

## Planning Sub-Committee B

Wednesday 21 October 2020

7.00 pm

Online/Virtual: Members of the public are welcome to attend the meeting.

Please contact [Constitutional.Team@southwark.gov.uk](mailto:Constitutional.Team@southwark.gov.uk) for a link or telephone dial-in instructions to join the online meeting

### Membership

Councillor Cleo Soanes (Chair)  
Councillor Maria Linforth-Hall (Vice-Chair)  
Councillor Sirajul Islam  
Councillor Karl Eastham  
Councillor Martin Seaton  
Councillor Victoria Mills  
Councillor David Noakes

### Reserves

Councillor Sarah King  
Councillor Jack Buck  
Councillor Tom Flynn  
Councillor Damian O'Brien  
Councillor Sandra Rhule

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

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

#### Babysitting/Carers allowances

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

#### Access

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

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**Contact** Beverley Olamijulo email: [Beverley.olamijulo@southwark.gov.uk](mailto:Beverley.olamijulo@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**  
Chief Executive  
Date: 6 October 2020



## **Planning Sub-Committee B**

Wednesday 21 October 2020  
7.00 pm

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### **Order of Business**

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>1.</b>	<b>INTRODUCTION AND WELCOME</b>	
<b>2.</b>	<b>APOLOGIES</b>	
<b>3.</b>	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
<b>4.</b>	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
<b>5.</b>	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
<b>6.</b>	<b>MINUTES</b>	
	To approve as a correct record the minutes of the meeting held on 14 September 2020 (to follow).	
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	1 - 5

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>7.1.</b>	<b>SOUTHWARK PARK DAY CENTRE, 345 SOUTHWARK PARK ROAD, LONDON SE16 2JN</b>	<b>6 - 55</b>
<b>7.2.</b>	<b>54 LUDGARD ROAD, LONDON SE15 2TD</b>	<b>56 - 82</b>
<b>7.3.</b>	<b>ANTONY HOUSE AND RODERICK HOUSE, RAYMOUTH ROAD, LONDON SE16 2DJ</b>	<b>83 - 109</b>

#### **EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-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.”

## Planning Sub-Committee

### Guidance on conduct of business for planning applications, enforcement cases and other planning proposals (virtual meetings)

**Please note:**

The council has made the following adaptations to the committee process to accommodate virtual meetings:

- The agenda will be published earlier than the statutory minimum of five working days before the meeting. We will aim to publish the agenda ten clear working days before the meeting.
- This will allow those wishing to present information at the committee to make further written submissions in advance of the meeting in order to:
  - Correct any factual information in the report
  - Confirm whether their views have been accurately reflected in the report
  - Re-emphasise the main points of their comments
  - Suggest conditions to be attached to any planning permission if granted.
- **Those wishing to speak at the meeting should notify the constitutional team at [Constitutional.Team@southwark.gov.uk](mailto:Constitutional.Team@southwark.gov.uk) in advance of the meeting by 5pm on the working day preceding the meeting.**

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 in the virtual meeting and wish to speak) for **not more than three minutes each**. **Speakers must notify the constitutional team at [Constitutional.Team@southwark.gov.uk](mailto:Constitutional.Team@southwark.gov.uk) in advance of the meeting by 5pm on the working day preceding the meeting.**

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the three-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). If there is more than one supporter (who lives within 100 metres of the development site) wishing to speak, the time is divided within the 3-minute time slot.
- (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 three-minute time allowance must be divided amongst those wishing to speak. Where you are unable to decide who is to speak in advance of the meeting, the chair will ask which objector(s)/supporter(s) would like to speak at the point the actual item is being considered. The clerk will put all objectors who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting. The clerk will put all supporters who agree to this in touch with each other, so that they can arrange a representative to speak on their behalf at the meeting.
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, will be speaking in their designated time-slots only, apart from answering brief questions for clarification; this 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 to which is open to the public and there should be no interruptions from members of the public.
10. Members of the public are welcome to record, screenshot, or tweet the public proceedings of the meeting.
11. Please be considerate towards other people and take care not to disturb the proceedings.
12. This meeting will be recorded by the council and uploaded to the Southwark Council YouTube channel the day after the meeting.

**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

**FOR ACCESS TO THE VIRTUAL MEETING  
PLEASE CONTACT:**

Planning Sub-Committee Clerk, Constitutional Team  
Finance and Governance  
Email: [Constitutional.Team@southwark.gov.uk](mailto:Constitutional.Team@southwark.gov.uk)

## **REMOTE MEETING ETIQUETTE FOR PARTICIPANTS**

Members of the committee, other councillors who seek to address the committee, officers advising the committee or presenting reports, any external partners / third-parties invited to address or advise the committee, co-optees and any members of the public who have registered to speak at the meeting are asked to adhere to the following guidelines:

### **Preparing for the meeting**

1. If you are planning to attend, please make sure you have informed the constitutional/scrutiny officer named on the agenda front sheet, so that a full list of those expected at the meeting can be prepared and you are sent the joining instructions.
2. Ensure that you are located in an area where you are unlikely to be disturbed.
3. Ensure that your broadband connection is sufficiently stable to join the meeting. If your connection has low bandwidth, you might need to ask others using your broadband connection to disconnect their devices from the broadband for the duration of the meeting. If this does not help, you may wish to try connecting your device to your router using an Ethernet cable.
4. When accessing the meeting using a private laptop or desktop computer, you will need to use the link you have been provided with outside of the Soutwark CITRIX environment.
5. Ensure that your background is neutral (a blank wall is best) and that you are dressed as though you attend a meeting that is open to the public in real life.
6. If you decide to switch on your camera, please ensure that the camera on the device that you are using is positioned to provide a clear view of your face. This may involve thinking about the lighting in the room you are in (for example, sitting in front of a window may plunge your face into shadow) or putting your webcam, laptop or tablet on top of a stack of books so that you can look straight into the camera.
7. Ensure that you are familiar with the functions of the software you are using. The constitutional/scrutiny officer will be online 10 minutes before the scheduled start of the meeting to give everyone time to join and deal with any technical challenges. Please try to join the meeting at least 5 minutes before the meeting start time to make sure that everything is working. Ideally, you should use earphones or a headset to participate in meetings as it reduces the risk of feedback from using your device's external speaker and reduces background noise from your surroundings. Please do not access the meeting with two devices simultaneously, or if this is unavoidable, please ensure you mute the microphones when not speaking, and turn down the speakers when you are speaking. This will avoid feedback.
8. Meeting participants that choose to join the meeting using the conference call facility will not be able to use video, view other participant's video, or see any documents that are shared using the screen sharing function. [Planning meeting only: The chair has ruled that the meeting will not accept members of the committee participating using a telephone connection alone.]

### **At the meeting**

9. Join the meeting promptly to avoid unnecessary interruptions.
10. When joining the virtual meeting, please mute your microphone and switch off your camera until the chair opens the meeting formally.

11. Mute your microphone when you are not speaking. You may also want to turn off your video when not speaking in order to reduce the bandwidth needed. Participants joining the meeting from a mobile phone can unmute themselves by pressing \*6 on their device.
12. The regulations state that for members to be considered to be in attendance at a virtual meeting, they have to be able to hear the proceedings, and the meeting has to be able to hear them. You can therefore choose to switch off your camera even when speaking, for privacy reasons, if you prefer.
13. Only speak when invited to do so by the Chair.
14. When speaking for the first time, please state your name.
15. Keep comments, questions and other contributions brief and to the point.
16. If referring to a specific page on the agenda, mention the page number or paragraph number.
17. The 'chat' function must only be used by committee members to indicate a wish to speak. It is not to be used for conversations and should be used in an appropriate and professional manner at all times.
18. Once the Chair closes the meeting, all remaining participants should leave the meeting promptly.

#### **Exempt or confidential items / closed session**

Occasionally, committees may need to go into closed session to consider information that is confidential or exempt from publication. If this happens, the committee will pass a resolution to that effect, and for those meetings that are being livestreamed, the livestream will be cut.

19. If you are asked to leave the meeting, please end your connection promptly. Any connections that are not ended promptly will be terminated by the constitutional/scrutiny officer.
20. Members of the committee should ensure that, if the meeting goes into closed session, they are on their own and cannot be overheard in the place they are accessing the closed session from.
21. After the motion to go into closed session has been passed, members should exit the main meeting and re-join the "Briefing/Closed session" Teams meeting. Once the closed session has ended, members should re-join the main meeting by clicking on the link to the main meeting they initially used.



## **LIVESTREAMING / RECORDING NOTICE**

This meeting will be livestreamed, and recorded for future viewing, on the council's YouTube channel (except where there are confidential or exempt items being discussed in closed session):

[https://www.youtube.com/channel/UCqgAueevJzRUGB\\_eAZia0xw](https://www.youtube.com/channel/UCqgAueevJzRUGB_eAZia0xw)

The livestream/recording will also be paused when the meeting adjourns.

If you make a representation to the meeting and you do not switch off your camera, you will be deemed by the council to have consented to being filmed and to the possible use of those images and sound recordings for webcasting, recording of the meeting and/or training purposes. (If you switch off your camera while making a representation, you will equally be deemed by the council to have consented to the sound being recorded, webcast and/or used for training purposes.)

Members of the public are welcome to make their own recordings or take screenshots of this remote meeting. The council will only seek to prevent this, should it be undertaken in a disruptive or otherwise inappropriate manner. Please see the council's filming protocol at:

<http://moderngov.southwarksites.com/ecSDDisplay.aspx?NAME=Protocol%20for%20Reporting%20and%20Filming&ID=1036&RPID=0&sch=doc&cat=13184&path=13184>

If you have any queries regarding the livestreaming or the recording of meetings, please contact the constitutional/scrutiny team on 020 7525 7420.

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 21 October 2020	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

### RECOMMENDATIONS

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

### BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F of Southwark Council's constitution 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 development & building control manager 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 head of development management 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 head of development management 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 legal services, and which is satisfactory to the head of development management. 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 legal services. 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	Beverley Olamijulo 020 7525 7234
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer or the Planning Department 020 7525 5403

## APPENDICES

No.	Title
None	

**AUDIT TRAIL**

<b>Lead Officer</b>	Chidilim Agada, Head of Constitutional Services	
<b>Report Author</b>	Beverley Olamijulo, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	5 October 2020	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments Included</b>
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		5 October 2020

# Agenda Item 7.1



20AP1390 - SOUTHWARK PARK DAY CENTRE 345 SOUTHWARK PARK ROAD LONDON SE16 2JN



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<b>Item No.</b> 7.1	<b>Classification:</b> Open	<b>Date:</b> 21 October 2020	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 20/AP/1390 for: Full Planning Application  <b>Address:</b> SOUTHWARK PARK DAY CENTRE, 345 SOUTHWARK PARK ROAD, LONDON, SOUTHWARK, SE16 2JN  <b>Proposal:</b> Full planning permission for the demolition of 345 Southwark Park Road and all site preparation works, for a residential-led mixed use development comprising 22 new affordable social rent homes and 24 new private homes (containing a mix of 1, 2 and 3 bedroom apartments), associated cycle and wheelchair car parking, 340 sqm flexible ground floor office and community use floorspace (B1/D1); associated hard and soft landscaping and public realm works.		
<b>Ward(s) or groups affected:</b>	North Bermondsey		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b>	20/05/2020	<b>Application Expiry Date</b>	19/08/2020
<b>Earliest Decision Date</b>	07/10/2020		

## RECOMMENDATION

1. a) That the application is granted subject to conditions and the completion of a s106 agreement.
- b) In the event that the s106 agreement is not completed by the 1 February 2021 that the Director of Planning be authorised to refuse planning permission for the reasons set out in paragraph 85 of this report.

## EXECUTIVE SUMMARY

2. The application is for a part 6, part 7 storey building that would provide a flexible use (B1 office/D1 community use) at ground floor and 46 residential units above. 22 of the dwellings would be provided as affordable social rented units and 24 units for private sale.
3. The proposal would not result in any significant amenity impacts on the surrounding properties in terms of daylight, sunlight or overlooking. In terms of the scale of the building it is considered appropriate in scale given the stand alone site on a corner with open space surrounding it. The proposal

would also not result in any significant transport impacts.

4. Overall the proposed development would be consistent with the relevant planning policies and would help provide new homes of which a significant proportion would be affordable homes. As such subject to the imposition of conditions and the agreement of a S106 the proposal is considered acceptable and planning permission is recommended to be granted.

## **BACKGROUND INFORMATION**

### **Site location and description**

5. The site measures approximately 0.2 hectares in area and it comprises of a single storey brick pitched roof building, associated soft landscaping and car parking. The existing building was previously in use as a day centre (D1). It is currently disused after being vacated in 2017 and has since been under the management of Southwark council and The Global Guardians. The site is located on the corner of Layard Road and Southwark Park Road.
6. The site is located within the Urban Density Zone, Flood Risk zone 3 and is within a Air Quality Management Area. There are no heritage assets within the site boundary and there are no heritage assets in the immediate context of the site. There are however a number of very large mature street trees fronting onto Southwark Park Road.

### **The surrounding area**

7. The surrounding area is of a mixed character, with residential properties to the north along Layard's Road and to the south there is a residential terrace along Southwark Park Road. To the east of the site is a residential care home with a petrol filling station beyond that. To the east of the site is the access road leading into the Southwark Park Road Estate which consists of 4-storey residential buildings as well as the Bede Housing association office opposite.
8. The general scale of the immediate surrounding area is buildings of 3 to 4 storeys, however further to the north, east and south of the site, taller buildings are present up to 7 stories within the nearby residential estates, however much taller buildings are proposed within the 'Biscuit Factory' development to the east of the site off of Drummond Road.
9. There are two designated assets located within 200m of the Site. The Grade II listed Southwark Park School is located 150m to the north-east and the Grade II listed park and garden Southwark Park is located just beyond.

### **Details of proposal**

10. The proposal is for a part 7, part 6 storey residential apartment block which would provide 46 homes together with flexible ground floor office and community use floorspace (B1/D1). The proposal would provide 22 affordable social rented units alongside 24 private dwellings.
11. The development would have residential access off of Layard Road which would lead to a shared entrance lobby for all residents with two separate

commercial pedestrian access points from Southwark Park Road. The proposals include provision for 102 cycle spaces. This comprises 88 for the residential component in two separate stores accessed from Layard Road and 14 spaces for the flexible community and office use. Separate refuse stores would also be provided for the commercial and residential uses.

12. Outdoor private amenity space for the residential units would be provided to the rear and side of the proposed building at ground level and children's playspace to the rear of the site as well. Two disabled parking spaces would be provided at the rear of the site with access off of Layard Road.

### **Planning history**

13. See Appendix 1 for any relevant planning history of the application site.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

14. The main issues to be considered in respect of this application are:
  - Principle of the proposed development in terms of land use
  - Tenure mix, affordable housing and viability
  - Dwelling mix including wheelchair housing
  - Density
  - Quality of residential accommodation
  - Design, layout, heritage assets and impact on Borough and London views
  - Landscaping and trees
  - Outdoor amenity space, children's playspace and public open space
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - Transport and highways
  - Noise and vibration
  - Energy and sustainability
  - Ecology and biodiversity
  - Air quality
  - Water resources and flood risk
  - Archaeology
  - Planning obligations (S.106 undertaking or agreement)
  - Community involvement and engagement
  - Community impact and equalities assessment
15. These matters are discussed in detail in the 'Assessment' section of this report.

### **Legal Context**

16. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the

development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.

17. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

### **Planning policy**

#### National Planning Policy Framework (the Framework) 2019

18. Section 2 – Achieving sustainable development  
 Section 5 – Delivering a sufficient supply of homes  
 Section 6 – Building a strong and competitive economy  
 Section 7 – Ensuring the vitality of town centres  
 Section 8 – Promoting healthy and safe communities  
 Section 9 – Promoting sustainable transport  
 Section 11 – Making efficient use of land  
 Section 12 – Achieving well designed places  
 Section 14 – Meeting the challenge of climate change, flooding and coastal change  
 Section 15 – Conserving and enhancing the natural environment  
 Section 16 – Conserving and enhancing the historic environment

#### London Plan 2016

19. Policy 2.9 – Inner London  
 Policy 2.15 - Town Centres  
 Policy 3.1 - Ensuring Equal Life Chances For All  
 Policy 3.3 - Increasing housing supply  
 Policy 3.5 - Quality and design of housing developments  
 Policy 3.6 - Children and young people's play and informal recreation facilities  
 Policy 3.8 - Housing choice  
 Policy 3.9 - Mixed and balanced communities  
 Policy 3.10 - Definition of affordable housing  
 Policy 3.11 - Affordable housing targets  
 Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes  
 Policy 3.16 - Protection and enhancement of social infrastructure  
 Policy 4.2 - Offices  
 Policy 4.3 - Mixed use development and offices  
 Policy 4.12 - Improving Opportunities for All  
 Policy 5.1 - Climate Change Mitigation  
 Policy 5.2 - Minimising Carbon Dioxide Emissions  
 Policy 5.3 - Sustainable Design and Construction  
 Policy 5.5 - Decentralised Energy Networks  
 Policy 5.6 - Decentralised Energy in Development Proposals  
 Policy 5.7 - Renewable energy  
 Policy 5.8 - Innovative energy technologies  
 Policy 5.9 - Overheating and Cooling  
 Policy 5.10 - Urban Greening  
 Policy 5.11 - Green roofs and development site environs

Policy 5.12 - Flood risk management  
 Policy 5.13 - Sustainable drainage  
 Policy 5.14 - Water Quality and Wastewater Infrastructure  
 Policy 5.15 - Water Use and Supplies  
 Policy 5.21 - Contaminated land  
 Policy 6.9 - Cycling  
 Policy 6.10 - Walking  
 Policy 6.13 - Parking  
 Policy 7.1 - Building London's Neighbourhoods and Communities  
 Policy 7.2 - An inclusive environment  
 Policy 7.3 - Designing out crime  
 Policy 7.4 - Local character  
 Policy 7.5 - Public Realm  
 Policy 7.6 - Architecture  
 Policy 7.14 - Improving Air Quality  
 Policy 7.15 – Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
 Policy 7.19 - Biodiversity and Access to Nature  
 Policy 7.21 - Trees and woodlands  
 Policy 8.2 - Planning obligations  
 Policy 8.3 - Community infrastructure levy

#### Core Strategy 2011

20. Strategic Policy 1 – Sustainable development  
 Strategic Policy 2 – Sustainable transport  
 Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles  
 Strategic Policy 5 – Providing new homes  
 Strategic Policy 6 – Homes for people on different incomes  
 Strategic Policy 7 – Family homes  
 Strategic Policy 10 – Jobs and businesses  
 Strategic Policy 11 – Open spaces and wildlife  
 Strategic Policy 12 – Design and conservation  
 Strategic Policy 13 – High environmental standards

#### Southwark Plan 2007 (July) - saved policies

21. 1.1 – Access to employment opportunities  
 1.4 – Employment sites outside preferred office locations and preferred industrial locations  
 2.1 – Enhancement of community facilities  
 2.2 – Provision of new community facilities  
 2.5 – Planning obligations  
 3.2 – Protection of amenity  
 3.3 – Sustainability assessment  
 3.4 – Energy efficiency  
 3.6 – Air quality  
 3.7 – Waste reduction  
 3.9 – Water  
 3.11 – Efficient use of land  
 3.12 – Quality in design

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

#### Supplementary planning documents

- 22. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Residential Design Standards SPD Technical Update (2015)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Section 106 planning obligations and community infrastructure levy (CIL) SPD (2015)
- Development Viability SPD (2016)

#### Emerging planning policy

#### Draft New London Plan

- 23. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan, which was published in December 2019. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made.
- 24. The draft New London Plan is at an advanced stage. Policies contained in the Intend to Publish (ItP) London Plan published in December 2019 that are not subject to a direction by the Secretary of State carry significant weight. 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.

