

Item No. 6.2	Classification: Open	Date: 4 June 2013	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 13/AP/0065 for: Full Planning Permission Address: 399 ROTHERHITHE NEW ROAD, LONDON, SE16 3HG Proposal: Demolition of existing building and the erection of a part 6, part 19 storey building (maximum height from ground 61.3m) with basement for a mixed use scheme comprising of 158 residential dwellings, primary school for Southwark Free School, sixth form and community centre for City of London Academy, with associated amenity and play space, basement car and cycle parking and landscaping.		
Ward(s) or groups affected:	Livesey		
From:	HEAD OF DEVELOPMENT MANAGEMENT		
Application Start Date 25/03/2013		Application Expiry Date 24/06/2013	

RECOMMENDATION

- 1 To refuse Planning Permission, for the reasons set out below, subject to referral to the Greater London Authority:

The site lies within the Old Kent Road Preferred Industrial Location (PIL), where in accordance with saved Policy 1.2 of the Southwark Plan, planning permission will only be granted for developments falling within the B Class use and sui generis industries. There is a demonstrable need for industrial land and premises in Southwark which have good access to strategic transport networks, adequate servicing capacity, lack of disturbance from residential uses and 24 hour access. The loss of the site for education and residential uses would erode the reservoir of industrial and warehousing land, seriously harming the functioning of the PIL by the introduction of sensitive and incompatible uses. The loss of the industrial site is therefore considered unacceptable, and would be contrary to saved Policy 1.2 "Strategic and local preferred industrial locations" of the Southwark Plan, Strategic Policy 10 "Jobs and Businesses" of the Core Strategy and Policies 2.17 "Strategic industrial locations" and 4.4 "Managing industrial land and premises" of the London Plan and as well as Section 1 Building a strong, competitive economy of the National Planning Policy Framework 2012.

The proposal does not satisfactorily mitigate the adverse noise conditions of both the busy Rotherhithe New Road and the industrial Verney Road and thereby fails to protect the quality of life and amenity of future occupiers against significant harm, contrary to saved policies 3.1 "Environmental Effects", 3.2 "Protection of Amenity" of the Southwark Plan 2007, Strategic Policy 13 "High Environmental Standards" of the Core Strategy and Policy 7.15 "Reducing noise and enhancing soundscapes" of the London Plan.

The proposal represents an overdevelopment of the site, providing a density considerably and significantly exceeding the upper limit for the 'Urban Zone'. The

density of the development results in accommodation which is unsatisfactory in several respects including in relation to layout and noise, and creates a building whose form and detailed elevations are overbearing in its context. The development is therefore contrary to policy 4.1 "Density of residential development" and 4.2 "Quality of residential accommodation" of the Southwark Plan 2007, Strategic Policy 5 "Providing new homes" of the Core Strategy, the council's adopted SPD for Residential Design Standards 2011 and also Policy 3.4 "Optimising housing potential" of the London Plan.

The proposed development provides an inadequate level of affordable housing, based on a review of the scheme's viability. The proportion of affordable housing, at 6% (as measured by habitable room), significantly falls short of the 35% policy target. The proposal is therefore contrary to Saved Policy 4.4 "Affordable housing" of the Southwark Plan, Core Strategy Policy 6 "Homes for people on different incomes", London Plan "Policy 3.12 Affordable housing targets" as well as the council's adopted Affordable Housing SPD 2008 and the draft Affordable Housing SPD 2011.

The proposal would result in adverse transport impacts, failing to include sufficient mitigation of the increased road safety risk of the development, the unacceptable impact on congestion and the failure to include a proper assessment of the transport impacts of the scheme. The level of parking provision is considered low, with no reasonable way of controlling or mitigating the impact. Further, the applicant would need to confirm payment of a number of measures to secure transport mitigation, such as contributions towards road safety mitigation, the bus network and cycle hire provision. The proposal is therefore contrary to saved policies 5.1 "Locating Developments", 5.2 "Transport Impacts", 5.3 - "Walking and Cycling", and 5.6 - "Car Parking" of the Southwark Plan, Core Strategy Policy 2 "Sustainable transport" and the following policies of the London Plan 6.3 "Assessing transport capacity", Policy 6.9 "Cycling", Policy 6.10 "Walking", Policy 6.11 "Smoothing traffic flow and tackling congestion", Policy 6.12 "Road network capacity" and Policy 6.13 "Parking".

The development fails to comply with the requirements of Saved Policy 3.20 'Tall Buildings' of the Southwark Plan particularly in that it fails to make a positive contribution to the local townscape, is not at a point of landmark significance or within the Central Activities Zone, is of a poor architectural quality, and does not make a positive contribution to the skyline. This is due to its inappropriately large scale, architectural expression and the form, massing and design of the building. The proposal also fails to comply with Policy 7.6 "Architecture" and Policy 7.7 "Location and Design of Tall and Large Buildings" of the London Plan, due to its impact on the skyline, poor relationship to the local context in terms of proportion and composition, and relationship with the public realm, and does not comply with the National Planning Policy Framework, Section 7 Requiring good design.

The development is of poor architectural and urban design, in terms of building form, layout, massing, composition and materials. It does not respond appropriately to its local context, and its site layout does not enable the development to make a positive contribution to the public realm in the area, due to its overbearing and dominant form. The proposal therefore fails to comply with the requirements of Policies 3.11 "Efficient use of land", 3.12 "Quality in design" and 3.13 "Urban design" of the Southwark Plan, and Policies 7.4 "Local Character", 7.5 "Public Realm" and 7.6 "Architecture" of the London Plan, as well as the National Planning Policy Framework, Section 7 Requiring good design.

BACKGROUND INFORMATION

Site location and description

2 The site comprises of a two storey brick building located on Rotherhithe New Road,

with a rear aspect onto Verney Road. The site is occupied partly as a furniture warehouse. It was also recently used for car tyre repairs, however this business has now closed having moved to new premises elsewhere. The areas of hardstanding are used for the storage and parking of vehicles, including mini buses, coaches and vans. There are also a number of temporary structures and porta-cabins on the site.

- 3 The site is located within the Old Kent Road Industrial Area, which extends south of the site. To the north are a series of low rise two storey residential properties, but there is also a four storey flat block known as Archers Lodge. To the east lies a health centre, called the Avicenna Health Centre. To the west lies the Old Kent Road corridor which includes a series of retail warehouses and associated car parking areas. There are no trees on the site. The site is not located in a conservation area.

Details of proposal

- 4 The proposal is to demolish the existing building and erect a part 6, part 19 storey building comprising a new primary school, new sixth form centre for the City of London Academy and residential dwellings (157 flats).
- 5 The school would occupy the Southwark Free School, an independent, state funded school. The opening for the new school has been given to be in 2014, with an approximate pupil roll when full capacity is reached of 420 pupils and 30 nursery places. The school is currently operating from temporary premises, in Ledbury Hall, south of Old Kent Road (Pencraig Way, SE15) with a pupil roll of 30.
- 6 The development would also include a new sixth form centre for the City of London Academy, who would relocate much of their sixth form teaching to the site. Bede House, a local community organisation would share some of this accommodation to run a series of programmes and projects for young and vulnerable social groups within the borough.
- 7 The school would occupy on the ground and first floors on the eastern side of the building, providing floorspace for 15 classrooms. The main school access would be from Verney Road but a secondary access would also be available from Rotherhithe New Road. The sixth form centre would take up the ground, first and second floors on the western side of the building, to accommodate 340 pupils.
- 8 An external multi-use games area would be provided, occupying a void created in the ground floor level of the building, to be used by both the free school and the sixth form. It would also be made available for use by Bede House and the community during non-school hours.
- 9 The residential accommodation, comprising of 158 flats, would be accommodated on the upper floors, starting at second floor level. A total of 10 affordable units are proposed.
- 10 The development would include a basement level, for residential car parking. Servicing would take place from both Rotherhithe New Road and Verney Road.

