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

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2019, Strategic policies 11, 12 and 13 of The Core Strategy 2011 and Saved Policies 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity. of The Southwark Plan 2007:

17 Landscape management

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.

Reasons: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with policies: The National Planning Policy Framework 2019, 5.10 and 7.19 of the London Plan 2016, Saved Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

18 Materials

Samples of all external facing materials to be used in the carrying out of this permission shall be presented to the Local Planning Authority and approved in writing before any above grade works, in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and saved Policies: 3.11 Efficient use of land; 3.12 Quality in Design; 3.13 Urban Design; of The Southwark Plan 2007.

19 Bay studies

Bay studies at a scale of 1:20 of facades from parapet to ground, including window design, to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority before any above grade work (excluding demolition) in connection with this permission is commenced. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning Authority may be satisfied as to the quality of the design and details in accordance with 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; 3.13 Urban Design; of The Southwark Plan 2007.

20 Sections

Section detail-drawings at a scale of 1:5 through:

the facades and balconies;
parapets and roof edges; and
heads, cills and jambs of all openings

to be used in the carrying out of this permission shall be submitted to and approved by the Local Planning Authority in writing before any work in connection with this permission is commenced above grade; 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, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and saved policies: 3.12 Quality in Design; 3.13 Urban Design; of the Southwark Plan 2007.

21 Secured by design

Before any above grade work hereby authorised begins, details of security measures including external lighting 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.

22 Cycle storage

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

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2019, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

23 BREEAM

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

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

Reason

To ensure the proposal complies with The National Planning Policy Framework 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.

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

24 Refuse storage

Before the first occupation of the building hereby permitted, details of the arrangements for the storing of domestic and commercial refuse shall be submitted to and approved in writing by the Local Planning Authority and the facilities approved shall be provided and made available for use by the occupiers of the dwellings and the facilities shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

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

25 Car free

Prior to occupation, details of the marketing materials for sale and rental properties shall be submitted and approved in writing by the local planning authority clearly identifying the development as car free and that all new residents should sign acknowledgement of the permit free status of their new home.

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.

26 Fit out

The residential accommodation hereby approved shall not be occupied until the ground and first floor commercial units have been fitted out in accordance with the approved B1(c) fit out details including details for the units to be sprinklered , unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure that occupiers of neighbouring residential properties do not suffer a loss of amenity by reason of noise nuisance from fit out works after residential accommodation has been occupied and to ensure it meets fire safety regulations in accordance with the National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

27 Plant

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 Internal noise

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

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

Living rooms- 35dB LAeq T †

Dining room - 40 dB LAeq T †

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

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

Reason: To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with 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.

29 Sound from plant

The Rated sound level from any plant, including the air source heat pumps, 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 in 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

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.

30 CPZ

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.

31 Energy measures

The development hereby permitted shall be constructed to include the energy efficiency measures air source heat pump and photovoltaic panels as stated in the Energy Statement prepared by DSA Engineering dated March 2019 and submitted with the application. All measures and technologies shall remain for as long as the development is occupied.

Reason:

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

32 Surface water drainage

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.

33 Piling

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 Servicing hours

Any deliveries, unloading and loading to the commercial units shall only take place between the following hours: 08.00 to 20.00hrs on Monday to Saturday and 10.00 to 16.00hrs on Sundays & Bank Holidays.

Reason:

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

35 Telecommunications

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

Reason:

In order to ensure that no telecommunications plant or equipment which might be detrimental to the design and appearance of the building and visual amenity of the area is installed on the roof of the building in accordance with: The National Planning Policy Framework 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.

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OPEN**COMMITTEE:****PLANNING COMMITTEE****MUNICIPAL YEAR 2019-20****NOTE:**

Original held in Constitutional Team; all amendments/queries to Gerald Gohler/Everton Roberts, Constitutional Team, Tel: 020 7525 7420

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