#### New Southwark Plan

- 25. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.

26. These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the Council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version.
27. In April 2020 the Planning Inspectorate provided their initial comments to the New Southwark Plan Submission Version. It was recommended that a further round of consultation take place in order to support the soundness of the Plan. Consultation is due to take place on this version of the NSP between June and August 2020. The final updated version of the plan will then be considered at the Examination in Public (EiP).
28. It is anticipated that the plan will be adopted in late 2020 following the EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

### **Consultation responses from members of the public**

29. Summarised below are the material planning considerations raised by members of the public.
30. Principle of the B1/D1 use – There are a number of other empty commercial units nearby, these are not needed.

#### Transport:

31. • There are significant parking problems in the area, this will not be mitigated by not allowing parking permits.  
 • The proposal would result in too many cars, parking is a significant problem within the area.  
 • The public transport is at capacity in the area, this proposal will make things worse.

#### Design:

32. • The scale of the building is overbearing in the context.  
 • At 7 stories the building is too tall as the adjacent buildings are 3 stories.  
 • Building is much taller than all of the surrounding buildings.  
 • The proposal is not sympathetic to local character.

#### Amenity

33. • The proposal would result in significant impacts on daylight and sunlight.  
 • The submitted daylight assessment does not provide the No Sky Line analysis to assess the impacts of the proposed development in more

detail. Furthermore it does not assess the impacts of the development on the amenity spaces within Southwark Park Road estate.

Officer comment: Officers agreed with the concerns of residents in relation to the lack of information with the daylight and sunlight assessment and as such requested that further information was provided. This has been provided and will be addressed in the amenity section of the report.

- Impact on air quality during construction.

Landscaping:

34. • Object to the removal of two mature trees fronting Southwark Park Road.

Other matters:

35. Concerns were raised over the consultation process being undertaken during the lock down following the COVID-19 outbreak.
36. Following the submission of further information clarifying the daylight impacts, transport impacts and landscaping arrangements a further re-consultation was undertaken on 16/09/2020 and is set to run until 07/10/2020. To date one response has been received which raises the scale of the building and its overbearing impact as the principal reason for objection. Any other responses received will be reported within the committee addendum report.

## **ASSESSMENT**

### **Principle of the proposed development in terms of land use**

37. The proposal is for the redevelopment of the site for a mixed use of B1/D1 at ground floor with residential use on the upper floors. The surrounding area is generally characterised by residential uses and the existing single storey building is not an efficient use of the site, as such a residential led redevelopment of the site is acceptable on the site.
38. However, the proposal would potentially result in the loss of the existing community floor (Class D1) if a B1 office use were to be implemented. Saved Policy 2.1 Enhancement of Community Facilities outlines that planning permission for a change of use from D class community facilities will not be granted unless:
- i) The applicant demonstrates to the satisfaction of the LPA that the community facility is surplus to requirements of the local community and that the replacement development meets an identified need or
  - ii) The applicant demonstrates that another locally accessible facility with similar or enhanced provision can meet the identified needs of the local community facility users.
39. As noted within the submission, the previous D1 use of a day-care centre has been vacant since 2017 and has been occupied by guardians since this point.



The proposal would still potentially result in the D1 use being re-provided on site, however in the event that the site would come forward as a B1 office use, it would be lost. The submission has outlined that the previous facility was surplus to requirements and as result has been empty for some time. Furthermore there are other day-care centres close by to the site including along Drummond Road and further along Southwark Park Road.

40. With regards to a potential office use, this would also be considered acceptable given the good access to public transport and would also help increase the employment on site with the submitted details outlining that the site would potentially employ between 33 and 43 people depending on the type of B1 use.
41. Overall, the proposal would provide a much improved efficiency of the site providing new commercial/community space as well as 46 new dwellings, of which 22 would be affordable social rented homes and as such the proposed development is considered appropriate in principle.

### **Tenure mix, affordable housing and viability**

42. The proposal would provide 22 affordable units and 24 private sale units with the following split:

43.

<b>Unit size</b>	<b>No. of Social rent</b>	<b>No. of intermediate (sh/ownership)</b>	<b>Total</b>
1-bedroom	6 x 1bed, 2 person	N/A.	6
2-bedroom	6 x 2bed, 3person, 5 x 2bed, 3 person wheelchair units, 1 x 2bed,4person	N/A.	12
3-bedroom	4 x 3bed, 5person units.	N/A.	4
All units	22	0	<b>22</b>

44. In terms of the percentage of the units that are affordable, this would equate to 47.8% which would exceed the 35% requirement for affordable housing. However it is worth noting that the Mayors Housing SPG outlines that 50% of publically owned land should be provided as affordable housing across the portfolio. In this instance, it would fall slightly below this requirement, however this is as a result of providing all wheelchair accessible housing units as social rented properties. Given the significant need for accessible social rented dwellings, this is considered to be an appropriate justification in this instance. There are a number of other council properties located nearby to the site which are providing 100% social housing and as such the overall average across the local portfolio would exceed the 50% requirement and thus would meet the mayor's housing guidance.

### Dwelling mix including wheelchair housing

45. The proposed mix is detailed below, however in summary, in excess of 73% of units would be 2 or more bedrooms and 21.7% would be 3 or more and as such would accord with saved policy 7 'Family Homes' and as such the mix is considered acceptable.

46.

Unit size	No. of open market	No. of social rent	No. of intermediate (sh/ownership)	Total
1-bedroom	6 (25% of all O.M)	6 (27.3% of all S.R)	0	12 <b>(26.19% of total)</b>
2-bedroom	12 (50% of all O.M)	12 (54.5% of all S.R)	0	24 <b>(52.17% of total)</b>
3-bedroom	6 (25% of all O.M)	4 (18.2% of all S.R)	0	10 <b>(21.74% of total)</b>
All units	24 (52.17% of total)	22 (47.83% of total)	0	46 <b>(100%)</b>

47. In terms of the proposed wheelchair units, the proposal would provide 5 x units all of which would be 2-bed, 3 person units. In terms of units this would equate to 10.89% and as such would exceed the required 10%.

### Density

48. The application site is approximately 0.2 hectares and the proposal would provide 136 habitable rooms. As such the proposed density would be 680 habitable rooms per hectare which would be within the urban density range of 200-700 and as such the density of the proposed development is considered appropriate.

### Quality of residential accommodation

49. The proposal would provide 46 new residential dwellings, all of which would generally meet the minimum space standards, both in terms of the overall dwelling sizes and individual room sizes, with the exception of a minor shortfall of some of the living rooms. Of the 46 units, the vast majority of them would be dual aspect (34 units). All single aspect units would be west facing and as such would still have good access to both daylight and sunlight. All units would have access to outdoor amenity space with a minimum of 6sqm, however the majority of them would fall slightly below the 10sqm requirement. This is not uncommon in flatted developments and all balconies would be a

good size with the remainder provided as communal amenity space, which is considered acceptable.

50.

<b>Schedule of accommodation for dwelling type 1B,2P</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Lounge/dining/kitchen	30	24	Yes
Double bedroom	12	12	Yes
Bathroom	4.1	3.5	Yes
Built-in storage	2	1.5	Yes
<b>Dwelling</b>			
Gross Internal Floor Area	51	50	Yes
Private outdoor space	6	10	<b>No</b>

51.

<b>Schedule of accommodation for dwelling type 2B, 3P</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Lounge/Kitchen/Diner	26.4	27	No
Double bedroom	13	12	Yes
Single bedroom	9	7	Yes

Bathroom	4.1	3.5	Yes
Built-in storage	2	2	
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Gross Internal Floor Area	66	61	Yes
Private outdoor space	7	10	No

52.

<b>Schedule of accommodation for dwelling type 2B,4P</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Lounge/Kitchen/Diner	28	27	Yes
Double bedroom	13.5 (17 Inc 3.5sqm ensuite)	12	Yes
Double bedroom	12	12	Yes
Bathroom	4.5	3.5	Yes
Built-in storage	2	2	Yes
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Gross Internal Floor Area	76	70	Yes
Private outdoor space	7.5	10	No

53.

<b>Schedule of accommodation for dwelling type 2B,3P Wheelchair unit</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area require ment (sq. m)</b>	<b>Complies (YES/NO) ?</b>
Lounge/Kitchen/Diner	28	27	Yes
Double bedroom	17	12	Yes
Single bedroom	10	7	Yes
Bathroom	6	4.5	Yes
Built-in storage	2 (Plus 2 wheelchair storage)	2	Yes
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area require ment (sq. m)</b>	<b>Complies( YES/NO)?</b>
Gross Internal Floor Area	76	75	Yes
Private outdoor space	<b>7.5</b>	<b>10</b>	<b>No</b>

54.

<b>Schedule of accommodation for dwelling type 3B,5P Social</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area require ment (sq. m)</b>	<b>Complies(YES/N O)?</b>
Lounge/Diner	21	18	Yes

Kitchen	8	8	Yes
Double bedrooms	15.8 and 12	12	Yes
Single bedroom	8.6	7	Yes
Bathroom	4.9	4.5	Yes
Built-in storage	3	2.5	
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Gross Internal Floor Area	92	86	Yes
Private outdoor space	11	10	Yes

55.

<b>Schedule of accommodation for dwelling type 3B,5P private</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Lounge/Kitchen/Diner	30.4	30	Yes
Double bedroom	15.8 and 12	12	Yes
Single bedroom	8.6	7	Yes
Bathroom	4.9	4.5	Yes
Built-in storage	3	2.5	Yes
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies(YES/NO)?</b>
Gross Internal Floor Area	92	86	Yes
Private outdoor space	11	10	Yes

## Design, layout, heritage assets and impact on Borough and London views

56. The proposal is for a part 7, part 6 storey apartment block with either offices or community use on the ground floor. Although there are equally tall buildings in the vicinity, it is accepted that this is above the prevailing 3 storey streetscape along Southwark Park Road. However, the building will stand on a side of the street which is relatively open. It will also be located at a corner and at a junction into the main estate behind. The site is therefore at a point of townscape significance where a higher townscape marker could be justified. This status further reinforced by proposed the community/commercial use of the ground floors of the building, in contrast to the private residential use of the majority of buildings along the street. In addition, large mature London plane and lime trees will partially screen the upper floors of the building and help to ease it into its surroundings.
57. The form of the building, will serve to soften its impact. To this extent, the six storey element is designed to be conspicuously smaller and less bulky than the adjoining element such that proposed building will be broken down into two very distinct parts, thus mitigating the overall bulk of the building. The parts are to be staggered relative to each other and set back from the boundaries of the site to create distinct entrance spaces to the building and to allow some separation from adjacent buildings. This separation is effective with regard to both the estate buildings along Fenner Close and the adjacent Bede Community office (a three storey early Victorian with a dramatic wedged shaped corner / chamfer onto Southwark Park Road).
58. The architecture of the building will follow the classical precepts of a base, a middle and top separated by classical plat bands. The grouping of windows in elongated vertical bands will give it an almost art-deco feel. If the detailing is followed through to completion it will produce a building of some elegance. It is noted however that the balconies of the 2b3p flats over the main south entrance will be very close to one of large street trees. The plan form of these flats should be handed to avoid this conflict.
59. The placement of the building on the site leaves space for landscaping all round. This again will help to ease the building into the street scene. The open boundaries to the main street elevation will create more active and welcoming frontages to the commercial uses. This is supported. The high 2.5m metal railing boundary treatment to the proposed car park will need careful treatment if it is not to appear utilitarian, however details of this can be secured via condition in order to ensure that a high quality treatment is provided.
60. Overall the scale and massing is considered appropriate given the corner site location and open character of the site and surrounding area. It is accepted that the proposed building is taller than the immediately adjacent buildings but is not out of character with the wider area which has buildings of similar and larger scales, particularly given the upcoming nearby developments. The detailed design is considered to be of a high quality, subject to the submission of material samples.

## Transport

61. The site has a PTAL of 3 and is located within a Controlled Parking Zone. The development is located at approximately 850 metres from Bermondsey underground station with Jubilee line services and is located 850 metres from the Thames Path. Cycle routes are available within 700 meters.
62. Vehicle access to the two disabled bays within the site are provided on Layard Road, where the existing vehicular access is and this is considered an acceptable provision given the relatively good PTAL rating. Refuse bin locations are within 10 metres of the kerb and therefore acceptable for collection from on street. In terms of other servicing, these vehicles would access the car park area by reversing in to drop off any deliveries. Given the predominant residential use, it is not expected that there would be a significant number of servicing trips, with two servicing vehicle trips per day plus one commercial refuse collection expected. The proposal is also predicted to have approximately 7 vehicular trips per day which is a low number would not impact on the traffic or highway safety within the area.
63. In terms of cycle storage, there would be 88 spaces within the cycle stores for the residential use and 14 within a separate storage area for the commercial use. The number of spaces would meet the requirements of the New London Plan, the majority of the spaces are two-tier stacker with 4 Sheffield stands, however the plans do not fully show the detailed layouts for cycle storage, as such a condition is recommended for further details to be provided. The refuse storage areas are separate for both the commercial and residential uses and would provide sufficient capacity for the proposed number of flats and commercial areas.
64. In terms of car parking, the proposal would be car-free with the exception of the two disabled bays provided within the site. The site is located within a Controlled Parking Zone (CPZ) and as such any future occupiers with the exception of blue badge holders would be exempt from applying for parking permits. The closest area which is not subject to parking permits is over 250m to the south of the site, south of Lynton Road and given this distance, it is not expected that there would be any overspill onto on-street parking here. Furthermore, the developer will be required to provide access to a car club bay and membership for all residents for a period of 3 years, this will be secured via the S106 agreement.

## Landscaping, trees, Outdoor amenity space and children's play space

65. The proposed building would result in the loss of two B category Whitebeam trees, however this is more than compensated for by the proposed new planting, so that there is no loss to amenity and an overall increase in canopy cover. The initial landscape plan is broadly acceptable, however further details will be required in terms of the detailed planting measures. Amendments have been to move the proposed location of the playspace and outdoor amenity space to make these respective spaces more useable, this is welcomed.
66. Based on the GLA's population Yield calculator, the proposal would result in



the introduction of 26.5 children within the development. As such, with a requirement of 10sqm of playspace per child, there would be a total requirement of 265sqm of playspace. A total of 102sqm has been provided on site and as such there would be a shortfall of 163sqm which would be required to be off-set via a payment in lieu. The payment would be £24,613. Given the site constraints, officers are of the view that there is a need to provide a balance to ensure that there is both generous and useable communal amenity space for the overall residents as well as children's playspace are provided on site. Furthermore, given the very close access to Southwark Park and its array of facilities, in particular to cater for older children, this is considered an appropriate on-site provision.

67. The applicants have not outlined that there would be any green roofs provided within the development, however officers are of the opinion that there is scope for some green or brown roof planting within the site and as such a condition is recommended for further details to be provided.

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

#### Privacy and outlook

68. A number of objectors have raised concerns about the impact of the development on surrounding properties in terms of overlooking and the subsequent impacts on the privacy of the surrounding residents. The council's residential design standards SPD outlines that habitable windows should be 12m in distance when across a road or 21m away from existing habitable windows in other situations.
69. To the north of the site lies Fenner Close and habitable windows would be approximately 17.8m away from the closest windows within the proposed development. It is acknowledged that this distance is below the normally required 21m, however the two blocks are separated by an estate access road and car park and as such, officers are of the view that the 12m requirement for overlooking is most relevant here. As the distances would exceed this requirement officers are satisfied that there would not be any significant overlooking into this block.
70. To the east of the site lies the Bede Housing estate offices and as such these are not within a residential use. The distance from the habitable windows within the proposed development to the office building would be approximately 10.2m across the access road, however given that the use opposite is not residential it is not considered that there would be any undue overlooking as a result of the development.
71. To the northeast of the site lies the Southwark Park Road Estate, however all windows within the development would exceed 21m and be at an oblique angle and as such it is not considered that there would be any undue overlooking here. To the South of the site across, the properties on the opposite side of Southwark Road would be approximately 23m from the proposed habitable windows and as such it would significantly exceed the 12m requirement.

Daylight Impacts:

72. A daylight and sunlight report based on the BRE guidance has been provided, and the following daylight tests have been undertaken:
- Vertical Sky Component (VSC) is the amount of skylight reaching a window expressed as a percentage. The guidance recommends that the windows of neighbouring properties achieve a VSC of at least 27%, and notes that if the VSC is reduced to no less than 0.8 times its former value (i.e. 20% reduction) following the construction of a development, then the reduction will not be noticeable.
  - No-Sky Line (NSL) is the area of a room at desk height that can see the sky. The guidance suggests that the NSL should not be reduced to less than 0.8 times its former value (i.e. no more than a 20% reduction). This is also known as daylight distribution, and where windows do not pass the VSC test the NSL test can be used.

Fenner Close:

73. The initially submitted daylight assessment assessed the VSC for the 33 facing windows within Fenner Close, of these, 12 windows would have failed to meet the VSC levels are required within the BRE guidance. Of these windows that fail the VSC test, they would all retain relatively high VSC levels of 22.86-26.13 which does outline that the windows would still receive a decent access to daylight.
74. Nonetheless, officers agreed with comments from residents that the No Sky Line (NSL) test should have been undertaken where layouts are known and an addendum to the daylight assessment was subsequently provided. The addendum looks at 6 rooms facing the application site which had windows within, which did not meet the VSC test. Of these 6 rooms 5 would pass the NSL test, with only one bedroom failing the NSL test. This room failed marginally with 0.76 of its former value. Whilst it is accepted that there would be a noticeable impact on this room, it would still receive adequate access to daylight when considering its urban location. Furthermore, the room which is affected relates to a bedroom and as such principally used for sleeping. On balance the impacts on these properties is thus acceptable.

Bede Housing association offices:

75. The Bede office is located to the east of the site and has a number of side windows facing the site. The BRE guidance outlines that offices are not as important in terms of daylight as residential buildings, however the applicants have tested the impact of the development on the windows here. Of the 14 windows tested here 4 would pass the BRE guidance with the remaining windows having VSCs of 17.92-20.86 remaining. Again these windows would still have a relatively good access to daylight in an urban context such as this and as such the impacts here are considered acceptable and would not impact on the usability of the office space.

314-330 Southwark Park Road

76. These properties are all located to the southern side of the proposed development on the opposite side of Southwark Park Road. All of the windows within 314-320 Southwark Park Road would pass the VSC test, all retaining VSC levels in excess of 27 or the resultant impacts would be less than 20% reduction in VSC. For the properties within 322-324 of the 36 tested, 18 would pass the VSC test with the remaining windows all receiving VSC levels of 24 which would only marginally fall below the required level of 27, as such it is not considered that there would be any significant impacts on daylight on these two properties.
77. In relation to the impacts on 326-328 Southwark Park Road, of the 10 windows tested here, all of them would very marginally fail to meet the VSC test, however VSCs would be retained between 24.02 and 26.08 and as such would still have good access to daylight. Looking to the NSL test, the submitted daylight addendum notes that of the 3 rooms within 326 Southwark Park Road, two of the 3 bedrooms would pass the NSL test with the remaining room would marginally fail with an NSL level of 0.71 of its former value.
78. Looking at no.328, the ground floor bedroom within 328A would fail to meet the NSL test as it would marginally fall below the required 0.8 of its formal value (0.75) however the room within no.328B would pass the NSL test. With regards to No 330 all but three windows would meet the VSC test, however again these would have VSC's in excess of 24. Furthermore they appear to all serve one room and overall would not see a significant loss of daylight in the room as a whole. Overall whilst there are a couple of minor digressions here it is not considered that these would be sufficient to warrant the refusal of the planning application.