Planning history

- 11 There is a history of refusals for the use of the site for offices and a place of worship (06/AP/0366) & 06/AP/0769).
- 12 An enforcement notice was served on 28 August 2009 relating to the unauthorised change of use of the land from business and general industrial uses (Use Classes B1 & B2), to uses within Use Class D1 such as but not limited to; a place of worship, administrative offices and an educational training course. The notice required the unauthorised uses to be ceased, and for any fittings/fixtures associated with the use of

the property as a place of worship to be removed.

- 13 A further planning application was refused (ref 10/AP/2554) for the continued use of the premises as a place of worship for 5 years.
- 14 An appeal was allowed on 31 July 2012 for the use of the northern part of the site as a waste transfer station dealing with non-ferrous waste (ref 11/AP/1611).
- 15 Planning permission was granted on 19 June 2012 for the proposed use of the site as a waste transfer station dealing with metals and the erection of acoustic screening along the site boundary (ref 12/AP/0868).
- 16 Two pre-application enquiries were received last year regarding the redevelopment of the site to provide a new school and residential accommodation in a part 6, part 19 storey development (ref's: 12/EQ/0155, 12/EQ/0224). Officers advised that the scheme could not be supported in principle owing to a number of significant policy concerns.

Planning history of adjoining sites

- 17 None relevant.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 18 The main issues to be considered in respect of this application are:
 - a) Principle of redevelopment in terms of land use and conformity with site designation
 - b) Environmental Impact Assessment
 - c) Provision of housing, including affordable housing and housing mix
 - d) Density
 - e) Quality of accommodation
 - f) Impact of the amenities of occupiers of adjoining properties
 - g) Traffic issues
 - h) Design issues, including acceptability of a tall building
 - i) Archaeology
 - j) Planning obligations
 - k) Sustainable development obligations

Planning policy

- 19 The site lies within the Old Kent Road Preferred Industrial Location (PIL), the Air Quality Management Area, the Bermondsey Lake Archaeological Priority Zone, the Old Kent Road Action Area and the Urban Density Zone.

Core Strategy 2011

- 20 The relevant policies of the Core Strategy are:
 - Strategic Targets Policy 1 - Achieving growth
 - Strategic Targets Policy 2 - Improving places
 - Strategic Policy 1 - Sustainable development
 - Strategic Policy 2 - Sustainable transport
 - Strategic Policy 5 - Providing new homes
 - Strategic Policy 6 - Homes for people on different incomes
 - Strategic Policy 7 - Family homes
 - Strategic Policy 10 - Jobs and businesses
 - Strategic Policy 11 - Open spaces and wildlife
 - Strategic Policy 12 - Design and conservation
 - Strategic Policy 13 - High environmental standards

Strategic Policy 14 - Implementation and Delivery

Southwark Plan 2007 (July) - saved policies

- 20 The council's cabinet on 19 March 2013, as required by paragraph 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

Policy 1.2 - Strategic and local preferred industrial locations

Policy 2.2 Provision of new Community Facilities

Policy 2.4 – Educational deficiency – provision of new educational establishments

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 3.18 Setting of listed buildings, conservation areas and world heritage sites

Policy 3.19 Archaeology

Policy 3.20 Tall buildings

Policy 3.22 Important local views

Policy 3.28 Biodiversity

Policy 3.31 Flood Defences

Policy 4.1 Density of Residential 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

Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired

- 22 London Plan 2011

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.17 Strategic industrial locations

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 3.10 Mixed and balanced communities

Policy 3.11 Definition of affordable housing

Policy 3.12 Affordable housing targets

Policy 3.13 Negotiating affordable housing on individual private residential and mixed

use schemes

- Policy 3.14 Affordable housing thresholds
- Policy 3.18 Education facilities
- Policy 4.1 Developing London's economy
- Policy 4.4 Managing industrial land and premises
- 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 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.21 Contaminated land
- Policy 6.1 Strategic approach (Transport)
- Policy 6.2 Providing public transport capacity and safeguarding land for transport
- Policy 6.3 Assessing transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing traffic flow and tackling congestion
- Policy 6.12 Road network capacity
- Policy 6.13 Parking
- Policy 7.1 Building London's neighbourhoods and communities
- Policy 7.2 An inclusive environment
- Policy 7.3 Secured by design
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.7 Location and design of tall and large buildings
- Policy 7.8 Heritage assets and archaeology
- Policy 7.14 Improving air quality
- Policy 7.15 Reducing noise and enhancing soundscapes
- Policy 7.18 Protecting local natural space and addressing local deficiency
- 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

National Planning Policy Framework (NPPF)

- 23 The relevant sections are:
- Section 1 Building a strong, competitive economy
 - Section 4 Promoting sustainable transport
 - Section 7 Requiring good design
 - Section 8 Promoting healthy communities

Relevant SPDs/SPGs

- 24
- Design and Access Statements SPD 2007
 - Planning Obligations SPD 2007
 - Affordable housing SPD 2008
 - Sustainability assessment SPD 2009
 - Sustainable Design and Construction SPD 2009
 - Sustainable Transport SPD 2010
 - Residential Design Standards SPD 2011

Draft Affordable Housing SPD 2011
Land for Industry and Transport SPG 2012 (SPG to the London Plan)
Providing for children and young people's informal recreation SPG 2008 (SPG to the London Plan)

Principle of development

- 25 The National Planning Policy Framework (NPPF) was published on 27 March 2012. At the heart of the NPPF is a presumption in favour of sustainable development. The framework sets out a number of key principles, including a focus on driving and supporting sustainable economic development to deliver homes, business, industrial units, infrastructure and thriving local places.
- 26 Paragraph 72 of the NPPF states that the Government attaches great weight to ensuring a sufficient choice of school places and states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement. It advises that great weight should be attached to the need to create, expand or alter schools.
- 27 NPPF paragraph 22 advises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 28 The NPPF also states, that permission should be granted for proposals unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
- 29 In addition to the guidance contained in the NPPF, the Governments 2011 Policy Statement (Planning for Schools development) states that there should be a presumption in favour of the development of state funded schools. It also states that any refusal for a state-funded school would have to be clearly justified by the local planning authority.
- 30 The proposal involves the redevelopment of the industrial site to provide a single building containing a mix of education and residential uses. The education uses would comprise of a new Southwark Free School. There would also be a sixth form centre provided for the City of London Academy (CoLA).

Loss of the industrial site

- 31 Saved Policy 1.2 Strategic and local preferred industrial locations of the Core Strategy states that in preferred industrial locations, planning permission will only be granted for developments falling within the B Class and Sui Generis use class industries which are inappropriate in residential areas.
- 32 Core Strategy strategic policy 10 states that the borough will increase the number of jobs in Southwark and create an environment in which businesses can thrive. In order to do this, among other measures, the council will protect industrial and warehousing floorspace and enable growth in new sectors in strategic and local preferred industrial locations.
- 33 The Core Strategy seeks to protect sufficient industrial and warehousing floorspace to meet needs over the next 15 years and allows some release of redundant sites to provide land for alternative uses. Those sites which are most appropriate for continued industrial and warehousing uses are protected in the preferred industrial locations

(PILs) of South Bermondsey, Old Kent Road, Parkhouse Street and Mandela Way. The PILs will also be able to accommodate growth in new sectors such as waste management and green manufacturing.