13-17 Benwick Close:

79. All of the windows within these properties would meet the VSC tests and would not see a significant impact in terms of daylight in that regard. The applicants were also able to obtain layouts of no's 13, 16 and 19 Benwick Close and as such were able to undertake the NSL test in which again, all rooms would meet the required standards.

Bluegrove Care Home

80. A total of 25 windows within the adjacent care home have been tested for potential daylight impacts. Of these 25, two windows would fail to meet the BRE standards, however both would retain VSC values of 18 and 19.9 and as such would still benefit from a decent access to daylight. Both windows would also relate to bedrooms for the residents within the care home which, as noted, are principally used for sleeping. Overall the impacts here are thus considered acceptable.

Sunlight Impacts:

81. This is measured by the Annual Probable Sunlight Hours (APSH) test. This should be considered for all windows facing within 90 degrees of due south

(windows outside of this orientation do not receive direct sunlight in the UK). The guidance advises that windows should receive at least 25% APSH, with 5% of this total being enjoyed during the winter months. If a window receives less than 25% of the APSH or less than 5% of the APSH during winter, and is reduced to less than 0.8 times its former value during either period and has a reduction in sunlight received over the whole year of greater than 4%, then sunlight to the building may be adversely affected.

82. In terms of the impacts on the properties within Fenner Close, all windows would receive in excess of 25% of the APSH and 5% winter sunlight and thus would pass this test. Looking at the Bluegrove Care Home, all of the windows that are located within 90 degrees of south of the development site would pass the APSH test. The only windows which would see a reduction in sunlight are located within the Bede Housing Association office, however as the windows serve an office, it is considered that these are less important and the impact on these windows in terms of sunlight would not be considered significant.

Impacts on amenity areas:

83. Adjacent to the development there are some areas of green public space and gardens. In accordance with the BRE guidance, to ensure that the development does not have an adverse impact these amenity areas, 50% of that area should receive at least two hours of sunlight on 21 March. In terms of impacts from the development, all amenity areas for the properties within Fenner Close and the amenity areas for the Southwark Park Road estate would receive in excess of 2 hours of sunlight.
84. The only surrounding residential amenity areas that would not receive 2 hours of sunlight are the front gardens of the properties along Southwark Park Road, however given the northerly orientation, they already fail to receive 2 hours of sunlight and as such the proposed building would not have an impact on this. There is a small courtyard within the Bede Housing Association office which however would see an impact on the amount of sun received within its amenity area, however again, given that this is an office use, the amenity area is generally unlikely to be used throughout the day and as such these impacts are considered acceptable.
85. Overall, the proposed building would have some impacts in terms of daylight and sunlight on the surrounding properties, however officers are of the view that these are not significant as all properties would still retain good access to daylight when considering the urban location.

**Noise and vibration**

86. The environmental protection team has been consulted on the application and they have reviewed the submitted noise impact assessment. Conditions are recommended in relation to internal noise levels for the dwellings, plant noise as well as a condition to ensure that sufficient insulation between the commercial and residential uses is provided.
87. Subject to a limitation on the commercial/community uses hours of

operations, it is also not considered that there would be any significant impact as a result of these uses on the future occupiers of the site or the residents within the existing properties surrounding the site. This is secured by condition.

### **Energy and sustainability**

88. The applicants have provided an energy statement which demonstrates that there would be a energy saving of 35.1% above the building regulations for the residential element of the proposal and 36.2% for the commercial element. As such this meets the minimum on site savings as required by the London Plan, however the remainder of the carbon off-set up to a 100% saving above Building regulations is required to be off-set via a financial contribution of £58,694.
89. In terms of BREEAM, The applicants have provided BREEAM pre-assessment which has outlined that the project is capable of achieving an excellent rating. The core strategy requires that new commercial premises should meet an excellent rating and community uses meet the very good rating. As such, it is considered that the proposal can achieve the appropriate rating as required within the core strategy and as such it is recommended that a condition is applied to outline how this rating will be achieved.

### **Ecology and biodiversity**

90. The applicants have provided an ecology report and subsequent bat emergence study which has been reviewed by the council ecologist. The Ecologist has outlined that there would not be any significant impacts on the ecology within the site subject to mitigation. They have outlined that conditions are required for further details to include details of bat bricks and swift bricks to be provided on site. These have been included on the recommendation.

### **Air quality**

91. The applicants have provided an air quality assessment which included an air quality neutral assessment and this has been reviewed by the council's environmental protection team. The submitted report finds that the site is not impacted by unacceptable air quality and that the development meets air quality neutral standards. As such the proposal is acceptable in terms of air quality. Some concerns have been received from residents about the short term air quality impacts during construction, and it is proposed to include a construction management plan condition to ensure that the applicants provide further details of how this can be mitigated against during the construction period.

### **Ground conditions and contamination**

92. The applicants have provided a ground contamination survey and remediation strategy which have been reviewed by the council's environmental protection team who have confirmed that the findings and remediation strategy are acceptable. They have recommended a condition that requires a verification

report that the remediation strategy has been undertaken and a note that if any further contaminants are found during the site works that this would be required to be reported to EPT.

### **Water resources and flood risk**

93. The site is located in Flood Zone 3, benefiting from River Thames flood defences, and is within a modelled breach zone anticipated in the event of a failure of the flood defences. The applicants have provided a flood risk and drainage statement which outlines that the more vulnerable (residential) uses are located on the upper floors above the modelled breach levels. On this basis, the environment agency has not objected to the proposed development.
94. With regards to the drainage strategy, the council's flood and drainage team were satisfied with the proposed drainage strategy, however they requested further details of the attenuation units and details of the permeable paving that would be provided. These details were subsequently provided and there is no objection on that basis. A compliance condition is recommended to ensure that these details are adhered to during construction.

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

95. The required obligations to be secured through the S106 agreement are identified with the table below.

96.

<b>Planning obligation</b>	<b>Mitigation</b>	<b>Applicant's position</b>
<b>Housing, Viability and Amenity Space</b>		
Affordable (social rent and intermediate) housing Provision	Deliver 22 units as affordable social rented units. The following units are to be affordable:	Agreed
Viability review	N/A.	
Wheelchair housing provision	Deliver 5 wheelchair accessible units. Then following units are to be wheelchair units: 2, 10, 18, 26, 34	Agreed

Playspace	£24,613	Agreed
<b>Transport and Highways</b>		
Highway works	<ul style="list-style-type: none"> <li>• Repave the entire footway including new kerbing fronting the development on Southwark Park Road and Layard Road using materials in accordance to Southwark's Streetscape Design Manual - SSDM (precast concrete slabs and 150mm wide granite kerbs).</li> <li>• Upgrade the existing vehicle crossover on Layard Road in accordance to SSDM standards.</li> <li>• Provide a side raised entry treatment on Layard Road junction with Southwark Park Road in accordance to SSDM standards.</li> <li>• Provide dropped kerbs for refuse collection.</li> <li>• Refresh road markings following kerb installation.</li> <li>• Dedicate the strip of land that will be formed between the widening of the footway and the current public highway boundary as public highway.</li> <li>• Repair any damages to the public highway as a result of the construction of the development.</li> </ul>	Agreed
Car club scheme	Provide one space nearby and free Car Club Membership (for new	Agreed

	residents for a period of three years)	
Restriction on the release of the wheelchair parking spaces	Yes	Agreed
Parking permit restriction	Yes	Agreed
<b>Energy, Sustainability and the Environment</b>		
Connection to (or futureproofing for connection to) district CHP	If one becomes available.	N/A.
Carbon offset fund	£58,694	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

97. However, if in the event that the legal agreement is not completed by 01/02/2021, that the Director of Planning be directed to refuse planning permission on the following grounds:

In the absence of a signed legal agreement, the proposal would fail to provide suitable mitigation in terms of planning gain, contrary to saved policies 2.5 (Planning Obligations) and 4.4 of the Southwark Plan, policies SP6 (Homes for people on different incomes) and SP14 (Implementation and Delivery) of the LB Southwark Core Strategy 2011 policies 3.11 (Affordable Housing Targets) and 8.2 (Planning Obligations) of the London Plan 2016, and Sections 4. Decision-making and 5. Delivering a sufficient supply of homes of the NPPF 2019.

#### **Mayoral and borough community infrastructure levy (CIL)**

98. 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.



99. 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 to support growth. The site is located with Southwark CIL Zone 2 and thus would have a contribution of £218 per square metre.

### **Community involvement and engagement**

100. The applicants have provided a statement of community involvement and an engagement summary in accordance with the council's development charter. The documents set out the consultation undertaken with local stakeholders and public consultation undertaken with the surrounding residents.
101. In summary, they note that their engagement included holding a series of one-to-one meetings with key stakeholders to explain the proposals and to receive feedback as well as holding a three one-day public exhibitions held in January and a further two one-day exhibitions held in March 2020 to give people the opportunity to view the plans and discuss the proposals with the applicant and the project team that was attended by approximately 20 people. The report also outlines that meetings were held with local ward councillors. A follow up meeting was also held with ward councillors during the application process.

### **Consultation responses from internal and divisional consultees**

102. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.
103. Environmental Protection Team:
- No objections subject to conditions on noise, contamination and construction management.

Officer response to issue(s) raised: Conditions Included within the recommendation.

104. Design and Conservation Team:
- Comments included within the main body of the report.
105. Flood Risk Management Team:
- No objections, however requested further information on the drainage strategy. This has subsequently been provided and no concerns raised.
106. Ecologist:
- No objections subject to conditions on bat and bird boxes.

### **Consultation responses from external consultees**

107. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

108. Environment Agency:
- Raised no objection to the proposal
109. Thames Water:
- Raised no objection to the proposal.
110. Metropolitan Police:
- No objections subject to the development meeting secure by design

Officer response to issue(s) raised: A condition has been included requiring further details to meet the secure by design requirements.

111. These matters are addressed comprehensively in the relevant preceding parts of this report.

### **Community impact and equalities assessment**

112. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
113. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
114. 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:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. 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
  3. 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.
115. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage

and civil partnership.

### **Human rights implications**

116. 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.
117. This application has the legitimate aim of providing a new mixed use commercial and residential building. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.
118. One objection outlines that the impacts of the proposal would have a detrimental impact of a residents in terms of mental health due to an impact on privacy. As noted within the report, the application generally meets all of the required distances to surrounding properties and as such would not result in any undue overlooking or loss of privacy.

### **Positive and proactive statement**

119. The council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
120. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.
121. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	YES

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### Other matters

122. None identified.

### CONCLUSION

123. Overall the proposed development would provide the welcome redevelopment of a site which is currently underused and would help provide 46 new homes, including 22 new social rented homes which would help meet the significant housing need within Southwark.
124. The principle of the proposed development is considered appropriate with the re-provision of a community space or office accommodation with residential above. Whilst it is acknowledged that the building would be larger and taller than the surrounding buildings its plot is uniquely located on an open corner site which allows for a taller building. Overall it is not considered out of context when considering the wider area and would result in a high quality design.
125. The proposal would result in some minor digressions in terms of daylight but overall would retain very good light levels within the surrounding buildings and there would not be any significant impacts in terms of overlooking or loss of privacy.
126. Furthermore, it is not considered that there would be any significant impacts on the transport network given the relatively low number of vehicular trips predicted and the fact the site lies within a CPZ and thus residents parking can be controlled through restricting access to permits.
127. To conclude the proposal would provide a much more efficient use of the site providing value new homes and as such it is recommended that planning permission is granted subject to conditions and the completion of a S106 agreement.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 115-349 Application file: 20/AP/1390 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov. uk Case officer telephone: 0207 525 5416 Council website: www.southwark.gov.uk

**APPENDICES**

<b>No.</b>	<b>Title</b>
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Relevant planning history
Appendix 4	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Alexander Cameron, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	30 September 2020	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
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
<b>Date final report sent to Constitutional Team</b>		2 October 2020

**APPENDIX 1****Consultation undertaken****Site notice date:** n/a.**Press notice date:** 28/05/2020**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 16/09/2020**Internal services consulted**

Ecology  
 Environmental Protection  
 Highways Development and Management  
 Flood Risk Management & Urban Drainage  
 Urban Forester  
 Waste Management  
 Transport Policy  
 Design and Conservation Team [Formal]  
 Local Economy

**Statutory and non-statutory organisations**

Environment Agency  
 Metropolitan Police Service (Designing O  
 Thames Water  
 Transport for London

**Neighbour and local groups consulted:**

312 Southwark Park Road London Southwark	Aspinden Road Room 10 Aspinden Wood Centre 1
26 Southwark Park Estate 363	Aspinden Road
Southwark Park Road London	2 Damory House Abbeyfield Estate
10 Southwark Park Estate 363	Abbeyfield Road London
Southwark Park Road London	31 Southwark Park Estate 363
59 Southwark Park Estate 363	Southwark Park Road London
Southwark Park Road London	64 Southwark Park Estate 363
56 Southwark Park Estate 363	Southwark Park Road London
Southwark Park Road London	Flat 4 302 Southwark Park Road London
52 Southwark Park Estate 363	11 Fenner Close London Southwark
Southwark Park Road London	21 Benwick Close London Southwark
41 Southwark Park Estate 363	7 Southwark Park Estate 363 Southwark
Southwark Park Road London	Park Road London
Basement And Ground Floor Flat 304	34 Southwark Park Estate 363
Southwark Park Road London	Southwark Park Road London
Flat 1 302 Southwark Park Road London	55 Southwark Park Estate 363
Room 8 Aspinden Wood Centre 1	Southwark Park Road London
Aspinden Road	5 Aspinden Road London Southwark
Room 19 Aspinden Wood Centre 1	45 Southwark Park Estate 363

Southwark Park Road London  
 42 Southwark Park Estate 363  
 Southwark Park Road London  
 60 Layard Square London Southwark  
 Store And Premises Near Garage 457  
 Layard Square  
 Room 11 Aspinden Wood Centre 1  
 Aspinden Road  
 5 Fenner Close London Southwark  
 27 Fenner Close London Southwark  
 1 Fenner Close London Southwark  
 10 Benwick Close London Southwark  
 21 Frankland Close London Southwark  
 39 Layard Square London Southwark  
 33 Layard Square London Southwark  
 32 Layard Square London Southwark  
 2 Layard Square London Southwark  
 29 Southwark Park Estate 363  
 Southwark Park Road London  
 25 Southwark Park Estate 363  
 Southwark Park Road London  
 21 Southwark Park Estate 363  
 Southwark Park Road London  
 54 Southwark Park Estate 363  
 Southwark Park Road London  
 School House Southwark Park Primary  
 School 383 Southwark Park Road  
 326A Southwark Park Road London  
 Southwark  
 Room 3 Aspinden Wood Centre 1  
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 Room 24 Aspinden Wood Centre 1  
 Aspinden Road  
 Room 12 Aspinden Wood Centre 1  
 Aspinden Road  
 2 Frankland Close London Southwark  
 30 Layard Square London Southwark  
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 351 Southwark Park Road London  
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 8 St Andrews House 381 Southwark  
 Park Road London  
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 36 Southwark Park Estate 363  
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 3 Southwark Park Estate 363 Southwark  
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Room 22 Aspinden Wood Centre 1  
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 17 Aspinden Road London Southwark  
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 90 Layard Square London Southwark  
 58 Layard Square London Southwark  
 Room 7 Aspinden Wood Centre 1  
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 63 Southwark Park Estate 363  
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 51 Southwark Park Estate 363  
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 47 Southwark Park Estate 363  
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 44 Southwark Park Estate 363  
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 Room 17 Aspinden Wood Centre 1  
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 60 Southwark Park Estate 363  
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 86 Layard Square London Southwark  
 50 Southwark Park Estate 363  
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 Room 4 Aspinden Wood Centre 1  
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 Abbeyfield Road London  
 22 Fenner Close London Southwark  
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 314 Southwark Park Road London  
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 3 Aspinden Road London Southwark  
 Petrol Filling Station 297-307 Southwark  
 Park Road London  
 46 Southwark Park Estate 363  
 Southwark Park Road London  
 43 Southwark Park Estate 363  
 Southwark Park Road London  
 Room 15 Aspinden Wood Centre 1  
 Aspinden Road  
 Millpond Old Peoples Home Southwark  
 Park Road London  
 Rear Of Petrol Filling Station 297-307  
 Southwark Park Road



Store Southwark Park Estate 363  
 Southwark Park Road  
 Room 2 Aspinden Wood Centre 1  
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 35 Layard Square London Southwark  
 8 Benwick Close London Southwark  
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 Southwark Park Road London  
 Flat A 353 Southwark Park Road London  
 298 Southwark Park Road London  
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 328 Southwark Park Road London  
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 21 Aspinden Road London Southwark  
 2-10 Raymouth Road London Southwark  
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 4 St Andrews House 381 Southwark  
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 22 Damory House Abbeyfield Estate  
 Abbeyfield Road London  
 330B Southwark Park Road London  
 Southwark  
 15 Damory House Abbeyfield Estate  
 Abbeyfield Road London  
 11 Damory House Abbeyfield Estate  
 Abbeyfield Road London  
 1 Layard Square London Southwark  
 Flat C 353 Southwark Park Road London  
 Flat 2 302 Southwark Park Road London  
 Flat 5 302 Southwark Park Road London  
 89 Layard Square London Southwark  
 85 Layard Square London Southwark  
 139 Layard Square London Southwark  
 88 Layard Square London Southwark  
 87 Layard Square London Southwark  
 135 Layard Square London Southwark  
 129 Layard Square London Southwark  
 92 Layard Square London Southwark  
 82 Layard Square London Southwark  
 134 Layard Square London Southwark  
 91 Layard Square London Southwark  
 Flat B 353 Southwark Park Road London  
 83 Layard Square London Southwark  
 24 Southwark Park Estate 363  
 Southwark Park Road London  
 34 Layard Square London Southwark  
 61 Layard Square London Southwark  
 9 Fenner Close London Southwark

2 Fenner Close London Southwark  
11 Frankland Close London Southwark  
14 St Andrews House 381 Southwark  
Park Road London  
41 Frankland Close London Southwark  
25 Frankland Close London Southwark  
128 Layard Square London Southwark  
Room 16 Aspinden Wood Centre 1  
Aspinden Road  
12 Damory House Abbeyfield Estate  
Abbeyfield Road London

6 Frankland Close London Southwark  
12 Fenner Close London Southwark  
6 St Andrews House 381 Southwark  
Park Road London  
357 Southwark Park Road London  
Southwark  
355 Southwark Park Road London  
Southwark  
3 Layard Square London Southwark

**Re-consultation:**

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

Ecology  
 Environmental Protection  
 Highways Development and Management  
 Urban Forester  
 Transport Policy  
 Design and Conservation Team [Formal]

**Statutory and non-statutory organisations**

Environment Agency  
 Metropolitan Police Service (Designing O  
 Thames Water

**Neighbour and local groups:**

312 Southwark Park Road London Southwark	4 Layard Square London Southwark
26 Southwark Park Estate 363 Southwark Park Road London	8 Southwark Park Estate 363 Southwark Park Road London
10 Southwark Park Estate 363 Southwark Park Road London	5 Southwark Park Estate 363 Southwark Park Road London
41 Southwark Park Estate 363 Southwark Park Road London	35 Southwark Park Estate 363 Southwark Park Road London
Basement And Ground Floor Flat 304 Southwark Park Road London	39 Southwark Park Estate 363 Southwark Park Road London
Flat 1 302 Southwark Park Road London	6 Layard Square London Southwark
7 Southwark Park Estate 363 Southwark Park Road London	30 Southwark Park Estate 363 Southwark Park Road London
55 Southwark Park Estate 363 Southwark Park Road London	12 Southwark Park Estate 363 Southwark Park Road London
5 Fenner Close London Southwark	47 Southwark Park Estate 363 Southwark Park Road London
27 Fenner Close London Southwark	23 Fenner Close London Southwark
1 Fenner Close London Southwark	20 Fenner Close London Southwark
21 Southwark Park Estate 363 Southwark Park Road London	60 Southwark Park Estate 363 Southwark Park Road London
54 Southwark Park Estate 363 Southwark Park Road London	57 Southwark Park Estate 363 Southwark Park Road London
359 Southwark Park Road London Southwark	5 Layard Square London Southwark
9 Layard Square London Southwark	22 Fenner Close London Southwark
40 Layard Square London Southwark	14 Fenner Close London Southwark
3 Fenner Close London Southwark	48 Southwark Park Estate 363 Southwark Park Road London
10 Fenner Close London Southwark	18 Fenner Close London Southwark

15 Fenner Close London Southwark  
 314 Southwark Park Road London Southwark  
 310 Southwark Park Road London Southwark  
 18 Southwark Park Estate 363 Southwark Park Road London  
 37 Layard Square London Southwark  
 16 Fenner Close London Southwark  
 19 Southwark Park Estate 363 Southwark Park Road London  
 58 Southwark Park Estate 363 Southwark Park Road London  
 19 Benwick Close London Southwark  
 33 Southwark Park Estate 363 Southwark Park Road London  
 11 Southwark Park Estate 363 Southwark Park Road London  
 62 Southwark Park Estate 363 Southwark Park Road London  
 8 Fenner Close London Southwark  
 6 Southwark Park Estate 363 Southwark Park Road London  
 38 Southwark Park Estate 363 Southwark Park Road London  
 37 Southwark Park Estate 363 Southwark Park Road London  
 23 Southwark Park Estate 363 Southwark Park Road London  
 316 Southwark Park Road London Southwark  
 16 Southwark Park Estate 363 Southwark Park Road London  
 26 Fenner Close London Southwark  
 20 Benwick Close London Southwark  
 49 Southwark Park Estate 363 Southwark Park Road London  
 22 Southwark Park Estate 363 Southwark Park Road London  
 14 Southwark Park Estate 363 Southwark Park Road London  
 7 Fenner Close London Southwark  
 28 Southwark Park Estate 363 Southwark Park Road London  
 328 Southwark Park Road London Southwark  
 322 Southwark Park Road London Southwark  
 1 Layard Square London Southwark  
 87 Layard Square London Southwark  
 82 Layard Square London Southwark  
 24 Southwark Park Estate 363 Southwark Park Road London  
 9 Fenner Close London Southwark  
 2 Fenner Close London Southwark  
 357 Southwark Park Road London Southwark  
 355 Southwark Park Road London Southwark  
 Stuart 22 Fenner Close Rotherhithe  
 320 Southwark Park Rd London SE16 2HA  
 328 Southwark Park Road London SE16 2HA  
 330A Southwark Park Road London SE16  
 329 Southwark Bridge Road London SE16  
 326 B Southwark Park Road London SE16 2HA  
 Flat 24, Damory House Abbeyfield Estate London  
 314 Southwark Park Road London SE16 2HA  
 126 Crystal Palace Road London SE22 9ER  
 328 Flat 2 Southwark Park Road London SE16 2HA  
 318 Southwark Park Road London SE16 2HA  
 1 Layard Square London Southwark  
 2 Fenner Close London Southwark  
 5 Layard Square London Southwark  
 5 Layard Square London Southwark  
 7 Fenner Close London Southwark  
 9 Layard Square London Southwark  
 14 Fenner Close London Southwark  
 20 Fenner Close London Southwark  
 26 Fenner Close London Southwark  
 26 Southwark Park Estate 363 Southwark Park Road London  
 35 Southwark Park Estate 363 Southwark Park Road London  
 39 Southwark Park Estate 363 Southwark Park Road London  
 48 Southwark Park Estate 363 Southwark Park Road London  
 60 Southwark Park Estate 363 Southwark Park Road London  
 144 Layard Square London Southwark  
 326 Southwark Park Road London SE16 2HA

363 Southwark Park Road Bermondsey  
SE16 2JJ

326 Flat B Southwark Park Road London  
Bede House 351 Southwark Park Road  
London

18 Benwick Close London

46 Southwark Park Estate 363  
Southwark Park Road London

5 Fenner Close Layard Road London

324 Southwark Park Road bermondsey  
London

318 Southwark Park Rd London SE16  
2HA

19 BENWICK CLOSE LONDON SE16  
2HE

328 Southwark Park Road London SE16  
2HA

## APPENDIX 3

### Relevant planning history

No relevant planning history

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**APPENDIX 4****RECOMMENDATION**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

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<b>Applicant</b>	Lovell Partnership Ltd	<b>Reg. Number</b>	20/AP/1390
<b>Application Type</b>	Major application	<b>Case Number</b>	115-349
<b>Recommendation</b>	GRANT permission		

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**Draft of Decision Notice****Planning permission is GRANTED for the following development:**

Full planning permission for the demolition of 345 Southwark Park Road and all site preparation works, for a residential-led mixed use development comprising 22 new affordable social rent homes and 24 new private homes (containing a mix of 1, 2 and 3 bedroom apartments), associated cycle and wheelchair car parking, 340 sqm flexible ground floor office and community use floorspace (B1/D1); associated hard and soft landscaping and public realm works.

Southwark Park Day Centre, 345 Southwark Park Road, London, Southwark

**In accordance with application received on 19 May 2020**

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

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

**Proposed Plans**

Plans - Proposed SPR- PRP- ZZ- 00- DR- A-2008 - DEMOLITION PLAN received 19/05/2020

Plans - Proposed SPR- PRP- ZZ- 00- DR- A-2061 - TREE REMOVAL PLAN Rev C received 19/05/2020

Floor Plans - Proposed SPR- PRP- ZZ- 00- DR- A-2010 - GENERAL ARRANGEMENT LEVEL 00 received 19/05/2020

Plans - Proposed SPR- PRP- ZZ- 00- DR- A-2060 - LANDSCAPE GENERAL ARRANGEMENT Rev B received 19/05/2020

Floor Plans - Proposed SPR- PRP- ZZ- 01- DR- A-2011 - GENERAL ARRANGEMENT LEVEL 01 received 19/05/2020

Floor Plans - Proposed SPR- PRP- ZZ- 02- DR- A-2012 - GENERAL ARRANGEMENT LEVEL 02 received 19/05/2020

Floor Plans - Proposed SPR- PRP- ZZ- 03- DR- A-2013 - GENERAL ARRANGEMENT LEVEL 03 received 19/05/2020

Floor Plans - Proposed SPR- PRP- ZZ- 04- DR- A-2014 - GENERAL ARRANGEMENT LEVEL 04 received 19/05/2020  
 Floor Plans - Proposed SPR- PRP- ZZ- 05- DR- A-2015 - GENERAL ARRANGEMENT LEVEL 05 received 19/05/2020  
 Floor Plans - Proposed SPR- PRP- ZZ- 06- DR- A-2016 - GENERAL ARRANGEMENT LEVEL 06 received 19/05/2020  
 Plans - Proposed SPR- PRP- ZZ- RF- DR- A-2017 - GENERAL ARRANGEMENT ROOF LEVEL received 19/05/2020  
 Elevations - Proposed SPR- PRP- ZZ- ZZ- DR- A-2050 - PROPOSED WEST ELEVATION received 19/05/2020  
 Elevations - Proposed SPR- PRP- ZZ- ZZ- DR- A-2051 - PROPOSED SOUTH ELEVATION received 19/05/2020  
 Elevations - Proposed SPR- PRP- ZZ- ZZ- DR- A-2052 - PROPOSED EAST ELEVATION received 19/05/2020  
 Elevations - Proposed SPR- PRP- ZZ- ZZ- DR- A-2053 - PROPOSED NORTH ELEVATION received 19/05/2020  
 Plans - Proposed SPR- PRP- ZZ- ZZ- DR- A-2054 - PROPOSED SITE SECTIONS received 19/05/2020

Reason:

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

**Permission is subject to the following Time Limit:**

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

Reason:

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

**Permission is subject to the following Pre-Commencements Condition(s)**

3. Prior to the commencement of the development hereby approved;
  - a) Following the completion of the works and measures identified in the approved remediation strategy ref:073237-CUR-00-XX-RP-GE-003 rev P02 (dated 27/94/2020), a verification report providing evidence that all works required by the remediation strategy have been completed, together with any future monitoring or maintenance requirements shall be submitted to and approved in writing by the Local Planning Authority.
  - b) In the event that potential contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-d above.



#### Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2019.

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

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

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

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

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

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

#### Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019 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.

5. No development shall take place, including any works of demolition, until a written CEMP has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall oblige the applicant, developer and contractors to commit to current best practice with regard to construction site management and to use all best endeavours to minimise off-site impacts, and will include the following information:

- A detailed specification of demolition and construction works at each phase of development including consideration of all environmental impacts and the identified remedial measures.
- Site perimeter continuous automated noise, dust and vibration monitoring.
- Engineering measures to eliminate or mitigate identified environmental impacts e.g. hoarding height and density, acoustic screening, sound insulation, dust control measures, emission reduction measures, location of specific activities on site, etc.
- Arrangements for a direct and responsive site management contact for nearby occupiers during demolition and/or construction (signage on hoardings, newsletters, residents liaison meetings, etc.)
- A commitment to adopt and implement of the ICE Demolition Protocol and Considerate Contractor Scheme; Site traffic - Routing of in-bound and outbound site traffic, one-way site traffic arrangements on site, location of lay off areas, etc.
- Site waste Management - Accurate waste stream identification, separation, storage, registered waste carriers for transportation and disposal at appropriate destinations.
- A commitment that all NRMM equipment (37 kW and 560 kW) shall be registered on the NRMM register and meets the standard as stipulated by the Mayor of London

All demolition and construction work shall be undertaken in strict accordance with the approved CEMP and other 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 pollution and nuisance, in accordance with Strategic Policy 13 'High environmental standards' of the Core Strategy (2011), Saved Policy 3.2 'Protection of amenity' of the Southwark Plan (2007), and the National Planning Policy Framework (2019).

**Permission is subject to the following Grade Condition(s)**

6. Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme including 14 trees and showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

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

**Reason:**

So that the Council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2019; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and conservation) and 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

7. Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any above grade works commencing hereby granted permission.

No less than 4 bat bricks and 6 swift 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 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: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan, Strategic Policy 11 of the Southwark Core strategy and the National Planning Policy Framework (2019).

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

Authority.

Any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason:

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

9. (a) Before any fit out works to the commercial premises hereby authorised begins, an independently verified BREEAM report (detailing performance in each category, overall score, BREEAM rating and a BREEAM certificate of building performance) to achieve a minimum 'very good or 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.

(b) 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.

10. Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be submitted to and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

11. 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.

Discharge of this condition will be granted on receiving the details of the green/brown roof(s) and Southwark Council agreeing the submitted plans, and once the green/brown roof(s) are completed in full in accordance to the agreed plans. A post completion assessment will be required to confirm the roof has been constructed to the agreed specification.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with: Policies 2.18 (Green Infrastructure: the Multifunctional Network of Green and Open Spaces), 5.3 (Sustainable Design and Construction), 5.10 (Urban Greening) and 5.11 (Green Roofs and Development Site Environs) of the London Plan 2016; Strategic Policy 11 (Design and Conservation) of the Core Strategy 2011, and; Saved Policy 3.28 (Biodiversity) of the Southwark Plan 2007.

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

Reason:

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

13. Before any above grade work hereby authorised begins, details of the means of enclosure for all site boundaries shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In the interests of visual and residential amenity in accordance with: the National

Planning Policy Framework 2019; Strategic Policy 12 (Design and Conservation) of the Core Strategy 2011; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design), and 3.13 (Urban Design) of the Southwark Plan 2007.

**Permission is subject to the following Pre-Occupation Condition(s)**

14. Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of 60dB DnTw+Ctr. Pre-occupation testing of the separating partition shall be undertaken for airborne sound insulation in accordance with the methodology of ISO 16283-1:2014. Details of the specification of the partition together with full results of the sound transmission testing shall be submitted to the Local Planning Authority for written approval prior to the use commencing and once approved the partition 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.

15. 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 L Aeq T\*, 45dB LAFmax T \*  
 Living and Dining rooms- 35dB LAeq T †  
 \* - Night-time - 8 hours between 23:00-07:00  
 † - Daytime - 16 hours between 07:00-23:00

Following completion of the development and prior to occupation, a validation test shall be carried out on a relevant sample of premises. The results shall be submitted to the LPA for approval in writing. The approved scheme shall be implemented and permanently maintained thereafter.

**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.

16. The combined Rated sound level from all plant, together with any associated ducting shall not exceed 35dB(A) at any noise sensitive premises. 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

+A1:2019

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).

17. Prior to the occupation of the development, a Flood Warning and Emergency Evacuation Plan should be submitted to and approved in conjunction with Southwark's Emergency Planning team. The plan should state how occupants will be made aware that they can sign up to the Environment Agency Flood Warning services, and of the plan itself. The plan should provide details of how occupants should respond in the event that they receive a flood warning, or become aware of a flood.

Reason :

To guarantee that the development is designed to ensure safety of the building users during extreme flood events, to mitigate residual flood risk and ensure safety of the future occupants of the proposed development, to reduce the amount of surface water run-off from the site, to provide safe refuge and ensure safety of the future occupants of the proposed development, all in accordance with: the National Planning Policy Framework 2019; Strategic Policy 13 (High Environmental Standards) of the Core Strategy 2011, and; Saved Policy 3.9 (Water) of the Southwark Plan 2007.

**Permission is subject to the following Compliance Condition(s)**

18. The use hereby permitted for community/community use purposes shall not be carried on outside of the hours of:  
07:00 to 22:00 on Monday to Fridays;  
08:00 to 22:00 on Saturdays, and;  
09:00 to 21:00 on Sundays and Bank Holidays.

Reason:

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

19. Before the first occupation of the building hereby permitted, the refuse storage arrangements shall be provided as detailed on the drawings hereby approved and shall be made available for use by the occupiers of the dwellings/premises. The facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

**Reason:**

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

20. Any deliveries, unloading and loading to the commercial units shall only be between the following hours:

- Monday - Friday 08:00m18:00pm;
- Saturdays 09:00 - 14:00; and
- No deliveries or servicing scheduled on Sundays.

**Reason**

To ensure that and occupiers of the development and occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance in accordance with The National Planning Policy Framework 2019, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity of The Southwark Plan 2007

**Permission is subject to the following Special Condition(s)**

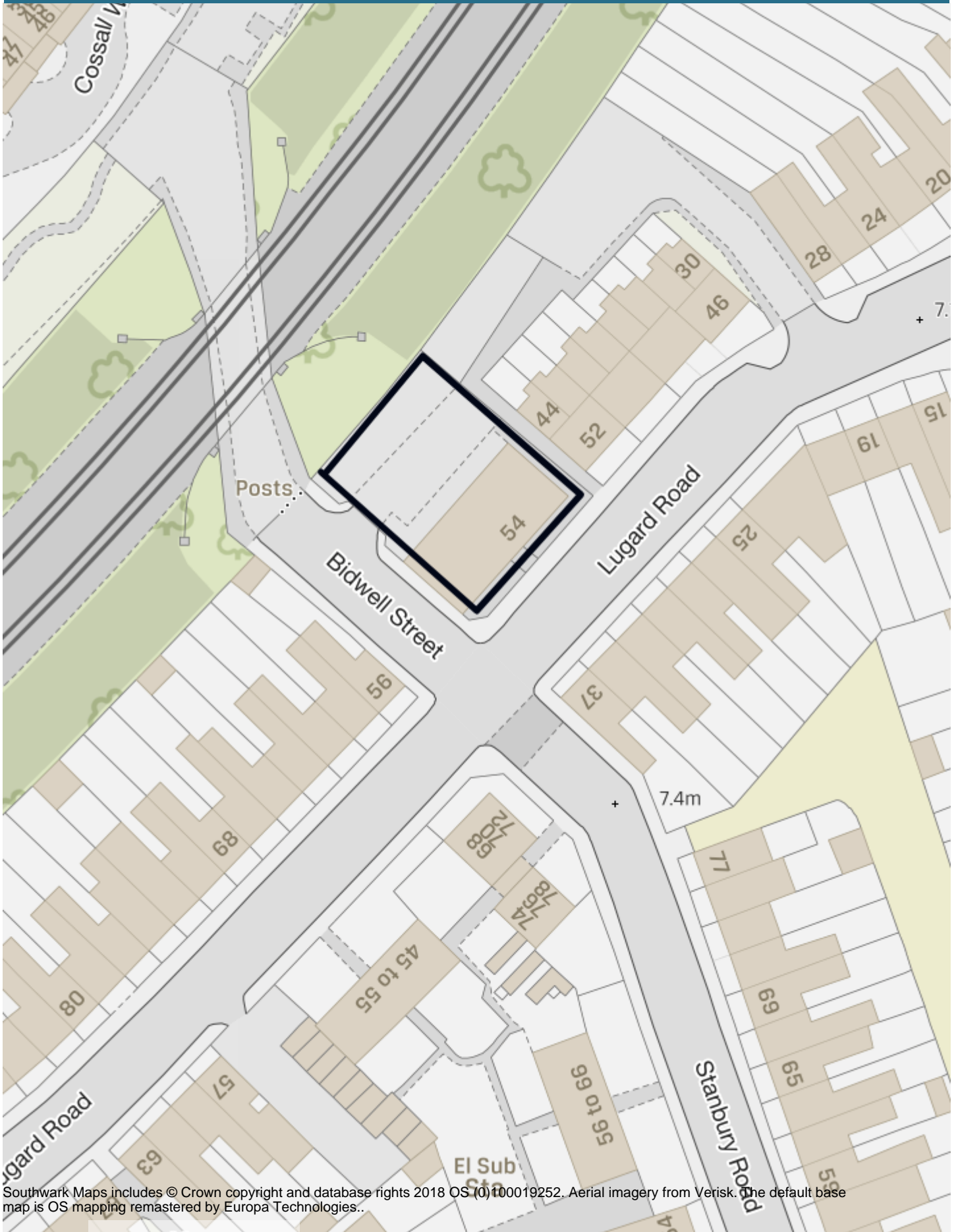
21. The completed schedule of site supervision and monitoring of the arboricultural protection measures as approved in Tree Protection condition shall be submitted for approval in writing by the Local Planning Authority within 28 days from completion of the development hereby permitted. This condition may only be fully discharged on completion of the development, subject to satisfactory written evidence of compliance through contemporaneous supervision and monitoring of the tree protection throughout construction by the retained or pre-appointed tree specialist.

**Reason**

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2019 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.