- 34 The above policies therefore demonstrate that there is a fundamental concern with the proposed loss of the PIL site to an alternative use.

Detailed points

- 35 The site is located within the Old Kent Road preferred industrial location (PIL) which is identified as a strategic industrial location (SIL) in Annex 3 (reference 50) of the London Plan 2011. The boundaries of the Old Kent Road PIL were established in the Southwark Plan (2007) and reviewed through the preparation of the Core Strategy (2011). London Plan policy 2.17 states that within the SILs, development proposals should be refused unless they fall within a broad range of industrial type activities or they are part of a strategically coordinated process of SIL consolidation through a borough development plan document. The designation of the Old Kent Road PIL in the Core Strategy was informed by an Employment Land Review (ELR), undertaken in accordance with government best practice guidance and consistent with guidance in the NPPF paragraph 161 which relates to evidence base.
- 36 NPPF paragraph 22 advises that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.
- 37 The site was surveyed as part of the ELR (Cluster C6, see Appendix A of the ELR). The survey showed that the cluster is an established industrial area, containing several trading estates, which have good access to the A2 and the strategic highway network. The environmental quality of the cluster has been assessed as good, and it is not constrained by proximity to high density residential use and has adequate servicing arrangements. The ELR confirmed that there remains a need for business space for SME and other businesses which require good access to strategic transport infrastructure, adequate servicing capacity, lack of disturbance from residential uses and 24 hour access.
- 38 With regard to London Plan Policy 4.4, which supports a plan, monitor and manage approach to releasing surplus industrial land, it has been demonstrated through the Core Strategy and ELR how the borough stock of industrial land and premises in strategic industrial locations (Policy 2.17), locally significant industrial sites and other industrial sites will be planned and managed in local circumstances based on supply and demand.
- 39 London Plan Policy 4.4 indicates that industrial land use change should be monitored against benchmarks based upon an average, pan-London annual net release, which is 36.7ha per annum. Since 2006, approximately 24 hectares of industrial and warehousing land has been redeveloped for other uses in Southwark and a further 20 ha is planned to be released through the Core Strategy for redevelopment over the plan period (2011-2026). The scale of this land release is broadly consistent with the recommended benchmark for Southwark (25 ha over 2011-2031 or 1.3 ha per annum) set out in the Land for Industry and Transport SPG (Sept 2012). The ELR has listed several sites which could be released over the remainder of the plan period and based upon the evidence, the boundaries of the Old Kent Road PIL were not altered through the Core Strategy examination.

- 40 The Mayor's Land for Industry and Transport SPG is supported by the evidence study 'Industrial Land Demand and Release Benchmarks Study' by Roger Tym and Partners. The study assesses future demand for industrial land across London and compares this with the current and planned supply. Looking at market trends, the study indicates that industrial and warehousing land in Southwark is part of a central London fringe market (paragraph 6.5). This market is dominated by businesses servicing the West End and City / Docklands office and retail economies. Typically demand in this area is driven by companies which must be in close proximity to their customers, including, for example: food and drink preparation for central retail and café outlets; printers and publishers; couriers and express delivery operators, and other providers of time critical 'services'.
- 41 The Employment Land Review (2010) advises that regionally, demand is still strong for storage and warehousing space, but less so for traditional manufacturing. The ELR demonstrates that while the need for industrial and warehousing land is contracting, by 2026, there will still be a need for some 150 ha of industrial and warehousing space. To help ensure that this need is met, the council has designated the most appropriate space within PILs. Therefore, it is considered that in accordance with NPPF guidance, there is a reasonable prospect of the site being used for industrial, storage or distribution uses, and it has been retained with the PIL. Other industrial sites are being released in the borough which do not have an industrial policy designation, for redevelopment for other uses, to align with the indicative release benchmark set out in the Mayor's SPG.
- 42 The applicant has stated that there is history of the site being left vacant or substantially under-used, showing a lack of demand for the site for industrial purposes. However, it is noted that the company Southwark Metals, a scrap metal recycling company, acquired the site in March 2012 for use for their business. It also has the benefit of planning permission for a waste transfer station (ref 12/AP/0868).
- 43 It has been argued that since the site is located on the edge of the industrial zone, that it is suitable for release and could be readily absorbed into the residential areas towards the north of the site. However, the current boundary is formed by the busy Rotherhithe New Road, the northern side of which contains a brick wall providing strong separation from the residential houses to the north. The new boundary could not replicate the current boundary since the limited details provided show that the boundary would be open, consisting of railings rather than any form of more solid treatment.
- 44 It has been indicated that the site in its current form can only support a low number of jobs. By comparison, the redevelopment would allow for a higher number of jobs to be created, in the region of 60 jobs. Whilst this is a consideration, it should also be noted that the industrial areas support the delivery of large number of jobs elsewhere, for example by supporting businesses in the West End and City / Docklands.
- 45 Consideration has also been given to the refusals of planning permission and the serving of an enforcement notice relating to the occupation of the site for Class D1 uses (as a place of worship). The planning history indicates how the council has consistently applied its policies in relation to the protection of industrial land, supporting the arguments set out in the report.
- 46 Regard has also been given to the Old Kent Road Action Area designation, Core Strategy Targets Policy 2 – Improving Places. The policy sets out that an Area Action Plan would be prepared, to include plans to support housing and local shops in the area. The policy goes on to state that growth of the innovative industries would be exploited. So whilst there is support for housing, there is also a focus supporting the growth of industry.

Site search

- 47 The applicant has submitted a site search of the borough, to consider whether there are any other sites that would be appropriate for the school, based upon the suitability and availability of sites against a range of selection criteria which reflect the broad needs and requirements of establishing the Free School.
- 48 It is considered that the site search could have been more comprehensive, and could have included a consideration of buildings which fall within Classes B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions) and D2 (assembly and leisure), since the Government has recently published proposals by which these buildings could be converted for use as a state funded school without needing planning permission. Accordingly, it has not been demonstrated that there are absolutely no other available sites which could accommodate the school and as stated above, the change of use of the site in the Preferred Industrial Location will erode the reservoir of industrial land, contrary to the London Plan and Southwark adopted policy.

Industrial report

- 49 The applicant has submitted a survey of available office and industrial properties with the application, to demonstrate supply of available office and warehousing space. Many of the sites listed are offices rather than industrial premises. In addition, a considerable number of the sites listed lie outside of the borough including the sites listed at Appendix 4 and 5 which are in Greenwich, and so are not relevant considerations for Southwark. Appendix 6 refers to the redevelopment of a yard site - Surrey Docks Stadium in Rotherhithe. This site however does not fall in the protected industrial location and therefore could not set any form of precedent relevant to the consideration of this application.

Provision of educational uses

- 50 Policy 3.18 Education facilities of the London Plan confirms the Mayor would strongly support the provision of new schools. Core Strategy Policy 4 and saved policies 2.2 Provision of new community facilities and 2.4 Educational deficiency – provision of new educational establishments of the Southwark Plan also support the provision of new and improved educational and community facilities. Whilst education uses are supported, this is subject to a consideration of other key strategic policies, including those relating to the protection of industrial land, which has been set out above.