**Informatives**





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<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 21 October 2020	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 19/AP/5380 for: Full Planning Application  <b>Address:</b> 54 LUGARD ROAD, LONDON SE15 2TD  <b>Proposal:</b> Demolition of existing building containing eight self-contained flats and removal of parking area to enable the erection of thirty-three self-contained studio flats with associated communal facilities, landscaping, refuse, cycle and amenity provisions		
<b>Ward(s) or groups affected:</b>	Nunhead and Queens Road		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b>	30/09/2019	<b>Application Expiry Date</b>	30/12/2019
<b>Earliest Decision Date</b>	30/01/2020		

## RECOMMENDATION

1. a) To grant planning permission subject to legal agreement.
- b) If a legal agreement is not completed by 21 December 2020, the director of planning be authorised to refuse planning permission, if appropriate, for the reason detailed in paragraph 65 of this report.

## BACKGROUND INFORMATION

### Site location and description

2. The site has a pair of two storey, adjoined residential buildings, which are currently host to eight flats all of which are vacant.
3. The site is located within:
  - Urban density zone
  - Air Quality Management Area
  - Peckham and Nunhead Action Area

There is a site of importance of nature conservation directly adjacent to the site along the railway embankment.

The site has a public transport accessibility Level (PTAL) of 4.

4. The site is not listed, nor is it within a conservation area. There are no heritage assets in the vicinity of the site.
5. The surrounding area is predominantly low density terraced houses with some flat developments also located close by. There is an active railway line to the North-West of the site.

### **Details of proposal**

6. The proposal calls for the demolition of the existing buildings on site, and the construction of a pair of three storey container unit blocks, connected via a walkway, to host 33 studio units. The proposed units would be 19.5sqm in terms of gross internal area. The proposal would offer 304sqm of communal amenity space, as well as landscaping and urban greening enhancements to the site.
7. The proposal calls for a unique form of affordable housing (detailed under tenure mix, affordable housing and viability) which would offer low cost self contained accommodation for single individuals at risk of, or experiencing homelessness. The proposed block would be run and managed by the applicant as a charity specialising in homelessness i.e. Centrepoin.

### **KEY ISSUES FOR CONSIDERATION**

#### **Summary of main issues**

8. The main issues to be considered in respect of this application are:
  - Principle of the proposed development in terms of land use
  - Tenure mix, affordable housing and viability
  - Dwelling mix including wheelchair housing
  - Density
  - Quality of residential accommodation
  - Design
  - Outdoor amenity space,
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - Transport and highways
  - Transport and servicing
  - Energy and sustainability
  - Ecology and biodiversity
  - Planning obligations (S.106 undertaking or agreement)
9. These matters are discussed in detail in the 'Assessment' section of this report.

#### **Legal Context**

10. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this

instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.

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

### **Planning policy**

#### **The National Planning Policy Framework (NPPF)**

12. The relevant chapters of the NPPF 2019 are:
- 2. Achieving sustainable development
  - 5. Delivering a sufficient supply of homes
  - 8. Promoting healthy and safe communities
  - 9. Promoting sustainable transport
  - 11. Making effective use of land
  - 12. Achieving well-designed places
  - 14. Meeting the challenge of climate change, flooding and coastal change
  - 15. Conserving and enhancing the natural environment

#### **The London Plan 2016**

13. Policy 3.1 Ensuring equal life chances for all  
 Policy 3.3 Increasing housing supply  
 Policy 3.4 Optimising housing potential  
 Policy 3.5 Quality and design of housing developments  
 Policy 3.8 Housing choice  
 Policy 3.10 Definition of affordable housing  
 Policy 3.14 Existing housing  
 Policy 5.1 Climate change mitigation  
 Policy 5.2 Minimising carbon dioxide emissions  
 Policy 5.3 Sustainable design and construction  
 Policy 5.7 Renewable energy  
 Policy 5.10 Urban greening  
 Policy 6.9 Cycling  
 Policy 6.10 Walking  
 Policy 6.13 Parking  
 Policy 7.2 An inclusive environment  
 Policy 7.4 Local character  
 Policy 7.5 Public realm  
 Policy 7.6 Architecture  
 Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes  
 Policy 7.19 Biodiversity and access to nature  
 Policy 8.2 Planning obligations  
 Policy 8.3 Community infrastructure levy

#### **Core Strategy 2011**

14. Strategic Policy 1 – Sustainable development

Strategic Policy 2 – Sustainable transport  
 Strategic Policy 4 – Places for learning, enjoyment and healthy lifestyles  
 Strategic Policy 5 – Providing new homes  
 Strategic Policy 6 – Homes for people on different incomes  
 Strategic Policy 7 – Family homes 86,  
 Strategic Policy 11 – Open spaces and wildlife  
 Strategic Policy 12 – Design and conservation  
 Strategic Policy 13 – High environmental standards

### **Southwark Plan 2007 – Saved Policies**

15. Policy 2.5 Planning Obligations  
 Policy 3.2 Protection of amenity  
 Policy 3.3 Sustainability assessment  
 Policy 3.4 Energy efficiency  
 Policy 3.7 Waste reduction  
 Policy 3.11 Efficient use of land  
 Policy 3.12 Quality in design  
 Policy 3.13 Urban design  
 Policy 3.14 Designing out crime  
 Policy 3.28 Biodiversity  
 Policy 4.1 Density  
 Policy 4.2 Quality of residential accommodation  
 Policy 4.3 Mix of dwellings  
 Policy 4.4 Affordable Housing  
 Policy 4.5 Wheelchair Affordable Housing  
 Policy 4.6 Loss Of Residential Accommodation  
 Policy 5.2 Transport impacts  
 Policy 5.3 Walking and cycling  
 Policy 5.6 Car parking  
 Policy 5.7 Parking Standards for disabled people and the mobility impaired

### **Supplementary Planning Documents (SPDs)**

16. 2015 Technical Update to the Residential Design Standards SPD (2011) Section 106 and CIL SPD (2015), including the Addendum (Jan 2017)
17. Peckham and Nunhead Area Action Plan 2014

### **Draft New London Plan**

18. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Following an examination in public, the mayor then issued the Intend to Publish London Plan (ItP), which was published in December 2019.
19. The Secretary of State responded to the mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made.
20. The draft New London Plan is at an advanced stage. Policies contained in

the Intend to Publish (ItP) London Plan published in December 2019 that are not subject to a direction by the Secretary of State carry significant weight. 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.

### **New Southwark Plan**

21. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.
22. These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version.
23. In April 2020 the Planning Inspectorate provided their initial comments to the New Southwark Plan Submission Version. It was recommended that a further round of consultation take place in order to support the soundness of the Plan which has not taken place.
24. It is anticipated that the plan will be adopted in late 2020 following the EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

### **Consultation responses, and how the application addresses the concerns raised**

25. Summarised below are the material planning considerations raised by members of the public.

Seven objections have been received in relation to this application as part of the public consultation, the following relevant planning issues were raised:

- Parking
- Anti-social behaviour/site management
- Privacy
- Density
- Servicing
- Design
- Noise

- Carbon emissions
- Housing mix
- Impact on SINC
- Scale and massing
- Impact on Peckham Coal Line (the area along this section of the railway line is largely defined by rear gardens and the inaccessible SINC, hence improving wider access at this point in the railway line would be unfeasible and potentially harmful to residential amenity)
- Quality of accommodation

These matters are addressed in the relevant parts of this report.

26. An objector has raised a concern around a situation in which a future occupant becomes pregnant and how this would be impacted by the single occupancy nature of the units. The applicant as a charity provides a range of housing solutions, including options for single parents, and would work constructively with occupiers as their circumstances may change to find the most appropriate housing solution for them.

## **Assessment**

### **Tenure mix, affordable housing and viability**

27. The proposed units do not fall under the typical definition of affordable housing, and as such would not comply with Saved Policy 4.4 (Affordable Housing) of the Southwark Plan 2007, which would require 35% affordable housing split into 70% social rent and 30% as intermediate housing.
28. The proposal presents a unique form of affordable housing, reflective of the unique and temporary nature of the accommodation itself. The proposal would ensure that a tenant would be charged no more than 33.3% of their income, with a maximum income threshold of £31,500 (based on the London Living Wage of £21,000 plus 50%). In addition, the maximum tenure of the units would be 5 years, including a 12 month probationary period.
29. The applicant has set out the following eligibility criteria for tenants:
- Single individuals (i.e. no couples or families) between the ages of 18-25
  - A young person who is in full time employment or an apprenticeship role.
  - A person who has lived within supported accommodation and has very low or no enduring support needs from their key worker. Or
  - A person at risk of homelessness (recently left home, sofa surfing or staying with friends or family). And
  - Someone who Can demonstrate that they can live independently.
30. The intended beneficiaries of this unique form of affordable housing would therefore be young individuals who are either making the transition out of supported accommodation from Centrepont, or those at risk of becoming homeless.
31. While this is an atypical proposal, it is recognised that the process would be managed by the applicant as a charity, and the eligibility criteria and



tenancy durations would be controlled via the s106 legal agreement.

32. The proposal presents a housing solution to a specific at risk group, and would enable young people to prepare to transition into more traditional forms of housing over the course of a tenancy without the need to transition into sheltered accommodation. The proposed management would allow for light supervision by Centrepont, stepping in for emergencies, or to deal with complaints, while allowing tenants a sense of autonomy.
33. Furthermore, it is recognised the unique physical nature of the accommodation would make it unsuitable for traditional forms of permanent, affordable housing (i.e. social rent or shared ownership).
34. Therefore, while the proposal would not comply with existing affordable housing policy, the specific charitable aim of the proposal is recognised as a significant material consideration in this regard. As such, the proposed nature of the tenure mix would be acceptable in this instance, and by extension the deviation from policy would be similarly acceptable.

### **Dwelling mix including wheelchair housing**

35. It is noted the dwellings would be entirely single occupancy 1 bedroom units, and would therefore not comply with Strategic Policy 7 [Family Homes] of the Core Strategy 2011. It is recognised that the housing mix proposed is reflective of the vulnerable group the proposal is intended to aid (i.e. young individuals at risk of homelessness, rather than couples or families). In addition, the proposed units and temporary nature of the tenancies would be regarded as unsuitable for larger households. Hence, the deviation from policy in this regard is considered acceptable given the targeted and nature of the housing solution proposed in this specific instance.
36. It is further noted that no wheelchair accommodation would be provided as part of the proposal. As above, the nature of the units proposed is unsuitable to the provision of wheelchair accommodation where greater internal space standards are necessitated by functional considerations for wheelchair users. Furthermore, the applicant as a charity does not possess the specialist resources to deal with wheelchair users in or at risk of homelessness and works with other charities with said resources to refer individuals to these providers for dedicated assistance. As such, the lack of provision of wheelchair accommodation as part of this unique housing solution is acceptable in this instance.

### **Density**

37. The proposal would equate to 486 habitable rooms per hectare which would be within the 200-700 habitable room per hectare requirement of Strategic Policy 5 [Providing New Homes] of the Core Strategy 2011.

### **Quality of residential accommodation**

38. The units would be dual aspect, offering good access to natural light,

outlook, and cross-ventilation. However, it must be considered that the proposed units would fall short of the 37sqm GIA requirement for a studio flat. This is a result of the container style units proposed, and the unique nature of the tenure proposed based on the needs of the proposed occupants.

39.

<b>Schedule of accommodation for dwelling type: Studio x 33</b>			
<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies (YES/NO)?</b>
Gross Internal Area (GIA)	19.5	37	NO
Bathroom	2.5	3.5	NO

40. The proposed dwellings would be dual aspect, offering good access to natural light and ventilation. It is recognised the units would fall short of the required minimum space standard for a studio flat as per the Residential Design Standards SPD. The proposed units are not intended for long term occupancy and are intended as a form of transitional accommodation for young individuals at risk of, or coming out of homelessness.

41. Thus, the departure from policy in terms of space standards can be considered as an exceptional case as reflected by the unique nature of the tenure. As a long term housing solution, units of such a size would not be appropriate, however, as a temporary measure for a relatively small scheme the units are an acceptable solution to a specific housing need identified by the charity. As such, the proposed quality of accommodation is considered to be acceptable in this instance based on the unique nature of the housing solution proposed.

42. While the scheme is unique in terms of applications previously considered by the council, the applicant has noted similar schemes approved for specialist forms of homeless accommodation in other London Local Planning Authorities. A similar project is also under development by the YMCA in Merton providing 36 x 25sqm permanent flats, all for homeless people, charged out at 65% of market rent in area.

### **Design**

43. The proposed container style design presents a unique, modern aesthetic, which is a relatively unusual feature in an area defined by low density terraced housing and flatted developments. Nonetheless it is recognised the design and appearance of the blocks are informed by the nature of the proposed accommodation, and the sustainable construction measures employed. Furthermore, while unusual, the blocks are not an unattractive feature, and are enhanced by the extensive planting and landscaping aspects of the wider scheme.

44. The scale and massing of the proposed blocks, while a marginal increase on the existing block, form a sensible relationship with the surrounding buildings and would not overly dominate the streetscene in this regard.
45. In summary, the proposal is of a unique but sensible design with attractive surrounding landscaping, and is of a sensible scale and massing relative to the surrounding urban form. The proposal is therefore acceptable in design terms.

### **Outdoor amenity space, and children's play space**

46. The scheme would provide 304sqm of communal outdoor amenity space as part of the landscaping. It is noted the, with the exception of 7 ground floor units, there would be no provision of private amenity space. Where 7 units have provided private amenity space, 5 of these would fall short of the 10sqm required by the residential design standards. Therefore, the total shortfall in private amenity space would be 274.91sqm. Therefore, the sizable communal amenity space would compensate for the under-provision of private amenity space, and would offer a high quality amenity area for future residents.
47. Given the nature of the scheme, it is not envisaged there would be a significant population of children on-site (given the single nature occupancy of the proposed units). In light of this, the fact the scheme has not proposed any dedicated children's play space would be acceptable.

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

#### Daylight/Sunlight

48. A daylight/sunlight impact assessment has been included as part of this application to determine the impact of the proposal on neighbouring properties in terms of natural light. The assessment indicates that any impact in terms of daylight on all affected nearby properties would be well below the proportional 20% VSC (Vertical Sky Component) reduction as advised by the Building Research Establishment (BRE). As such, the proposal would have a negligible impact in terms of daylight. The assessment also notes there would be no significant impact in terms of sunlight to nearby properties, which is similarly acceptable.

#### Privacy

49. The proposal would not introduce any side facing views towards adjacent properties. Any views from the front windows of the units would be oblique and set a reasonable distance from nearby windows and gardens mitigating further risks to privacy and overlooking. Finally, views over Lugard Road would be similar to that of the existing buildings and to an acceptable degree. As such, the proposal is not deemed to present a significant risk neighbouring privacy.

#### Loss of outlook/Sense of enclosure

50. The scale and massing of the front block is broadly similar to the existing building, and this is not deemed to present a significant additional risk in terms of impact on outlook, or a sense of enclosure to adjacent properties. While the rear block is a new addition to the form of the site, it would be set against the backdrop of the railway line, and would be set a reasonable distance from the rear windows of nearby properties, as such, it is not deemed to have a significant impact in terms of outlook. The massing of the rear block and its positioning is such that there would be a minor sense of enclosure to the rear garden of the adjacent property, this is modest and to an acceptable extent.

#### Noise

51. The proposed communal amenity area would be expected to generate noise similar to that of a larger residential rear garden, or gardens. As such, the noise from this area would be similar to that of the existing residential context and would be similarly acceptable.

#### Anti-social behaviour

52. A number of objections have raised the issue of anti-social behaviour and complaints as an issue with the proposal. The applicant has included in their housing management strategy a complaints procedure which aims to respond to all complainants within one working day, and will aim to place complainants directly in touch with the responsible housing officer from the charity.
53. In addition, prospective tenants will be required to sign up to a code of conduct outlining clear expectations of appropriate behaviour and associated responsibilities. The document goes on to note “Centrepont approach to dealing with anti-social behaviour is through early intervention and prevention, non-negotiable support and strong enforcement action when necessary”.
54. These measures are considered to be a measured and appropriate response to dealing with potential anti-social behaviour issues in co-operation with the local community and future residents.

#### **Transport and servicing**

##### Cycle parking

55. The proposal would provide 33 cycle parking spaces, while this would be marginally short of the 37 spaces required by the New Southwark Plan, it is recognised that the site is relatively constrained in terms of space to provide further cycle parking. In addition, the level proposed would ensure adequate secure cycle parking based on the number of single occupancy units proposed. As such, this is considered acceptable on balance.

##### Car parking

56. The proposal would be car free, with the anticipated primary modes of transport being bicycles, walking, and public transport. In addition, the unique tenure proposed and associated eligibility criteria are such that car ownership among future occupants is likely to be extremely low. While the site is not located within a controlled parking zone, the proposal is considered to present a minimal risk to the local parking network, based on the encouragement of sustainable transport methods, and the low likelihood for car ownership of future occupiers. As such, the proposal is acceptable in this regard.

#### Refuse and servicing

57. The proposal has indicated space for refuse storage adjacent to the highway in a secured location. No details have been provided as to the volume of refuse storage proposed, or collection arrangements, thus a condition is recommended to secure this information. Subject to this condition, the proposal would be acceptable in this regard.

#### **Impact on trees**

58. It is noted a small tree is present on the existing site which the proposed plans show as to be removed. Substantive replanting is proposed and thus the overall canopy coverage would be easily retained if not increased. A condition is recommended requiring planting details to be provided to ensure the quantum and nature of planting species is adequate.

#### **Energy and sustainability**

59. The applicant has included an energy assessment as part of this application which sets out the range of energy saving measures employed by the development. The proposal outlines these measures against the energy hierarchy (Be Lean, Be Clean, Be Green) and demonstrated a total carbon saving of 68%.
60. As part of Be Lean, the proposal has introduced high quality building fabric, and air source heat pumps. In terms of Be Clean, the proposal has assessed integrating district heating and combined heat and power (CHP) systems and deemed these to be unviable due to the small scale of the development, and lack of district heating system in the vicinity which would be readily connected to the site. Under Be Green, the proposal has introduced photo voltaic (PV) panels, as well as the aforementioned air source heat pumps.
61. As noted above, the total carbon saving would be 68% which would fall short of the 100% target of the London Plan. As such, an offset payment of £11,934.00 would be secured via the S106 agreement. Subject to this offset, the proposal would be acceptable in terms of energy and sustainability.

#### **Ecology and biodiversity**

62. The site is located adjacent to a Site of Importance of Nature Conservation (SINC) located along the railway line. Following discussions with the

council's ecologist, the proposal has been redesigned to ensure a more appropriate separation distance of 2m from the SINC which would mitigate risk to local wildlife from light spill. A condition is recommended to require the submission of a lighting plan to ensure there would be no new lighting along the SINC boundary. A further condition is recommended requiring details of bat boxes to enhance the biodiversity of the site. Subject to these measures and the revised design the proposal is acceptable in these terms.

### Other matters

63. An important aspect of the service provided by the applicant is the continuous support offered to residents throughout their time with Centrepont (including as part of the proposed programme). This includes an Independent Living Advisor to provide day to day and support to aid in the adjustment to living independently throughout their time within the proposed development. Further dedicated support is provided in the form of a career coach to provide guidance and support in helping young individuals in their job search and career advancement once they have found a role.
64. It is recognised Centrepont has a strong track record of supporting young people in need of their services in terms of employment and training. 65% of their service users not in education, employment, or training (NEET) were placed in either education, employment, or training last year (which included 147 jobs sourced for young people directly by Centrepont); with the remaining 35% continuing to receive dedicated support from the charity.

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

Planning obligation	Mitigation	Applicant's position
<b>Housing, Viability and Amenity Space</b>		
Other	The legal agreement shall ensure the particular rents and eligibility thresholds set out by the applicant under the Housing Management Strategy are maintained in perpetuity	Agreed
<b>Energy, Sustainability and the Environment</b>		
Carbon offset fund	£11,934.00	Agreed
<b>Highways</b>		
Highways works	S278 agreement to include:	Agreed

	<ul style="list-style-type: none"> <li>• Repave the footways including new kerbing fronting the development on Lugard Street and Bidwell Street using materials in accordance with Southwark's Streetscape Design Manual - SSDM (precast concrete slabs and 150mm wide granite kerbs).</li> <li>• Reinstate redundant vehicle crossover on Bidwell Street as footway.</li> <li>• Provide a dropped kerb on Bidwell Street for refuse bins.</li> <li>• Repair any damages to the highway due to construction activities for the development including construction work and movement of construction vehicles</li> </ul>	
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66. If in the event that a S106 has not been agreed by 21 December 2020, then the director of the Planning be instructed to refuse planning permission for the following reason:

In the absence of a signed legal agreement, the proposal would fail to provide suitable mitigation in terms of planning gain, contrary to saved policies 2.5 (Planning Obligations) 3, SP14 (Implementation and Delivery) of the LB Southwark Core Strategy 2011, and 8.2 (Planning Obligations) of the London Plan 2016, and the LB Southwark Section 106 Planning Obligations/CIL SPD 2015.

#### **Mayoral and borough community infrastructure levy (CIL)**

67. The proposal would be liable for Mayoral and Borough CIL.

#### **Community involvement and engagement**

68. As part of the application the applicant has engage in substantial community engagement as set out in their statement of community involvement. This campaign conducted in the winter of 2019 included leaflet drops, and public exhibitions to meet and discuss the proposal and gather community feedback which has helped to inform both the layout of the scheme, as well as the management document to address resident concerns around noise and dealing with future complaints.

#### **Community impact and equalities assessment**

69. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
70. The council has given due regard to the above needs and rights where

relevant or engaged throughout the course of determining this application.

71. 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:
1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
  2. 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
  3. 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.
72. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

### **Human rights implications**

73. 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.
74. This application has the legitimate aim of providing transitional self contained accommodation for those at risk of homelessness. 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.

### **Positive and proactive statement**

75. The council has published its development plan and core strategy on its website together with advice about how applications are considered and the



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

76. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

77. **Positive and proactive engagement: summary table**

Was the pre-application service used for this application?	No
If the pre-application service was used for this application, was the advice given followed?	N/A
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Yes
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	A time extension shall be sought to bring this case to a planning sub-committee

**Other matters**

78. None identified.

**CONCLUSION**

79. The proposal is a unique housing solution aimed at a particular vulnerable group, young individuals who are at risk of, or are currently experiencing homelessness. It is recognised that the proposal would be a deviation from several policies, in particular those around space standards and housing mix. However, the proposal is not intended as a permanent housing solution and would respond to a specific temporary need for vulnerable individuals as they transition into more traditional forms of accommodation.
80. The proposal would have a minimal and acceptable impact on the local transport network, as well as neighbouring amenity. While the design is a departure from that typically seen in the local area, it is of an appropriate scale and massing and makes good use of greenspace and landscaping to form an attractive overall aesthetic.
81. Therefore, it is recommended that planning permission is granted subject to the completion of the S106 agreement, which would safeguard the specific

and targeted tenancy arrangements upon which the acceptability of the proposal hinges.

## RECOMMENDATION

82. Grant planning permission subject to legal agreement.
83. If in the event that a S106 has not been agreed by 21 December 21 2020 then the director of the Planning be instructed to refuse planning permission for the following reason:

In the absence of a signed legal agreement, the proposal would fail to provide suitable mitigation in terms of planning gain, contrary to saved policies 2.5 (Planning Obligations) 3, SP14 (Implementation and Delivery) of the LB Southwark Core Strategy 2011, and 8.2 (Planning Obligations) of the London Plan 2016, and the LB Southwark Section 106 Planning Obligations/CIL SPD 2015.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: 2484-54 Application file: 19/AP/5380 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov. uk Case officer telephone: 0207 525 5840 Council website: www.southwark.gov.uk

## APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Relevant planning history
Appendix 4	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Glenn Ruane, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	30 September 2020	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
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
<b>Date final report sent to Constitutional Team</b>		2 October 2020

**APPENDIX 1****Consultation undertaken****Site notice date:** 19/11/2019**Press notice date:** 31/10/2019**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 16/01/2020**Internal services consulted**

Tree Services

Ecology

Design and Conservation Team [Formal]

Environmental Protection

Transport Policy

Highways Development and Management

**Statutory and non-statutory organisations****Neighbour and local groups consulted:**

Ground Floor Flat 56 Stanbury Road  
London  
First Floor Flat 12 Lugard Road London  
17 Lugard Road London Southwark  
75 Stanbury Road London Southwark  
4 Lugard Road London Southwark  
71 Stanbury Road London Southwark  
64 Stanbury Road London Southwark  
Store 4 Cossall Walk London  
Flat 6 56 Lugard Road London  
56 Cossall Walk London Southwark  
35 Cossall Walk London Southwark  
Ground Floor Flat 5 Lugard Road  
London  
73 Lugard Road London Southwark  
33 Lugard Road London Southwark  
66 Lugard Road London Southwark  
54A Stanbury Road London Southwark  
71 Lugard Road London Southwark  
44 Cossall Walk London Southwark  
62 Lugard Road London Southwark  
8 Lugard Road London Southwark  
62 Cossall Walk London Southwark

76 Cossall Walk London Southwark  
40 Lugard Road London Southwark  
50 Stanbury Road London Southwark  
73 Stanbury Road London Southwark  
14 Hollydale Road London Southwark  
37 Hollydale Road London Southwark  
Ground Floor Flat 12 Lugard Road  
London  
14 Burchell Road London Southwark  
4 Saskia Mews London Southwark  
31 Cossall Walk London Southwark  
68 Cossall Walk London Southwark  
46 Lugard Road London Southwark  
18 Hollydale Road London Southwark  
48 Cossall Walk London Southwark  
67 Lugard Road London Southwark  
35 Lugard Road London Southwark  
88 Lugard Road London Southwark  
58 Lugard Road London Southwark  
52B Stanbury Road London Southwark  
37 Cossall Walk London Southwark  
33 Cossall Walk London Southwark  
72 Cossall Walk London Southwark

67 Cossall Walk London Southwark  
 4 Hollydale Road London Southwark  
 35 Hollydale Road London Southwark  
 29 Hollydale Road London Southwark  
 7 Lugard Road London Southwark  
 52 Lugard Road London Southwark  
 26 Lugard Road London Southwark  
 20 Lugard Road London Southwark  
 70 Stanbury Road London Southwark  
 62 Stanbury Road London Southwark  
 79D Stanbury Road London Southwark  
 23 Lugard Road London Southwark  
 76 Lugard Road London Southwark  
 50 Cossall Walk London Southwark  
 29 Cossall Walk London Southwark  
 53 Lugard Road London Southwark  
 74 Lugard Road London Southwark  
 72 Lugard Road London Southwark  
 49 Cossall Walk London Southwark  
 45 Cossall Walk London Southwark  
 43 Cossall Walk London Southwark  
 19 Hollydale Road London Southwark  
 76 Stanbury Road London Southwark  
 63 Stanbury Road London Southwark  
 15 Lugard Road London Southwark  
 23 Hollydale Road London Southwark  
 17 Hollydale Road London Southwark  
 50 Lugard Road London Southwark  
 94 Cossall Walk London Southwark  
 16 Lugard Road London Southwark  
 10 Lugard Road London Southwark  
 65 Lugard Road London Southwark  
 51 Lugard Road London Southwark  
 86 Lugard Road London Southwark  
 55 Cossall Walk London Southwark  
 32 Cossall Walk London Southwark  
 78 Stanbury Road London Southwark  
 58 Stanbury Road London Southwark  
 69 Lugard Road London Southwark  
 63 Lugard Road London Southwark  
 59 Lugard Road London Southwark  
 55 Lugard Road London Southwark  
 29 Lugard Road London Southwark  
 11 Lugard Road London Southwark  
 78 Lugard Road London Southwark  
 88 Woods Road London Southwark  
 80 Woods Road London Southwark  
 61B Stanbury Road London Southwark  
 53A Stanbury Road London Southwark  
 77A Stanbury Road London Southwark  
 46 Cossall Walk London Southwark  
 30 Cossall Walk London Southwark  
 13 Cossall Walk London Southwark  
 21 Hollydale Road London Southwark  
 9 Lugard Road London Southwark  
 48 Lugard Road London Southwark  
 14 Lugard Road London Southwark  
 12 Lugard Road London Southwark  
 65 Stanbury Road London Southwark  
 6 Lugard Road London Southwark  
 82 Lugard Road London Southwark  
 22 Lugard Road London Southwark  
 31 Lugard Road London Southwark  
 54B Stanbury Road London Southwark  
 66 Cossall Walk London Southwark  
 60 Cossall Walk London Southwark  
 41 Cossall Walk London Southwark  
 15 Cossall Walk London Southwark  
 48 Stanbury Road London Southwark  
 25 Lugard Road London Southwark  
 19 Lugard Road London Southwark  
 82 Woods Road London Southwark  
 22 Burchell Road London Southwark  
 14 Cossall Walk London Southwark  
 69 Cossall Walk London Southwark  
 8 Hollydale Road London Southwark  
 2 Hollydale Road London Southwark  
 74 Stanbury Road London Southwark  
 56 Stanbury Road London Southwark  
 57C Lugard Road London Southwark  
 31 Hollydale Road London Southwark  
 92 Lugard Road London Southwark  
 56 Lugard Road London Southwark  
 84 Woods Road London Southwark  
 6 Hollydale Road London Southwark  
 67B Lugard Road London Southwark  
 25 Hollydale Road London Southwark  
 72 Stanbury Road London Southwark  
 67 Stanbury Road London Southwark  
 59 Stanbury Road London Southwark  
 66 Stanbury Road London Southwark  
 79B Stanbury Road London Southwark  
 79A Stanbury Road London Southwark  
 16 Cossall Walk London Southwark  
 47 Cossall Walk London Southwark  
 16 Burchell Road London Southwark  
 49 Lugard Road London Southwark  
 86 Woods Road London Southwark  
 90 Lugard Road London Southwark  
 10 Hollydale Road London Southwark  
 70 Cossall Walk London Southwark  
 63 Cossall Walk London Southwark  
 First Floor Flat 5 Lugard Road London  
 57B Lugard Road London Southwark

18 Lugard Road London Southwark  
 5 Saskia Mews London Southwark  
 Store 9 Cossall Walk London  
 39 Hollydale Road London Southwark  
 74 Cossall Walk London Southwark  
 34 Lugard Road London Southwark  
 28 Lugard Road London Southwark  
 77 Cossall Walk London Southwark  
 37 Lugard Road London Southwark  
 70 Lugard Road London Southwark  
 69B Stanbury Road London Southwark  
 61A Stanbury Road London Southwark  
 79C Stanbury Road London Southwark  
 39 Cossall Walk London Southwark  
 75 Lugard Road London Southwark  
 45 Lugard Road London Southwark  
 21 Lugard Road London Southwark  
 53B Stanbury Road London Southwark  
 42 Cossall Walk London Southwark  
 20 Burchell Road London Southwark  
 71 Cossall Walk London Southwark  
 44 Lugard Road London Southwark  
 42 Lugard Road London Southwark  
 32 Lugard Road London Southwark  
 77 Stanbury Road London Southwark  
 3 Saskia Mews London Southwark  
 52 Cossall Walk London Southwark  
 27 Hollydale Road London Southwark  
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 84 Lugard Road London Southwark  
 64 Lugard Road London Southwark  
 Flat A 27 Hollydale Road London  
 52A Stanbury Road London Southwark  
 51 Cossall Walk London Southwark  
 36 Cossall Walk London Southwark  
 93 Cossall Walk London Southwark  
 73 Cossall Walk London Southwark  
 65 Cossall Walk London Southwark  
 58 Cossall Walk London Southwark  
 57 Cossall Walk London Southwark  
 16 Hollydale Road London Southwark  
 41 Hollydale Road London Southwark  
 15 Hollydale Road London Southwark  
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 68 Stanbury Road London Southwark  
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 Flat B 27 Hollydale Road London  
 69A Stanbury Road London Southwark  
 40 Cossall Walk London Southwark  
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 33 Hollydale Road London Southwark  
 5 Lugard Road London Southwark  
 38 Lugard Road London Southwark  
 36 Lugard Road London Southwark  
 2 Lugard Road London Southwark  
 60 Stanbury Road London Southwark  
 55 Stanbury Road London Southwark  
 1 Saskia Mews London Southwark  
 61 Lugard Road London Southwark  
 27 Lugard Road London Southwark  
 94 Lugard Road London Southwark  
 80 Lugard Road London Southwark  
 60 Lugard Road London Southwark  
 18 Burchell Road London Southwark  
 38 Cossall Walk London Southwark  
 96 Lugard Road London Southwark  
 64 Cossall Walk London Southwark  
 59 Cossall Walk London Southwark  
 54 Cossall Walk London Southwark  
 12 Hollydale Road London Southwark  
 24 Lugard Road London Southwark  
 78 Cossall Walk London Southwark  
 46 Stanbury Road London Southwark  
 57 Stanbury Road London Southwark  
 2 Saskia Mews London Southwark  
 67A Lugard Road London Southwark  
 Flat 3 54 Lugard Road London  
 Flat 1 54 Lugard Road London  
 Flat 7 54 Lugard Road London  
 Flat 8 54 Lugard Road London  
 Flat 6 54 Lugard Road London  
 Flat 5 54 Lugard Road London  
 Flat 4 54 Lugard Road London  
 Flat 2 54 Lugard Road London

**Re-consultation:**

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

Ecology  
Environmental Protection  
Transport Policy  
Highways Development and Management

**Statutory and non-statutory organisations****Neighbour and local groups consulted:**

20 Lugard Road London SE15 2TD  
37 Lugard Road London SE15 2TB  
4 Hollydale Road london SE15 2TH  
7 Lugard Rd London Se15 2td

81 Lugard Road London SE15 2SZ  
56 Lugard Road London SE152SZ  
28 Lugard Road London SE15 2TD

**APPENDIX 3****Relevant planning history**

No relevant planning history

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**APPENDIX 4****RECOMMENDATION**

This document shows the case officer's recommended decision for the application referred to below.

This document is not a decision notice for this application.

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<b>Applicant</b>	Centrepoint	<b>Reg. Number</b>	19/AP/5380
<b>Application Type</b>	Major application	<b>Case Number</b>	2484-54
<b>Recommendation</b>	Pending Legal Agreement		

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**Draft of Decision Notice**

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**Pending legal agreement for the following development:**

Demolition of existing building containing eight self-contained flats and removal of parking area to enable the erection of thirty-three self-contained studio flats with associated communal facilities, landscaping, refuse, cycle and amenity provisions

54 Lugard Road, London, Southwark, SE15 2TD

**In accordance with application received on 28 September 2019**

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

Existing Plans

EXISTING GROUND FLOOR PLAN 2019-349/02-011 received

EXISTING FIRST FLOOR PLAN 2019-349/02-012 received

2019-349/02-013 2019-349/02-013 received

EXISTING SE ELEVATION 2019-349/02-020 received

EXISTING SW ELEVATION 2019-349/02-021 received

EXISTING NW ELEVATION 2019-349/02-022 received

EXISTING NE ELEVATION 2019-349/02-023 received

EXISTING SITE PLAN 2019-349/02-010 received

Proposed Plans

SECTION B-B 2019-349/02-301 received

PROPOSED SITE PLAN 2019-349/02-100-A A received

PROPOSED GROUND FLOOR PLAN 2019-349/02-101-B B received

PROPOSED FIRST FLOOR PLAN 2019-349/02-102-B B received

PROPOSED SECOND FLOOR PLAN 2019-349/02-103-B B received

PROPOSED ROOF PLAN 2019-349/02-104-B B received

PROPOSED SW ELEVATION 2019-349/02-201-B B received

PROPOSED NE ELEVATION 2019-349/02-203-A A received

SECTION A-A 2019-349/02-300-A A received



#### Other Documents

Site location plan 2019-349/02-000 received

Design and access statement received

Energy statement 02-20-82131 ES1 received

Document Housing Management Strategy received

Daylight/Sunlight assessment DAYLIGHT SUNLIGHT ADDENDUM received

Daylight/Sunlight assessment DAYLIGHT SUNLIGHT REPORT received

Document STATEMENT OF COMMUNITY INVOLVEMENT received

Ecology assessment/Nature conservation PRELIMINARY ECOLOGICAL APPRAISAL received

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

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

Reason:

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

#### **Permission is subject to the following Grade Condition(s)**

3. SAMPLE MATERIALS/PANELS/BOARDS

Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be [presented on site/submitted to] and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2019, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

4. 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 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 details shall include details of all trees proposed to ensure there is no net loss of canopy cover on site, and the species of planting proposed. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting

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

Reason:

So that the council may be satisfied with the details of the landscaping scheme, in accordance with: Chapters 8, 12, 15 and 16 of the National Planning Policy Framework 2019; Strategic Policies 11 (Open Spaces and Wildlife), 12 (Design and conservation) and 13 (High Environmental Standards) of The Core Strategy 2011, and; Saved Policies 3.2 (Protection of Amenity), 3.12 (Quality in Design) 3.13 (Urban Design) and 3.28 (Biodiversity) of the Southwark Plan 2007.

### **Permission is subject to the following Pre-Occupation Condition(s)**

#### **5. SERVICE MANAGEMENT PLAN**

Before the first occupation of the building hereby permitted, a Service Management Plan detailing how all elements of the site are to be serviced shall be submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason:

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

#### **6. DETAILS OF THE REFUSE STORAGE FACILITIES**

Before the first occupation of the development hereby permitted begins, details of the arrangements for the storing of domestic and/or commercial refuse (whichever is applicable) shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved refuse storage facilities shall be provided and made available for use by the occupiers of the development 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 3.7

(Waste Reduction) of the Southwark Plan 2007.

## 7. LIGHTING PLAN

Prior to the first occupation of the units hereby consented, a Lighting Plan shall be submitted to and approved by the Local Planning Authority.

The recommended lighting specification using LEDs (at 3 lux) because they have little UV. The spectrum recommended is 80% amber and 20% white with a clear view, no UV, horizontal light spread ideally less than 70° and a timer.

Reason: To ensure adequate protection of local fauna in accordance with the National Planning Policy Framework 2019; Policy 7.19 [Biodiversity and access to nature] of the London Plan 2016; Strategic Policy 11 [Open spaces and wildlife] of the Core Strategy; and Saved Policy 3.28 [Biodiversity ] of the Southwark Plan 2007.

## 8. BAT NESTING BOXES

Details of bat nesting boxes shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the units hereby consented.