Meeting the education need

- 51 Southwark, in common with many other London boroughs, has a significant shortfall in permanent primary places when compared with current and anticipated future demand. In order to assess local demand Southwark is split into five planning areas. Rotherhithe New Road falls within the Bermondsey and Rotherhithe planning area which is anticipated to have a shortfall in primary places of between 6.5 and 8 forms of entry (1 form of entry being 30 places in each year group or 210 places across the primary years) by September 2016.
- 52 In 2012, 4 Futures, Southwark's Local Education Partnership, carried out an inspection of the borough's primary school buildings to assess existing capacity and the scope for growth. The inspection revealed that 22 schools are being considered for permanent expansion. The delivery of the additional facilities to help meet the shortfall is likely to commence from September 2014. Accordingly, Southwark's primary expansion programme would provide the necessary places through the expansion of existing local schools and the delivery of new primary facilities. This demonstrates that the shortfall in places across the borough is under consideration and is being actioned in order to satisfactorily plan for the future.

Conclusion on land use

- 53 The policy context for the protection of the industrial floorspace has been set out, and despite the provision of the Southwark Free School and the City of London sixth form centre, do not override the very strong policy objections raised. Government support for the establishment of free schools is also noted and has been given weight in the consideration of the application, however, there is strong justification to support the retention of the industrial site, owing to the demand and need for these types of uses.
- 54 Notwithstanding the comments made above in relation to unacceptability of the principle of development, the remainder of the report considers other key issues such as affordable housing, housing quality as well as design and transport issues.

Environmental impact assessment

- 55 The applicant submitted a screening opinion on 1 November 2012 (12-AP-3594) to determine whether an environmental impact assessment (EIA) would be required for the development. The development is not considered to constitute EIA development, based on a review of the scheme against both the EIA Regulations 2011 and the European Commission guidance. In summary, the proposed development would not be likely to have significant effects upon the environment by virtue of factors such as its nature, size or location, and therefore an EIA would not be required.

Provision of housing

- 56 Strategic Policy 5 of the Core Strategy seeks high quality new homes in attractive environments. It states that development will provide as much housing as possible whilst also making sure that there is enough land for other types of development. The policy sets a target of 24,450 net new homes between 2011 and 2026.
- 57 Whilst there is a need for new homes, this must be balanced with the other objectives of the Core Strategy and Saved Southwark Plan which seek the protection of industrial sites in designated preferred industrial locations. As set out above, the loss of the site is considered unacceptable and accordingly the introduction of housing could not be accepted.
- 58 The PIL has the largest concentration of industrial and warehousing uses in the borough which are wholly incompatible with residential uses. The activities that are carried out in industrial zones can frequently give rise to noise, dust, fume and vibration nuisance. Locating residential development immediately adjacent to these types of nuisances would significantly harm the quality of the accommodation for future occupiers in terms of noise quality.
- 59 Any future residential occupier could reasonably make complaints to the council in relation to the activities that give rise to noise, dust, fume and vibration disturbance. Whilst these types of impacts are to be expected within a PIL, the receipt of a number of complaints from residents could lead to restrictions being placed on the businesses in terms of noise and hours of work. This could, over time, lead to potential closure of the businesses owing to the restrictions under which they would need to operate. PILs are areas where the council has reserved for noisy, dusty activities to take place so that they do not harm the amenities of residential areas. Allowing residential uses to be introduced would significantly harm the future of the PIL, and would significantly weaken the industrial designation.

Affordable housing

- 60 The NPPF states that local planning authorities should identify the type, tenure and range of housing that is required, and also set policies for meeting the need on site. In terms of tenure, it recognises that social rented, intermediate and affordable rent housing can be provided to households whose needs are not met by the market.

- 61 In addition to the NPPF, the policy context relating to the delivery of affordable housing is also contained within London Plan Policy 3.13 'Negotiating affordable housing in individual and private residential and mixed use schemes', Saved Policy 4.4 of the Southwark Plan, and Strategic Policy 6 – 'Homes for people on different incomes' of the Core Strategy. Further advice is contained within the council's adopted Affordable Housing SPD 2008 and the draft Affordable Housing SPD 2011.
- 62 Core Strategy Strategic Policy 6 Homes for people on different incomes requires as much "affordable housing units as is financially viable". The site is located in Livesey Ward, where any residential developments of 10 units or more should provide at least 35% of new units as affordable and at least 35% of new units as private.
- 63 The proposed scheme provides a total of 508 habitable rooms. Therefore the minimum number of affordable habitable rooms that would be required by policy is 178.
- 64 10 wheelchair units are being provided of which four are to be affordable therefore the habitable room requirement would reduce to 174, in accordance with saved Policy 4.5 Wheelchair affordable housing of the Southwark Plan.
- 65 The proposed scheme seeks to provide the following affordable housing:

Unit Type	Tenure	Number of units	Habitable Rooms
1 Bed	Shared Ownership	2	4
2 bed	Shared Ownership	2	6
3 bed	Shared Ownership	2	8
3 bed	Social Rent	4	12
	Total	10	30

- 66 The total affordable contribution is 30 habitable rooms, which represents approximately 5.9%.
- 67 The applicant has stated that achieving 35% affordable housing would render the scheme unviable. Accordingly, a financial appraisal was submitted to allow an assessment of the maximum level of affordable housing that the scheme could support. The appraisal has been assessed by the council's property division, which included advice taken from external cost consultants. The appraisal has been assessed using the relevant guidance as set out in the RICS guidance note "Financial Viability in Planning and Value information paper 12 (Valuation of Development Land)". Regard was also given to other relevant guidance.
- 68 The case set out in the applicant's appraisal is that the low level of affordable housing provision is justified because of the provision of the Southwark Free School, sixth form college for CoLA and the community facilities made available for use by Bede House. A £3 million grant has been released by the Educational Funding Authority (EFA) to contribute to the capital delivery of the free school but further funding is required to deliver the education facilities, and accordingly the appraisal sets out that this would this additional funding would come from the capital receipt of the market housing.
- 69 In summary, the council's property team have advised that the proposal could support more affordable housing than the 30 habitable rooms currently identified. This is because there are a number of factors within the appraisal that cannot be supported or agreed.
- 70 The first point is in connection with the benchmark land value that has been applied to the site. The value set out includes a 20% premium to 'encourage the development to

come forward'. The use of the premium is not supported by the RICS guidance for financial viability, since it is an arbitrary mark up and not reflective of the price that land would be released for development. In addition, there is concern that the condition of the existing building has not been properly reflected in the applicant's valuation. Further, the designation of the site in the Preferred Industrial Location would strongly suggest that there is no alternative use outside the B Class use with the market value therefore being either the existing use value, or the site value for an industrial redevelopment.