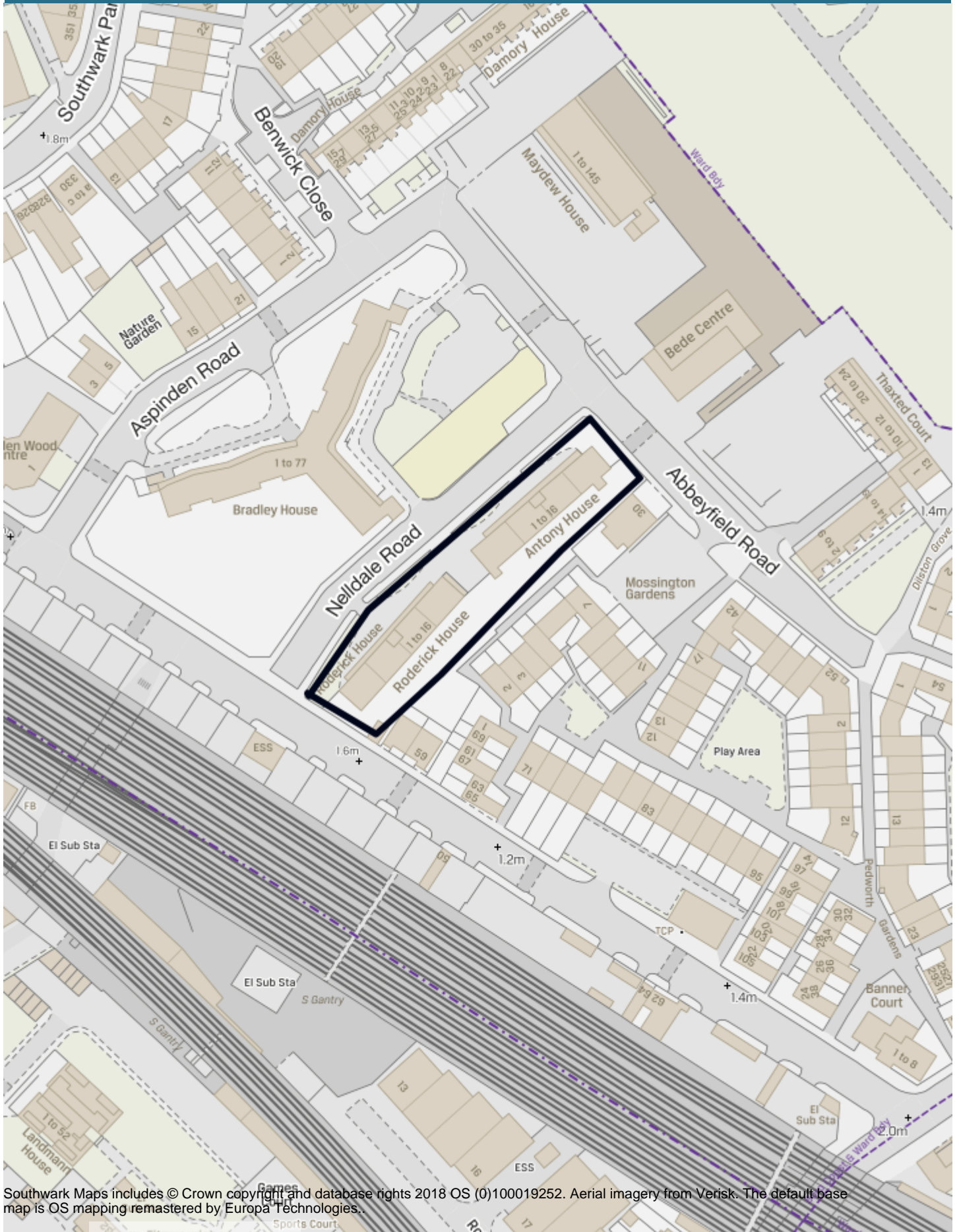
Prior to above ground works, details of the location of three nesting boxes shall be submitted for approval to the local planning authority. Details shall include the exact location, specification and design of the habitats. The boxes / bricks shall be installed with the development prior to the first occupation of the building and maintained thereafter.

Reason: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

## **Informatives**



18AP4195 - Antony House And Roderick House  
Raymouth Road London SE16 2DJ



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<b>Item No.</b> 7.3	<b>Classification:</b> Open	<b>Date:</b> 21 October 2020	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 18/AP/4195 for: Full Planning Application  <b>Address:</b> Antony House and Roderick House, Raymouth Road, London SE16 2DJ  <b>Proposal:</b> Construction of two 5 -storey extensions at the end of Roderick and Antony House. The construction of a two storey roof extension above both Antony and Roderick House creating two 6 storey blocks together with the infilling of the existing central gap with a 5 storey building linking the two blocks over every floor, to create an additional 30 new dwellings (2 x Studio. 16 x 1 bed and 12 x 2 bed). The proposal would also provide a new central lift core and enhanced landscaping and associated ancillary works		
<b>Ward(s) affected:</b>	North Bermondsey		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b>	18/01/2019	<b>Application Expiry Date</b>	19/04/2019
<b>Earliest Decision Date</b>	<b>Extension until</b>		

### RECOMMENDATION

1. Grant Planning Permission subject to a legal agreement being signed
2. In the event that the legal agreement is not signed, by 30 October 2020, the Director of Planning be authorised to refuse planning permission for the reason detailed in paragraph 88 of this report.

### EXECUTIVE SUMMARY

3. Planning permission is sought for a roof top, book end and side extension to provide an additional 30 units within these two separate blocks of 32 existing units. It is proposed that 26 or 85% of the habitable rooms would be for London affordable rent, an intermediate affordable product with 15% available for social rent. A GLA grant has been secured on this basis.

### BACKGROUND INFORMATION

4. The proposal first submitted was for all of the new dwellings to be London Affordable Rent but During the course of the application the applicant was

asked to make 15% of the habitable rooms available for social rent. This was agreed and the proposal was amended to include 4 units for social rent. Details of these units are set out within paragraph 29 of the report.

5. The proposal is made on behalf of the Lambeth and Southwark Housing Association who have provided the additional units to address housing need for their residents, the proposed studio units would be limited to 2 units both would exceed the minimum standards and would have access to private space. It is considered that they would be suitable as an intermediate housing product.
6. The proposal would provide slight shortfalls to the minimum room size standards for some units within the development. It is noted that the type of construction proposed would restrict the room sizes, but the overall flat sizes would be compliant.

### Site location and description

7. Anthony and Roderick House are two separate mid-rise blocks, with Abbeyfield Estate to the east, Pedworth Estate to the south, Bradley House to the north and railway viaducts with industrial arches on the opposite side of Raymouth Road which lies to the west. Anthony and Roderick House comprise two, 4 storey flatted blocks accommodating 16 flats within each block. The buildings were constructed in 1953 as part of the post war house building. They are part of the portfolio of Lambeth and Southwark Housing Association, with all of the 32 current homes let to tenants.

### Details of proposal

8. Planning permission is sought to extend the existing buildings by increasing the footprint of both blocks, by adding 5 storey extensions to the ends of each block and by infilling the central gap that separates the two blocks with a further 5 storey extension. It is also proposed to increase the height of the building by adding an additional two floors above. The proposal would provide a total of 30 new homes, these would be constructed using a modular construction technique.
9. The proposal includes the provision of an external lift core in addition to the following unit mix.

Unit Size	Existing	Proposed	Total (%)
Studio	0	<b>2</b>	2 (3%)
1-bed	0	<b>16</b>	16 (26%)

2-bed	16	<b>12</b>	28 (45%)
3-bed	16	<b>0</b>	16 (26%)
All units	32	<b>30</b>	62

### Planning history

11. See Appendix 1 for any relevant planning history of the application site.

### KEY ISSUES FOR CONSIDERATION

#### Summary of main issues

12. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land use
  - Tenure mix, affordable housing and viability
  - Dwelling mix including wheelchair housing
  - Density
  - Quality of residential accommodation
  - Design, layout, heritage assets and impact on Borough and London views
  - Landscaping and trees
  - Outdoor amenity space, children's playspace and public open space
  - Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - Transport and highways
  - Noise and vibration
  - Energy and sustainability
  - Air quality
  - Water resources and flood risk
  - Planning obligations (S.106 undertaking or agreement)
13. These matters are discussed in detail in the 'Assessment' section of this report.

### Legal Context

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



and the Saved Southwark Plan 2007.

15. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

## **Planning policy**

### **Adopted planning policy**

#### National Planning Policy Framework (NPPF)

16. The revised National Planning Policy Framework ('NPPF') was published in July 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.
17. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.
18. Chapter 2 Achieving sustainable development  
Chapter 5 Delivering a sufficient supply of homes  
Chapter 9 Promoting sustainable transport  
Chapter 11 Making effective use of land  
Chapter 12 Achieving well-designed places  
Chapter 14 Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 Conserving and enhancing the natural environment

#### London Plan 2016

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

Policy 1.1 - Delivering the Strategic Vision and Objective of London  
Policy 2.9 - Inner London  
Policy 3.1 - Ensuring Equal Life Chances for All  
Policy 3.3- Increasing Housing Supply  
Policy 3.4 - Optimising Housing Potential  
Policy 3.5 - Quality And Design Of Housing Developments  
Policy 3.6 - Children And Young People's Play And Informal Recreation Facilities  
Policy 3.8 - Housing Choice  
Policy 3.9 - Mixed And Balanced Communities  
Policy 3.10 - Definition of Affordable Housing  
Policy 3.11 - Affordable Housing Targets  
Policy 3.13 - Affordable Housing Thresholds  
Policy 5.1 - Climate Change Mitigation  
Policy 5.2 - Minimising Carbon Dioxide Emissions

Policy 5.3 - Sustainable Design And Construction  
 Policy 5.7 - Renewable Energy  
 Policy 5.9 - Overheating And Cooling  
 Policy 5.10 - Urban Greening  
 Policy 5.11 - Green Roofs And Development Site Environs  
 Policy 5.12 - Flood Risk Management  
 Policy 5.13 - Sustainable Drainage  
 Policy 5.20 - Contaminated Land  
 Policy 6.9 - Cycling  
 Policy 6.13 - Parking  
 Policy 7.1 - Lifetime Neighbourhoods  
 Policy 7.2 - An Inclusive Environment  
 Policy 7.3 - Designing Out Crime  
 Policy 7.4 - Local Character  
 Policy 7.5 - Public Realm  
 Policy 7.6 - Architecture  
 Policy 7.14 - Improving Air Quality

#### Core Strategy 2011

20. 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 4 - Places for Learning and Enjoyment  
 Strategic Policy 5 - Providing New Homes  
 Strategic Policy 6 - Homes for People on Different Incomes  
 Strategic Policy 7 - Family Homes  
 Strategic Policy 11 - Open Space 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)

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

Policy 2.5 - Planning Obligations  
 Policy 3.1 - Environmental Effects  
 Policy 3.2 - Protection of Amenity  
 Policy 3.3 - Sustainability Assessment

Policy 3.4 - Energy Efficiency  
 Policy 3.6 - Air Quality  
 Policy 3.7 - Waste Reduction  
 Policy 3.9 - Water  
 Policy 3.11 - Efficient Use of Land  
 Policy 3.12 - Quality in Design  
 Policy 3.13 - Urban Design  
 Policy 3.14 - Designing Out Crime  
 Policy 3.28 - Biodiversity  
 Policy 4.1 - Density of Development  
 Policy 4.2 - Quality of Residential Development  
 Policy 4.3 - Mix of Dwellings  
 Policy 4.4 - Affordable Housing  
 Policy 4.5 - Wheelchair Affordable Housing  
 Policy 5.1 - Locating Developments  
 Policy 5.2 - Transport Impacts  
 Policy 5.3 - Walking and Cycling  
 Policy 5.6 - Car Parking

#### Area based AAPs or SPDs

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

#### **Emerging planning policy**

##### Draft New London Plan

23. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Following an Examination in Public, the Mayor then issued the Intend to Publish London Plan. The Secretary of State responded to the Mayor in March 2020 where he expressed concerns about the Plan and has used his powers to direct changes to the London Plan. The London Plan cannot be adopted until these changes have been made. Until the London Plan reaches formal adoption 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.

##### New Southwark Plan

24. 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. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019. These two documents comprise the Proposed Submission Version of the New Southwark Plan.
25. These documents and the New Southwark Plan Submission Version (Proposed Modifications for Examination) were submitted to the Secretary of State in January 2020 for Local Plan Examination. The New Southwark Plan Submission Version (Proposed Modifications for Examination) is the council's current expression of the New Southwark Plan and responds to consultation on the NSP Proposed Submission Version. This version will be considered at the Examination in Public (EiP).
26. It is anticipated that the plan will be adopted in late 2020 following an EiP. As the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

## **ASSESSMENT**

### **Principle of the proposed development in terms of land use**

27. The proposed development, which is entirely C3 (residential), is compatible with the site's existing residential use. As such, the application presents no land use issues.

### **Environmental impact assessment**

28. The proposal is not required to provide an EIA as it does not fall within the EIA assessment criteria.

### **Tenure mix, affordable housing and viability**

29. The proposal is for London Affordable Rent, which is an intermediate housing product. The housing association have written to confirm that the proposal would be a GLA compliant affordable rent product and that the rent levels will be below 80% market rents. The benchmark rents for 2019 /20 are:

1 bed £155.13  
2 bed £164.24

30. Policy P4 Private Rented Homes of the New Southwark Plan gives some allowance for solely for rent developments with a minimum 35% level of affordable housing with a 15% social rent provision. The application would

make the 15% contribution with the provision of 4 units for social rent comprising 10 habitable rooms;

- 1 x 2 bed UNIT TYPE E 5th Floor Flat over Roderick House
- 1 x 1 bed UNIT TYPE F 3rd Floor Flat over Roderick House
- 1 x 2 bed UNIT TYPE E 4th Floor Flat over Antony House
- 1 x 1 bed UNIT TYPE F 2nd Floor Flat over Antony House

31. A viability assessment was submitted and demonstrated that the development has a deficit of £1.23m. However the scheme has funding from the GLA allowing them to proceed with the development.

### **Dwelling mix including wheelchair housing**

32. Roderick House and Anthony House presently contain a large proportion of three-bedroom units and so the entire scheme (i.e. new and existing accommodation) would meet the minimum policy requirement for larger units. As such, the scheme would provide a good mix of unit sizes, making a valuable contribution towards achieving mixed and balanced communities. The provision of larger 3 bedroom units was considered however due to flood risk issues, the need to reduce the size of the bookend units and the lack of direct access to amenity space, the proposed units would be better suited to smaller households.
33. The proposed and existing units would provide the following dwelling mix;

Unit Size	Percentage	Core Strategy Requirement
Studios x 2	3%	No more than 5%
1 bed x 24	39%	Max 40%
2 bed x 4 (+16 existing)	32%	To exceed 60% when combined with 2+ units
3 bed x 16 existing	26%	Min 20%

34. The proposed dwelling mix would when combined with the existing units be close to meeting policy requirements with 3% studio units, 39% 1 bed and 58% rather than 60% 2+ bedroom units in total. It is not considered that this small shortfall would unduly compromise the objectives of the policy in terms of dwelling mix.

### Wheelchair accommodation

35. 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. All new homes will be designed to meet M4 (2) but there will be no provision of fully accessible homes M4 (3) as the site is currently within Flood Risk Zone 3a and based on

the findings of the FRA new property would have to be built with significantly higher Finished Floor Levels to the existing properties, which would result in an unacceptable design of the fenestration. Additionally with the forthcoming development within the area there will be nine wheelchair units within the area. Given that this may result in less demand for further wheelchair units an off-site payment may be considered acceptable in this instance.

36. The 30 dwellings proposed by this application would comprise a total of 68 habitable rooms. As 10% of the proposed development (equating to 6.8 habitable rooms) would not be wheelchair accommodation, this triggers a contribution of £68,000 (indexed). This will be secured through a Section 106 Agreement. The money to contribute towards funding adaptations to existing housing in the borough. The lack of wheelchair units is due to the current lack of lift to the existing flats, whilst the infill element is able to provide a lift core, it would not be able to accommodate the two lift requirement for wheelchair homes. The size and configuration of the ground floor maisonettes were considered unsuitable for wheelchair users due to their size and differing levels.

### Density

37. The proposed site area is 0.286 ha, the combined habitable rooms from the existing and proposed units equals 180, which would give the proposal a density of 629 habitable rooms per hectare. This is within the urban density range of 200 – 700.

### Quality of residential accommodation

38. Saved Policy 4.2 of the Southwark Plan asserts that planning permission will be granted provided the proposal achieves good quality living conditions. This policy is reinforced by the nationally described minimum space standards and the council's 2015 Technical Update to the Residential Design Standards SPD 2011 (incorporating the National Housing Standards).
39. Provided below is the schedule of accommodation for the various unit types.

40. **Schedule of accommodation for dwelling type Bookend 2 bedroom 4 P Maisonette x 4**

Room	Floor area (sq. m)	Minimum floor area requirement (sq. m)	Complies (YES/NO)?
Lounge/Dining	16.5	17	N (-0.5)
Kitchen	9.8	7	Y
Double bedroom	12.3	12	Y

Double bedroom	11.5	12	N (-0.5)
Bathroom	4.6	3.5	Y
Built-in storage	2.2	2	Y
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies (YES/NO)?</b>
Gross Internal Floor Area	79.8	79	Y
Private outdoor space	10 - 35	10	Y

41. **Schedule of accommodation for dwelling type Middle infill Block 1B 2P Flat Type F x 8**

Room	Floor area (sq. m)	Minimum floor area requirement (sq. m)	Complies (YES/NO)?
Lounge/Dining/Kitchen	23.1	24	N (-0.9)
Double bedroom	11.5	12	N (-0.5)
Bathroom	4.4	3.5	Y
Built-in storage	1.9	1	Y
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies (YES/NO)?</b>
Gross Internal Floor Area	51.6	50	Y
Private outdoor space	4	10	N (-6)

42. **Schedule of accommodation for dwelling type 1B2P Flat (Floors 4<sup>th</sup> and 5<sup>th</sup>) Type D x16**

Room	Floor area (sq. m)	Minimum floor area requirement	Complies (YES/NO)?
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		(sq. m)	
Lounge Dining Kitchen	23.7	24	N (- 0.3)
Double bedroom	12.8	12	Y
Bathroom	4.2	3.5	Y
Built-in storage	2.6	1.5	Y
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies YES/NO)?</b>
Gross Internal Floor Area	51.4	51	Y
Private outdoor space	4	10	N (6)

43. **Schedule of accommodation for dwelling type 1B1P Flat Type A x2**

<b>Room</b>	<b>Floor area (sq. m)</b>	<b>Minimum floor area requirement (sq. m)</b>	<b>Complies (YES/NO)?</b>
Lounge Dining Kitchen	N/A	N/A	N/A
Double bedroom	N/A	N/A	Y
Bathroom	3.8	3.5	Y
Built-in storage	1.0	1.	Y
<b>Dwelling</b>	<b>Area (sq. m)</b>	<b>Minimum area requirement (sq. m)</b>	<b>Complies (YES/NO)?</b>
Gross Internal Floor Area	40.4	39	Y
Private outdoor space	4.4	10	N (6)



44. As these schedules show, all flat types would provide overall accommodation of a compliant size, with minor shortfalls in respect of some of the individual room sizes. Each flat is logically laid out, with the principal living spaces benefiting from access onto a terrace or balcony. All rooms are practically-shaped and each flat incorporates adequate built-in storage and private amenity space.

#### Daylight and sunlight within the proposed development

45. Within the proposed maisonettes all of the kitchens, living/dining spaces and bedrooms achieve the recommended value of 2% Average Daylight Factor (ADF). The majority of the flats achieve the recommended Vertical Sky Component (VSC) and No Sky Line (NSL) values. The units on the first, second and third floors on the central infill connecting the two buildings will experience some lower ADF values with the kitchen /dining / living spaces do not achieve the suggested value of 2 %. However, they all achieve a minimum of at least 1.5% which is the recommendation for living/dining rooms. Some of these rooms (units 3, 6 and 9) achieve NSL values slightly below the minimum target of 80%. However 70% of their area achieves a direct view of the sky which for the urban context, is considered acceptable. The bedrooms of these units would also not meet the recommended values of 1% and range between 0.6% and 0.7%. Given these are bedrooms the shortfall may be acceptable.
46. Overall, the proposed units achieve reasonable lighting levels as 83 % of the tested rooms achieved or exceed the recommended values. The results of the sunlight assessment show that 5 of the 32 windows tested failed the annual probable sunlight hours. It is considered that within the context this would be acceptable.

#### Design, layout and heritage

47. The proposed end pavilions (block ends) step down by a storey and have an asymmetric pitched roof form. The design is successful in mitigating the general scale of the buildings and marking the ends of each block. The infill between the two blocks is also successful.
48. The proposed additional two storeys at the top of the buildings would have an asymmetric pitched roof form and are 'castellated' with in sets to break up overall mass. They are clad in red zinc to match the tone of the red brick host buildings below.
49. The asymmetric slightly picturesque roof forms and the castellations soften the otherwise quite tough and utilitarian metal facades. However, this approach is notably more successful on the rear facades where the extension is set back slightly. Along the front elevations, balconies with heavy and solid metal balustrades project forward, hide the castellations behind and result in a top heavy appearance. The balconies would be subject to conditions in

respect of their detailing.

50. The central circulation core of each block is also projected upwards to serve the new floors. These do not have the benefit of being able to be set back from the original façade below and as a result appear somewhat over dominant. Cladding these in brick up to the height of the existing buildings would be an improvement. and a specific materials condition is suggested...
51. There are no heritage assets affected by the proposed development.

### **Landscaping and trees**

52. The landscape plan shows the removal of category B street trees T12 T14, (Maple and Lime) together with an on site category B tree (Cherry). A CAVAT calculation has been made taking account of the 7 small trees proposed within the site on Nelldale Road. The proposal is therefore required to make a contribution of £22,643 to be secured via a Section 106. This will mitigate against the loss of canopy cover via planting elsewhere in the vicinity, potentially as part of the landscaping proposed within the redevelopment of the Abbeyfield Estate.

### **Outdoor amenity space, children's play space**

53. The proposal would not be able to provide any additional communal space. The proposed landscaping of the site is confined to providing an improved planting area from the pavement to the front of the building and a small area behind the infill block where it is proposed to have a small grass space, cycle stores and general storage sheds. The area to the rear of the blocks has already been used to provide gardens for the existing ground floor flats so the provision of communal amenity space or play space is limited.
54. As the majority of units are 1 bed the child yield is too low to require a play space contribution. The 2 bed units would have private space of at least 10 sq metres and it is noted that Southwark Park is a short distance away.
55. The amenity space shortfall is 50sq metres plus 27.6 square metres (77.6sq m). This would equate to a payment of £15,908 for improving public open space near the development.

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

Outlook and sense of enclosure

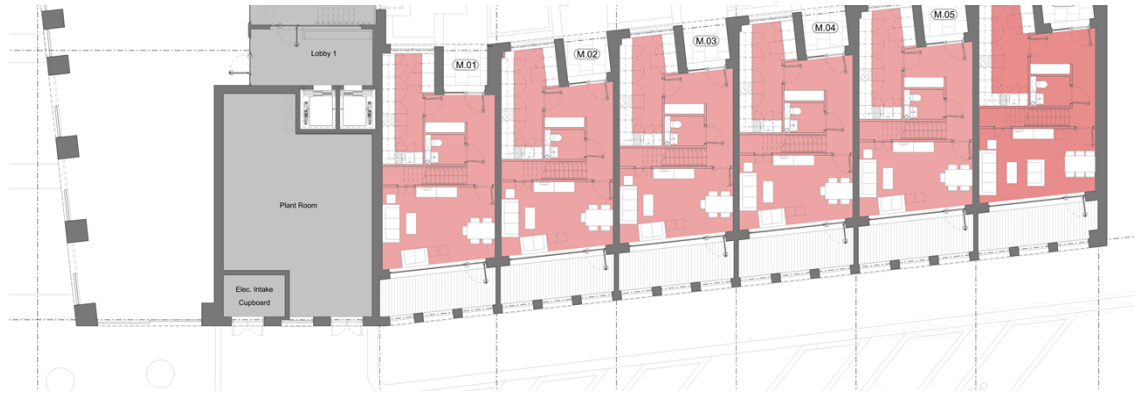
56. By reason of the footprint of the additional storeys at both Antony and Roderick House matching the footprint of the existing blocks, the new development would not oversail any of the existing flats on the lower floors. Therefore, the outlook and sense of openness currently experienced within these flats would remain largely unaffected by the proposed development.

57. There would be an impact to those units that currently have a window located within the side elevations of the existing buildings, as the new build element would adjoin the existing building with any existing windows would be required to be filled in and relocated. This has been raised by residents but would not affect many properties and the harm to the amenity is not considered to be substantial as the rooms affected would still have a window opening albeit relocated from the side elevation to the front elevation
58. Bradley House to the north west has is a 'Y' shaped block set in a large area of green space. The configuration of this block means that the proposal would not have a significant impact upon outlook by virtue of the habitable windows having views directed away from Antony and Roderick House.
59. 30 Abbeyfield Road lies on the eastern boundary behind Antony House. The outlook from the property is north east at the front and south west to the rear. The windows to the rear closest to Antony and Roderick House will certainly be more aware of the increase in height and this will be more apparent within the garden, however the building is already impacted by these larger blocks and it is not considered that this impact would be significant enough to warrant refusing the application.
60. 57 and 59 Raymouth Road lie on the south west boundary with no. 57 located on the boundary with Roderick House, like 30 Abbeyfield Road the outlook for these properties are south westerly to the front and north easterly to the rear. The impact from the proposal will be more obvious to the rear of these properties, but as with Abbeyfield Road this would not be considered significant.
61. The properties most sensitive to increased sense of enclosure are nos. 2 to 7 (consecutive) Mossington Gardens. This group of 2 storey houses have their front entrances to the north west facing Roderick and Antony House and the existing gap separating the two blocks. The infilling of the gap rather than the additional storeys will have the biggest impact upon the front aspect of these dwellings, as the gap currently offers relief and views through, for the middle dwellings, in particular nos. 4, 5 and 6.
62. However, due to their orientation the rear of the dwellings (2-7 Mossington Gardens) have their aspect away from the blocks and would not be impacted in regard to outlook and enclosure.

#### Daylight and sunlight

63. The daylight testing undertaken shows that in respect of Bradley House, and nos 57 and 61 Raymouth Road and Abbeyfield House the proposed development would still receive good levels of daylight compliant with the Building Research Establishment (BRE) Guidance. One window within the proposed new development known as Abbeyfield House would fail the BRE test resulting in 0.51 of its former value, largely due to the window being set back from the existing recessed walls. The room affected is a proposed ground floor living /dining room, which was already obstructed by the existing

flank of Antony House. It is accepted that the proposal would further reduce the levels of light received to this room. However this is due to the orientation and configuration of the proposed Abbeyfield House development. On balance, given the built up urban location the harm to the proposed new living/dining room is not considered so significant such that would warrant refusal of the application.



64. In respect of Mossington Gardens, twelve of the nineteen windows surveyed have a current VSC of 27 or more. As a result of the proposed development all of the windows would fail to meet the BRE guidance with the values falling below 27 or just below 0.8 times the current value. Notwithstanding the resulting VSC generally retains good levels of light with the difference no less than 0.67 of the original value and VSC values of a minimum of 14.5 with the majority of these exceeding 20.
65. Due to the proximity and differences in height of the dwellings on Mossington Gardens to the existing Antony and Roderick House blocks, only a limited amount of access to skyviews was possible to a few of the centrally located houses. The proposal would infill this gap, thus removing any skyviews previously available to these dwellings.
66. Sunlight is assessed only by main windows within 90 degrees of due south. Bradley House has some windows which may be affected but these appear to serve bathrooms.
67. Overall whilst it is acknowledged that there will be some impact to the adjoining buildings, in particular those properties in Mossington Gardens, the level of harm to residential amenity would not be so harmful such that would warrant a refusal of planning permission.

### **Transport issues**

68. Saved Policy 5.2 'Transport Impacts' states that planning permission will be granted for development unless there is an adverse impact on the transport network. Saved Policy 5.3 'Walking and Cycling' requires that provision is made for pedestrians and cyclists within the development and Saved Policies 5.6 and 5.7 relate to car parking. Strategic Policy 2 'Sustainable Transport' of the Core Strategy re-asserts the commitment to encouraging walking, cycling and use of public transport rather than travel by car and requiring transport

assessments with applications to show that schemes minimise their impacts, minimise car parking and maximise cycle parking to provide as many sustainable transport options as possible. The main issues to consider in this case are considered to be in relation to car parking, in particular provision for disabled parking, cycle parking, access and servicing. These matters are addressed below

69. The public transport accessibility level for the site is good and it is within short walking distance of Bermondsey Tube Station and bus routes on Southwark Park Road.

#### Car Parking

70. The proposed development would be car free. The area is likely to be subject of a CPZ in 2020, and does have relatively good public transport accessibility. The 'car free' nature of the scheme is supported by officers and Transport for London. A condition would be required on any grant of permission to ensure that future residents of the additional 30 flats are, with the exception of blue badge holders, exempt from obtaining on-street parking permits. With this in place, the additional new units would not add strain to local on-street car .

#### Car Club

71. The nearest car club locations are on Lynton Road, approximately 800 metres from the site. There are further car club bays located about 1 kilometre away. The applicant would be required to fund three years car club membership for the first occupant of each residential unit by a proposed planning obligation.

#### Cycle Parking

72. Cycle storage would be provided to the land at the rear infill section of the development that would link the two blocks. It is proposed to provide 48 spaces, under the GLA guidance there is a requirement for 42 bicycle storage spaces. It is envisaged that the additional 16 spaces will be available for use by the other residents.
73. It is noted that the proposal is for the cycle storage to be provided would be a Josta two tiered stacking system. Under the new Southwark Plan and the Draft London Plan there is a requirement to include at least 25% of the storage by using Sheffield type stands. It is considered that it would be possible to include 6 Sheffield stands and it is suggested that a condition is added to address this issue.

#### Refuse, recycling and servicing

74. Three new refuse and recycling stores are proposed for the existing and proposed residents. The ground floor dwellings for both blocks will each have street side bin stores fronting onto Nelldale Road. Within the centre of the site a shared secure store for the remaining units to access. This would largely meet the walking distances to refuse stores, although for the end units would

have to walk beyond the recommended 30 metre distance. The servicing will take place within the site as currently exists.

### **Energy and sustainability**

75. An energy and sustainability statement is submitted with the report, this sets out how the proposal would reduce CO<sub>2</sub> omissions in line with the London Plan. It is proposed to reduce CO<sub>2</sub> emissions to 36.73 % over current Part L Building Regulations 2013. A carbon off-set payment for the remaining 63.27% would be £51,138.

### **Noise**

#### Inter-dwelling noise disturbance

76. The proposed build on top units would sit above the existing flats, the layout of which would not achieve vertical stacking with the existing dwellings below. In order to mitigate against this it is recommended that conditions be imposed.

#### Noise disturbance

77. The proposed development would introduce new dwellings to the side, infilling and above the two existing buildings. Noise generated by domestic activities is not considered that existing nearby occupiers would not be subject to undue noise disturbance as a result of the occupation of the proposed new dwellings.

#### Construction noise and disturbance

78. Local residents have raised concerns that the construction and refurbishment phases will impact on their amenity. With regard to noise, it is inevitable that there will be some disruption and disturbance during the works. It is also recognised that works of the kind proposed are likely to raise level of dust and particulate matter unless there are suitable control measures. These impacts would, however, be for a temporary period and must be balanced with the long-term benefit brought by the provision of additional homes in the borough.
79. In the interests of minimising impacts from noise and dust, it is recommended that a construction management plan be submitted and approved prior to commencement. This will also set out how working practices will uphold health and safety for local residents, ensuring the site is kept clean and well-maintained.

### **Air quality**

80. An air quality report submitted with the application has concluded that the proposal would not give rise to air quality issues from construction. Further it is not considered that building mitigation is required. The council's Environmental Protection Officer has assessed the report and has agreed the recommendations.

### Ground conditions and contamination

81. A standard condition is recommended in respect of site contamination.

### Water resources and flood risk

82. The development lies within Flood Risk Zone 3 and is therefore at risk from flooding in the event of a breach in the Thames flood defences.
83. The accommodation affected would be the maisonettes on the eastern and western wings of the building. Whilst the FRA originally suggested that the finished floor levels be raised by 2.48m and 2.29m respectively, this was when the proposal had a studio unit on the ground floor. The current scheme would have bedrooms on the first floor and as such the Environment Agency have raised no objections subject to conditions.

### Archaeology

84. The application site is not within an Archaeological Priority Zone (APZ). The site was previously occupied by terraced housing, as shown on the historic map series until the 1930s, but suffered extensive bomb damage during the London Blitz in the Second World War. The construction of the terrace housing, combined with the subsequent development phases will have had a significant impact on the potential archaeological resource. The Greater London Historic Environment Record does not have any entries for the site or the surrounding study area, the nearest heritage asset is the former Clare College mission church.
85. Appraisal of this planning application using the Greater London Historic Environment Record (GLHER) and information submitted with the application indicates that, in this instance, it can be concluded that the archaeological resource will not be compromised by these small-scale works. No further archaeological assessment, fieldwork or conditions are required in consideration of this application.

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

Planning obligation	Mitigation	Applicant's position
<b>Housing, Viability and Amenity Space</b>		
Affordable (85% intermediate and 15% social rent) housing	Proposal would provide an entirely intermediate scheme.	Agreed

Provision		
Viability review	Standard	
Wheelchair housing provision	£68,000	Agreed
Outdoor amenity space	£15,908	Agreed
<b>Transport and Highways</b>		
Highway works	Making good public footpath around the site	Agreed
Car club scheme	Membership for eligible residents of new dwellings	Agreed
Parking permit restriction	For forthcoming CPZ	
<b>Energy, Sustainability and the Environment</b>		
Carbon offset fund	£51,138	Agreed
Precautionary tree loss offset	£22,643	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

87. Should a Section 106 Agreement not be completed, there would be no mechanism in place to avoid or mitigate the impact of the proposed development in relation to the provision of the infrastructure which would be necessary to mitigate the impacts of the development. As noted above the council will not complete the s106 for the reason that the affordable housing is not considered to be acceptable for reasons identified elsewhere in this report. In the absence of a completed s106 the proposal would be contrary to Saved policy 2.5 Planning obligations of the Southwark Plan 2007 and Strategic Policy 14 Implementation of the Core Strategy, and Policy 8.2 Planning obligations of the London Plan 2016, and should be refused for this reason.



### **Mayoral and borough community infrastructure levy (CIL)**

88. The proposal is exempt from both Mayoral and Southwark CIL as it would provide a 100% intermediate housing product.

### **Community involvement and engagement**

89. The applicant has submitted a statement of community involvement setting out the meetings and open event held with local residents prior to submitting the planning application.

### **Consultation responses, and how the application addresses the concerns raised**

#### **Consultation responses from members of the public**

90. Summarised below are the material planning considerations raised by members of the public.

A total of 7 have been received, with two from the same address

91. Principle of development and proposed land uses:
- Do not consider development necessary with empty 23 storey block adjoining site
92. Affordable housing and viability:
- This is a money making scheme and would not provide the needed social housing.
93. Quality of accommodation and provision of private/communal outdoor space:
- Object to the removal and repositioning of windows on the flank wall of the buildings.
94. Neighbour amenity impacts:
- Loss of community feel
  - Impact upon local services, schools, GP's etc
95. Transport, parking, highways, deliveries and servicing matters:
- Increased parking problems
96. Environmental impact during the construction phase (noise, dust and dirt etc.):
- Disruption will be unacceptable there are people who do not work

standard 9-5 hours as well as pensioners who will have to endure construction

97. Other matters:

- Contrary to objectives of original builder Charles Gomm
- Changes will not benefit existing residents
- Proposal will create a conflict/divide between the existing and new residents.
- Do not trust the developer

98. These matters are addressed comprehensively in the relevant preceding parts of this report.

#### **Consultation responses from internal and divisional consultees**

99. Summarised below are the material planning considerations raised by internal and divisional consultees, along with the officer's response.

100. Environmental Protection Team:

- No objections subject to conditions.

Officer response to issue(s) raised:

Noted.

101. Design and Conservation Team:

- No objections recommend conditions.

Officer response to issue(s) raised:

Noted.

#### **Consultation responses from external consultees**

102. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

103. Environment Agency:

- No objection to the proposed scheme, suggested conditions.

Officer response to issue(s) raised:

Noted.

104. Metropolitan Police:

- Have met with the applicant and believe the scheme can achieve

Secure by Design accreditation subject to a condition.

Officer response to issue(s) raised:

Noted.

105. These matters are addressed comprehensively in the relevant preceding parts of this report.

### **Community impact and equalities assessment**

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

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

108. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act.
2. 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
3. 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.

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

### Human rights implications

110. 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.
111. This application has the legitimate aim of providing new housing. 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.

### Positive and proactive statement

112. The council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
113. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

### 114. Positive and proactive engagement: summary table

Was the pre-application service used for this application?	YES
If the pre-application service was used for this application, was the advice given followed?	YES
Was the application validated promptly?	YES
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	YES
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	NO

### Other matters

115. None.

### CONCLUSION

116. Particular regard was had to the impacts of the development and to the contribution of the scheme to its local context. It was considered that the

tenure mix of housing was acceptable given the existing units within the two blocks. The provision of a scheme with a solely intermediate housing product was justified by reference to the financial viability assessment that was submitted.

117. The proposal would provide 15% of habitable rooms within the development for social rent, which is in line with the New Southwark Plan Policy P4.
118. Whilst the development will have some impact on the amenities of existing occupiers, particularly on Mossington Close, the scheme is not considered to result in harm to amenities as to justify refusal; despite some impacts arising in relation to sunlight and daylight this is considered to be within acceptable tolerances for this urban location.
119. The proposal is therefore recommended for approval subject to a Section 106 Agreement and the suggested conditions.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: H24 Application file: 18/AP/4195 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 5434 Council website: www.southwark.gov.uk

## APPENDICES

(Note: To follow under a separate cover)

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Relevant planning history
Appendix 4	Recommendation

## AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Glenn Ruane, Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	30 September 2020	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
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
<b>Date final report sent to Constitutional Team</b>		5 October 2020

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MUNICIPAL YEAR 2020-21**

**NOTE:** Original held by Constitutional Team all amendments/queries to Beverley Olamijulo: Email Beverley.olamijulo@southwark.gov.uk

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Councillor Maria Linforth-Hall (Vice-chair)	1		
Councillor Karl Eastham	1	Communications	By email
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Councillor Victoria Mills	1		
Councillor David Noakes			6
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Councillor Damian O'Brien			
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Constitutional Officer, Hub 2 (Second Floor), Tooley Street			
	By email		
Philippa Brown / Affie Demetriou			
	By email		
Alex Gillott /Jon Gorst, Legal Services, Hub 2 (Second Floor), Tooley Street			
	By email		
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