- 71 In relation to the private residential sales values, a discount to the units of 12.5% has been applied. The discount has been applied owing to the location of the units above school premises.
 - 72 There is a fundamental disagreement with the discount, and also concern that the impact on sales values has been significantly exaggerated. Elsewhere in the documents, it is described that the entrances have been designed so the education and residential uses can co-exist and examples have been cited of where this has worked. It is also disputed that the value of the upper level flats in the 19 storey tower would be so adversely affected by the lower level education uses. Accordingly, the sales values for the flats as set out in the appraisal are considered too low. Officers therefore conclude that the development could generate more income from sales values, as sales values are likely to be higher than estimated.
 - 73 In relation to car parking, the value set out is 30% lower than levels achieved on nearby developments. This value has therefore also been underestimated.
 - 74 Grant income from the EFA of £3,000,000 has been attributed to the value of the free school. This payment is understood to be in return for a long lease at a peppercorn ground rent. No funding has been made available for the sixth form or multi use games area. The funding does not meet the full costs of providing the education facilities, which in turn has knock on implications for the quantum of affordable housing that could be secured.
 - 75 The cost of developing the educational facilities therefore is a significant detriment to the viability of the scheme. Effectively the cost is being met by a reduction in affordable housing. The provision of the free school and sixth form centres are not a planning requirement and therefore it is unclear why they have been prioritised over affordable housing, the delivery of which is a key priority for the borough.
 - 76 In conclusion, the submitted appraisal does not demonstrate that the scheme is unviable and therefore unable to support a policy compliant level of affordable housing. It is considered that the scheme could accommodate an increase in affordable housing provision given the benchmark land value which has an applied premium, the low residential and car parking values and other issues identified. Even if the provision of the educational facilities were given sufficient weight so as to override the provision of the maximum level of affordable housing that the scheme could support, there are still a significant number of issues within the appraisal which would need to be sufficiently overcome before the proposal could be accepted.
- Housing mix
- 77 Saved Policy 4.3 of the Southwark Plan requires a mix of dwellings sizes and types to be provided within major new developments in order to cater for a range of housing needs. There is a particular need for family units in the borough and therefore policy requires that the majority of units should have two or more bedrooms and at least 20% three or more bedrooms with direct access to private outdoor amenity space. At least 10% of the units should be suitable for wheelchair users.

- 78 Strategic Policy 7 of the Core Strategy increases the proportion of two bed plus accommodation to be provided and expects 60% of developments to have more than two bedrooms, and at least 20% 3,4, or 5 bedrooms. The mix of units provided is shown in the table below.

Unit size	Total units	% units
1 bed	15	9%
2 bed	93	59%
3 bed	50	32%
Total units	158	100%

- 79 The proposal meets policy requirements for housing mix. 91% of the units would have two or more bedrooms, exceeding the minimum 60% target. 32% of the accommodation overall would be provided as three bed plus units, exceeding the 20% target. The housing mix is one of only a few areas where the proposal meets policy requirements.
- 80 10% of the units would be designed as wheelchair accessible, however more details would be required in terms of which specific units would be designated. The units should also be provided across a range of unit sizes and distributed across both the private and affordable tenures. This information could be required by condition or as part of the legal agreement in the event that permission is granted.

Density

- 81 Policy 3.4 Optimising Housing Potential of the London Plan states that development should optimise housing output for different types of location within the relevant density range shown in Table 3.2 of the Plan. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 – Providing new homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet. As the site is located within the Urban Density Zone, a density range of 200 to 700 habitable rooms per hectare (hrh) would be sought, in order to ensure that an appropriate amount of development happens in response to the character of a place.
- 82 The scale of the building does not represent an appropriate urban form of development. The density figure of 1057 habitable rooms per hectare considerably and significantly exceeds the upper limit for the Urban Density Zone of 700. The context generally includes low scale housing and commercial developments, with only moderate access to public transport. The extreme shift in scale and density being proposed would be overwhelming in this context and would represent a significant overdevelopment of the site. As well as serious concerns regarding the height of the proposal, there are also fundamental concerns over the detailed design and the quality of internal living conditions in relation to noise. These are considered later in the report. Accordingly, the very high density of the proposal gives rise to a number of harmful impacts which cannot be supported.

Quality of accommodation

- 83 Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The adopted standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2011.

Flat sizes

- 84 The following table sets out the minimum flat size requirements as set out in the adopted SPD 2008 and the Update to the Residential Design Standards 2011, and also the flat sizes that would be achieved.

Unit type	SPD (sqm)	Size range proposed
1 bed (flat)	50	54.4sqm
2 bed (flat)	70	70.7-83,6sqm
3 bed (flat)	86	96.1-98.8sqm

- 85 The flat sizes comfortably meet the minimum sizes as set out in the SPD and in many cases considerably exceed the minimum. Almost 90% of the units would be dual aspect which is a positive aspect of the scheme. Space has been allocated for storage on the plans. Overall, it is therefore considered that the flat sizes are acceptable, and would provide for a good standard of internal amenity.

Layout

- 86 An unfortunate element is the long internal access corridor that runs for the entire length of the building, which is unlikely to be pleasant in its character and aspect. Another aspect that requires consideration is the compatibility of the education uses on the lower floors and the residential on the upper floors. The scheme includes some canopies, which would help to reduce the extent of overlooking from the residential flats into the playground areas. Accordingly, this aspect of the scheme does not raise any concern.

Air quality

- 87 Officers commissioned an independent review of the air quality report submitted with the application, to determine whether the scheme as submitted, would satisfactorily protect occupiers against air pollution, dust and odours. The review was undertaken by an air quality consultant, appointed by the council.
- 88 The review has set out some areas where the report is lacking, such as the absence of any consideration of the potential for current and future industrial activities to give rise to odour or soiling impacts. Accordingly, the review advises that there is insufficient information to determine whether users of the development would be protected against odour or soiling impacts.
- 89 Impacts from demolition and construction were also not considered in the submitted air quality report. However, it has been advised that it is unlikely that these would be significant, provided that appropriate controls for dust and particulate matter were in place.
- 90 Floors 2-5 of the development would receive nitrogen dioxide levels above national air quality objectives. There would therefore be minor adverse impacts in this regard. In order to overcome the issue, the accommodation would need to be sealed and mechanically ventilated to protect the health and welfare of the pupils and residents. However, this raises questions regarding the quality of the internal environment with no openable windows. This is discussed later in the report, at paragraphs 95-103.
- 91 Other issues that were not considered in the report include modelled road traffic speeds, combined heat and power plant (CHP) specifications and an indication of mitigation that would be in place for the CHP.
- 92 The lack of information reduces the confidence in the conclusions reached in the report. However, the consultants have advised that the shortcomings would be unlikely to alter the assessment conclusions. Conditions could be attached requiring further information to be submitted prior to commencement of the development, which could satisfactorily overcome the issues. Accordingly, it is considered that the impacts on air quality would, on balance be acceptable after taking into account the findings of the independent review, subject to the attachment of air quality conditions if permission is granted.

Noise and vibration

- 93 In addition to the review commissioned to assess the air quality report, the council also commissioned a review of the submitted noise report.
- 94 The noise issues that require consideration are the noise and vibration from the busy and noisy Rotherhithe New Road, noise and vibration from the proposed educational and community facilities within the scheme and noise and vibration from the nearby industrial and commercial land uses.
- 95 The review has set out that the scheme is likely to cause unacceptable noise and vibration impacts. Rotherhithe New Road has high noise levels, meaning that the scheme would have to rely on closed windows and high sound insulation performance on this side to achieve acceptable internal noise conditions. This would be undesirable, as most occupiers would prefer to have windows open without compromising acoustic conditions unacceptably. This impact can however be mitigated and made more tolerable in circumstances where the dwelling also has an alternative 'quieter' facade.
- 96 The submitted report suggests that the facade overlooking Verney Road would be relatively quiet, not least because the massing of the proposed scheme would act as a substantial barrier to the road traffic noise from the Rotherhithe New Road. At first glance, this means that the southern facades are likely to provide a relatively quieter facade but this presents complications in terms of the potential impacts of noise from the industrial and commercial land uses to the south of the site.
- 97 The noise assessment considers the effects of noise from these industrial and commercial sources. However, this is based on a noise survey undertaken on a single day, rather than on a longer period of time to measure variances in noise levels. Whilst the noise reading would include a contribution of traffic noise from Rotherhithe New Road, this traffic noise would be significantly reduced should the scheme proceed, since the massing of the development would shield some of this noise. Therefore the assessment has under-estimated the impact of the noise from the industrial and commercial land uses, as it assumes a background noise level that is higher than it is likely to be should the scheme go ahead.
- 98 In addition, the long term noise surveys (undertaken over a period of one week) appear to have been dominated by road traffic noise from the nearby busy Rotherhithe New Road. Limited information has been provided from short term sample noise surveys regarding noise from the nearby industrial and commercial land uses towards the south of Verney Road. There are, therefore, concerns that the short term noise surveys may have missed or underestimated the noise impacts from the nearby industrial and commercial land uses because:
- The sample measurements may have missed some significant but intermittent or occasional noise sources. For example, directly opposite the site, there is short-term intermittent banging and scraping noises of operating air handling plant (on the opposite side of Verney Road close to the southern boundary of the site).
 - The sample measurements were taken at ground level on Verney Road. However, the proposed scheme is multi storey with part 6, part 19 storeys. The floors of the scheme above fourth floor are likely to have a relatively unobstructed view of the industrial and commercial land uses to the south and may therefore be exposed to higher noise levels compared to ground level.
 - The sample measurements cannot reflect the potential future noise emissions from the nearby industrial and commercial land uses which may intensify within the lawful use of that land.

- 99 The noise report states that windows would need to be closed to obtain sufficient mitigation of the industrial and commercial noise. This means that residents and educational users would effectively have no quiet facade to off set the noisy facade facing Rotherhithe New Road, given the industrial character of Verney Road. This therefore brings into question whether the resulting housing and educational facilities are likely to be of sufficient quality.
- 100 The report has also failed to assess the education requirements properly in respect of the playground and external amenity areas, and does not include a consideration of the relatively high external noise levels from Rotherhithe New Road and the industrial and commercial uses.
- 101 There are also a number of inaccuracies in the submitted report. It refers extensively to PPG24 Planning and Noise; however, this was replaced by the National Planning Policy Framework in March 2012.
- 102 Bringing noise sensitive receptors closer to the industrial and commercial land uses risks unduly constraining these businesses. The proposed scheme would result in unreasonable restrictions being put on existing businesses wanting to develop in continuance of their business because of the resultant changes in nearby land uses since they were established. It should be noted that many of the businesses do not have any constraints placed on them in terms of the hours and days that they can operate.
- 103 In conclusion, it is considered that there is insufficient data on the likely noise and vibration that may be generated within the scheme in order for the likely impact on occupiers to be assessed. There is not enough information on the existing noise climate, particularly from the nearby industrial and commercial land uses, and this makes it difficult to assess the impacts on future occupiers. In addition, there are concerns regarding quality of the internal environment by reason of the closed windows and sealed facade that would be required to mitigate against the noise from both Rotherhithe New Road and Verney Road. There would be no facade where there is respite from noise. In addition, and as referred to in paragraphs 58-59 above, the introduction of the noise sensitive education and residential uses would compromise the future development of the industrial zone, since businesses would need to operate under more stringent conditions, impacting on the carrying out of key functions and activities.

Wind microclimate

- 104 A wind tunnel study has been submitted with the application, to assess the pedestrian level wind microclimate around the site. The study has confirmed that there are 10 locations where the wind conditions were found to be unsuitable for entrances or for long term sitting out at various times of the year. However, all but one of these locations are not expected to be regularly used for these activities, and therefore the wind conditions are likely to be suitable for the intended pedestrian activity at all locations throughout the year.
- 105 The remaining location was on the roof terrace which was found to be unsuitable for long term activity during the winter period, although it was suitable for this activity during the other three seasons. Residents would not usually sit outdoors for long periods during the winter months and so the windy location is unlikely to have a significant impact on the use of the amenity area. Accordingly, the wind microclimate conditions are considered acceptable.

Internal daylight

- 106 Whilst no report considering the internal level of daylight to the units has been provided, it is considered that the units would be generally well lit and bright since they

would not be overshadowed by other developments. Accordingly, this aspect of the scheme would be acceptable.

Amenity space

- 107 All new residential development must provide an adequate amount of useable outdoor amenity space. The Residential Design Standards SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10 sqm per child bed space (covering a range of age groups).
- 108 In terms of the overall amount of amenity space required, the following would need to be provided:
- For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;
 - For units containing 2 bedrooms or less, ideally 10sqm of private amenity space, with the balance added to the communal gardens;
 - 50sqm communal amenity space per block as required by the SPD; and
 - 10sqm of children's play space for every child space in the development as required by the London Plan.
- 109 The one and two bed units provide approximately 3sqm of private amenity space. The three bed units have access to approximately 9sqm of private space, which is short of the 10sqm target. In some instances, the space is spread across two balconies, including one that is accessed from a bedroom. In order to comply with the guidance contained within the SPD, the space should be accessed from either a kitchen or living room. Whilst these issues may be considered minor, they are an indication that the very high density is resulting in unsatisfactory accommodation.
- 110 In terms of communal amenity space, 50sqm per block is required by the SPD plus 370sqm to compensate for the shortfall in private amenity. In total, 420sqm would be required, and this space is provided on the roof of the building. The terrace also provides space specifically designated for children's play, in order to comply with the children's amenity space requirements of the London Plan. Accordingly, the communal amenity space is considered acceptable.

Conclusion on housing quality

- 111 Whilst the flat sizes and issues such as air quality and internal daylight are considered acceptable, there are fundamental concerns in relation to noise. With the busy Rotherhithe New Road on one side, and the industrial Verney Road to the other, there are serious concerns over the quality of the accommodation since there would be no quiet facade. There are also concerns relating to the amount and quality of private amenity space, which results in an inappropriate quality of accommodation.

Impact of proposed development on amenity of adjoining occupiers

Daylight

- 112 A daylight and sunlight report has been submitted with the application. The report assesses the scheme based on the Building Research Establishments (BRE) guidelines on daylight and sunlight.
- 113 The BRE sets out three detailed daylight tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving the residential buildings which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be a good level of daylight and the level recommended for habitable rooms with windows on

principal elevations. The BRE have determined that the daylight can be reduced by about 20% of their original value before the loss is noticeable.

- 114 The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.
- 115 Another method of calculation is the Average Daylight Factor (ADF) which is a more detailed assessment and considers the amount of sky visibility on the vertical face of a window, but also the window size, room size and room use. The recommendations for ADF in dwellings are 2% for kitchens, 1.5% for living rooms and 1% for bedrooms.
- 116 The submitted daylight report has tested the following residential properties in the report. The report has assessed daylight with regards to the VSC and ADF tests.

17 Culloden Close 'Archers Lodge'

- 117 This is a four storey block of flats to the north of site, known as 'Archers Lodge'. The windows that face south onto the site comprise habitable room windows such as living rooms and bedrooms. The bathrooms have not been tested in the report.
- 118 The VSC analysis shows that only the top left window at fourth floor achieves a VSC of over 27%. The other windows show an adverse impact where by the proposed values would be reduced to under 27% with a greater than 20% reduction.
- 119 Accordingly, the windows were also tested in relation to the ADF assessment. Whilst this analysis demonstrates that there would still be reductions in daylight levels, the results achieve an ADF above the BRE recommendations, with bedrooms receiving 1% and living rooms 1.5%. The daylight impacts to this property are therefore considered acceptable and in compliance with the BRE.

12 & 13 Culloden Close

- 120 These are a pair of low rise two storey dwellings whose rear elevations face onto the development site.
- 121 The ground floor windows comprise of garage windows and the first floor windows light bathrooms. Neither of these would be classed as habitable room windows and therefore there would be no daylight impacts to these properties.

6 & 7 Fallow Court, Argyle Way

- 122 These are a pair of two storey houses located to the north of the site. These properties would be unaffected by the proposals, since they would VSC values in excess of 27% with the development in place.

1 & 2 Argyle Way

- 123 These two storey dwellings would experience very minor reductions in their VSC values, and would retain a VSC of over 27% after the development. Accordingly, there would be no impact experienced by these houses.
- 124 A terrace of properties to the east of the site at Ryder Drive have not been tested in the daylight report, however these are over 40m away from the site and accordingly would not be impacted by the proposals. There are a number of other buildings that surround the site, however these are either non residential or have windows that do not face onto the site. Therefore, they do not need to be tested in the report, and would not be impacted by daylight.

Sunlight

- 125 In relation to sunlight, the test is to calculate the annual probable sunlight hours (APSH) taking into account the amount of sun available in both the summer and winter for each given window which faces within 90 degrees of due south. The assessment requires that a window should receive a quarter of annual probable sunlight hours in the summer and at least 5% of sunlight hours during the winter months.
- 126 In relation to gardens and amenity areas, it is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on March 21.

17 Culloden Close 'Archers Lodge'

- 127 The results show that this property would retain good levels of sunlight after the development, including during the winter months. The property would receive sunlight in excess of the guidelines for both the summer and winter months. In addition, there would be no permanent overshadowing of the garden, owing to its south facing orientation.

12 & 13 Culloden Close

- 128 As referred to in paragraph 121 above, the rear facing windows light non habitable rooms, and so there would be no sunlight issues with regard to this property.
- 129 In addition, the overshadowing analysis reveals that there would be no permanent overshadowing of the garden on March 21.

6 & 7 Fallow Court, Argyle Way

- 130 This property would retain high levels of sunlight, comfortably meeting the BRE criteria. The shadow path analysis also shows there would be no permanent overshadowing of the garden.

1 & 2 Argyle Way

- 131 Similarly, this property would retain sunlight values in excess of the BRE recommendations, with no permanent overshadowing of the garden.
- 132 In conclusion, the daylight and sunlight impacts to the surrounding properties would be acceptable, given the compliance with the BRE guide.

Overlooking/outlook

- 133 In order to prevent against harmful overlooking, the Residential Design Standards SPD 2011 requires developments to achieve a distance of 12m at the front of the building and any elevation that fronts a highway and a minimum of 21m at the rear.
- 134 To the north across Rotherhithe New Road, there would be a distance of over 16m to the nearest residential property, exceeding the 12m minimum of the SPD. To the east, there is a distance of 40m to the nearest residential property at Ryder Drive, again exceeding the SPD guidance. There are no residential properties to the south and east of the site. In conclusion, the development would protect the privacy of neighbouring residential properties by virtue of the minimum overlooking distances being exceeded. Given the distances, it is not considered that any harm by way of loss of outlook or sense of enclosure can be demonstrated.

Traffic issues

Traffic impact

- 135 The junction of St James's Road with Old Kent Road has not been modelled. The applicant has indicated that this is in agreement with Transport for London from pre-application discussions. However, the additional 100 vehicle movements imposed by the development are likely to have an impact and accordingly the junction should have been modelled.

- 136 One arm of the junction of Rotherhithe New Road with St James Road is already close to practical capacity (85% of theoretical maximum capacity) in the evening peak period. The addition of development traffic pushes this marginally beyond the 85% mark, but this is not considered to be problematic. Testing four years after completion of the development (i.e. 2018), the assumed background traffic growth shows that it is well beyond this 85% mark. This is based on growth of background traffic which is likely to materialise from developments in the wider area, including at the Surrey Canal Triangle site within Lewisham. It is recommended that an alternative junction layout is provided in order to increase capacity, improve pedestrian facilities and to reduce traffic speeds.

Pedestrians

- 137 The Transport Assessment indicates that the peak flows of pedestrians can be easily accommodated on the existing footways. However, the pedestrian movements associated with schools are often characterised by loitering by older children and by parents of younger children (often with very young children in buggies/push-chairs), and for peak flows to occur at particular times rather than spread across the peak hour as the assessment assumes.
- 138 Therefore, it would be appropriate to seek considerable widening to footways surrounding the site, particularly on Verney Road and the junction of Verney Road with St James's Road. Given the constraints on the site it would not be unreasonable to widen footways at the expense of carriageway width in Verney Road. Widening is particularly necessary outside the Free School entrance, where parents with buggies are most likely to congregate.

Cycle parking

- 139 The cycle parking stands are 'Sheffield' stands which are considered appropriate and acceptable. However, Rotherhithe New Road presents a poor environment for cycling with relatively high vehicle speeds, a high proportion of goods vehicles, and no dedicated facilities for cyclists. See further comments under the heading "Road Safety" for proposed mitigation.
- 140 The quantum of cycle parking for residents and school staff and pupils meets or exceeds the council's and the GLA's standards, which is welcomed.
- 141 Some cycle parking for residents is proposed to be situated in the basement, but no information is provided to show how residents would access the stands. Other cycle parking is situated close to the building cores, which is welcomed. It has been indicated that the 'Sheffield' stands would be provided which are considered acceptable and appropriate. The provision of further details of cycle parking should be secured by condition, if permission is granted.

Cycle hire

- 142 A contribution should be sought and space reserved to provide a cycle hire docking station on or near the site. While this would serve residents as part of a wider Cycle Hire Scheme area currently being pursued, there is likely to be a good level of demand from CoLA students. The amount of contribution required has not yet been finalised with Transport for London but is likely to be in the region of £180,000, which is approximately the standard cost of providing a docking station.

Buses

- 143 The transport assessment indicates that the development would add 151 bus trips in the morning peak hour, equivalent to over two full buses. While this is dispersed across a number of bus services, the additional passengers will inevitably lead to crowding on some services at some point along their route. Therefore, it is

recommended that a contribution is sought toward improvements to bus services to accommodate the additional demand. TfL have not yet confirmed the amount to be paid; however, the sum requested will be reported in an addendum to committee.

Rail services

- 144 The development would lead to a relatively small increase in passengers at Bermondsey South station, in the order of 2.3 passengers per train on average. This is considered acceptable.

Road safety

- 145 The analysis of collision records data (held by TfL) contained in the Transport Assessment is considered very poor. Officers' analysis of the data has shown:

- A total of 29 collisions on Rotherhithe New Road between (but not including the junctions with) Old Kent Road and Ilderton Road in the most recent five-year period for which data is available. This is generally poor; the London average a road of this kind would be 8.9 collisions in five years. Within that data were seven cyclist casualties and three pedestrian casualties; the London average would be 0.3 pedestrian casualties and 0.2 cyclist casualties. Of all collisions, "exceeding the speed limit" was recorded as a contributory factor in four collisions and "careless/reckless/in a hurry" was recorded as a contributory factor in a further seven collisions, both of which reinforce the observation that vehicle speeds are relatively high.
- A total of 23 collisions at the junction of Rotherhithe New Road with Old Kent Road in the same five year period, including two pedestrian casualties and two cyclist casualties, while the average rate of collisions at traffic signals across London would be 3.0 in five years, with on average 0.63 pedestrian and 0.48 cyclist casualties.

- 146 The development would increase vehicle traffic flows generally, particularly increasing turning movements, while also increasing the numbers of cyclists and pedestrians (and in particular pedestrian crossing movements including large numbers of children). In order to mitigate the increased road safety risk posed by the development and the activity it will attract, it would be appropriate to seek funding for:

- Measures to reduce vehicle speeds to closer to the signed limit of 20mph on Rotherhithe New Road.
- Further measures to improve cyclist and pedestrian safety generally on Rotherhithe New Road.
- Road safety measures for the Old Kent Road/Rotherhithe New Road junction.

The applicant has offered the "toolkit" indicative sum of £79,000 for site-specific transport contribution. The toolkit merely indicates the average sum expected of a development of this size, but it is always necessary to seek appropriate contributions to mitigate impacts arising from the individual circumstances of a development. The road safety measures listed above to mitigate the impacts arising from the proposed development are likely to cost in the order of approximately £250,000; the applicant would need to confirm payment of this.

Car parking

- 147 Thirty-one parking spaces are proposed for the 158 residential units, within the basement. Sixteen of the spaces are designed to standards suitable for disabled parking, which is considered acceptable since one space would be provided for every 10 units.

- 148 The remaining 15 (as proposed) parking spaces are not sufficient to meet demand for parking, which the transport assessment estimates would be in the order of 50 vehicles. Provision of three years' free car club membership may reduce this to 35

vehicles, given independent research which indicates a 30% reduction where car club membership is provided. While there is considerable kerbside space surrounding the development, it is inevitable that parking will spread well beyond the roads immediately adjacent to the development. However, this space is heavily used for parking by workers at the nearby industrial units and for related operational parking. While the introduction of a Controlled Parking Zone (perhaps an extension of Zone SB immediately west of St James's Road) and making the development "permit-free" would control the parking by residents, this would also compromise the parking for the industrial uses, thus potentially jeopardising their viability. The only way to deal with that would be to introduce night-time controls. The controls would necessarily need to go further than the immediate bounds of the site, and so would inevitably affect residents in the St James's Road and Ryder Drive areas.

- 149 It is likely that one car club parking space will be needed on Verney Road.
- 150 Two disabled parking spaces are provided for each of the two schools on the site (i.e. four spaces in total). This is welcomed and is likely to be adequate for these uses.
- 151 A car parking management strategy is proposed by the developer, which is welcomed. Approval of this document should be required by pre-occupation condition or section 106 obligation.
- 152 The proposed car park is accessed by two car lifts. While this is generally acceptable, the operation of the lifts must be controlled to avoid the need for arriving cars to wait on the carriageway of Verney Road. Details of the method of control should be included in the car parking management strategy.
- 153 Disabled parking spaces and spaces with electric vehicle charging points should also be included in this regime, with priority always given to disabled "blue badge" holders.

Site layout

- 154 The proposed site plan indicates the designation of a number of parking places on Verney Road. Given the need to widen footways, it may not be possible to create all of these spaces. One location on Verney Road is indicated as being reserved for loading and coach pick-up/set-down. Given the constraints of the site and its long length of kerbline, it is not unreasonable to relax the council's normal requirement and allow servicing to take place from the street.
- 155 Verney Road is currently one-way at its southern end, effectively making the street one way north-westbound. The proposed site plan indicates that this is to be removed. Given that retaining the one way will limit the number of traffic movements at the Verney Road/St James's Road junction, at which pedestrian safety is a concern, it is recommended that this restriction is retained (including the existing exemption for cyclists).

Construction

- 156 A construction environmental management plan should be secured by condition or obligation. This should specifically require measures to mitigate the increased risk to pedestrians and cyclists arising from construction vehicle operation, through provision of equipment on vehicles, driver training, licence checks, etc. following best practice established by the CrossRail project.

Servicing and waste management

- 157 A number of building cores are accessed from Rotherhithe New Road. This means that waste collection and deliveries must take place from Rotherhithe New Road. No assessment has been provided of the demand for servicing at these locations, but

given the growth in online shopping (including grocery shopping from supermarkets), the number of courier and supermarket delivery vehicles for the 158 residential units could be considerable, accepting that dwell time is generally relatively short.

- 158 At present there is a short stretch of kerbside space without parking restriction. However, a) this covers only two of the proposed building cores; and b) the proposal to provide cycle lanes would mean that stopping at this location is not appropriate. One of the other two building cores is situated at the existing southbound bus stop, while the final one is actually on the junction with St James's Road. Neither of these two locations are suitable for vehicles to stop for any length of time. The servicing strategy therefore is considered unacceptable.

Travel plans

- 159 A school travel plan has been provided, which is largely acceptable. No residential travel plan has been provided. A travel plan is required, preferably before determination of the application, but in its absence, one should be required by imposing a pre-commencement condition.

Conclusion on transport

- 160 In conclusion, the transport impacts of the proposal are considered unacceptable. There is insufficient mitigation of the increased road safety risk together with unacceptable impact on congestion at the junction of Rotherhithe New Road with St James Road. There are also areas where the transport assessment fails to include a proper assessment of the impacts of the scheme, such as the impact on congestion at the junction of Old Kent Road with Rotherhithe New Road. The level of parking provision is considered low, with no reasonable way of controlling or mitigating the impact. The proposal also results in unacceptable arrangements for servicing on Rotherhithe New Road. Further, the applicant would need to confirm payment of a number of measures to secure transport mitigation, such as contributions towards the bus network and cycle hire provision.

Design issues, including acceptability of height

- 161 The NPPF stresses the importance of good design and states in paragraph 56 that: "*Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.*" This proposal site will be extremely challenging to develop, as it comes with many physical and contextual constraints.

Building height and massing

- 162 The proposal comprises two basic physical elements, a slab-like tower on the south-western end and a 'terrace' of six linked blocks running from this and positioned roughly parallel to Rotherhithe New Road. The linked blocks are uniform in their height, with four storeys of residential use above the double-height primary school.
- 163 In regard to height of the 'terrace', the scale is not overly problematic but is at the maximum of what is considered acceptable. The prevailing residential context is low-density and lower-scale, generally two to three storeys, but the width of Rotherhithe New Road gives a degree of separation that allows for the proposed increase in scale. More problematic, however, is the height and bulk of the tower, which comprises two linked slab elements at 17 and 19 storeys; the scale of this block, which is emphasised by its slab-like form, is over-dominant within this context and has no rational reference points.
- 164 Saved Policy 3.20 has five criteria by which tall buildings can be justified within a context, but this proposal does not meet any of them. Firstly, the proposal does not satisfy the locational criteria set out at the beginning of the policy. The site does not fall within the Central Activities Zone (CAZ), neither does it have excellent accessibility

to public transport services with only a moderate Public Transport Accessibility Level of between 3 and 4 (on a scale of 1-6 where 1 represents low accessibility and 6 high accessibility). The site could not be said to be located at a point of landmark significance, as the site is not located where a number of important routes converge. Whilst it is located within the Old Kent Road Action Area, this does not mean that a tall building is justified, since the requirements of saved Policy 3.20 still need to be applied. The closest tower blocks are on the Avondale Estate, approximately 360m distant, the three blocks on which are unlikely to be considered as good examples on any level. The proposal at 19 storeys will be over-prominent within a large radius of its (much lower-scale) context, and would need a substantial reduction in height to be considered acceptable.

- 165 The massing of the constituent blocks is also of some concern. When viewed from Rotherhithe New Road, the six constituent blocks of the 'terrace' are perceived as three blocks with recessed links to separate them. Interest is added to the layout and massing by the 'kinking' of the blocks on plan, which relieves what would otherwise be a monolithic flat wall of development. The perceived three blocks will however appear to visually coalesce into one long block in some views, and the designers should have considered further ways to visually and physically break up the very long length of this element. Within the blocks themselves there is a richness of modulation, with recessed terraces and projecting bays, which gives welcome depth and interest to the blocks. However, when viewed as a whole, there is a repetition of features and a homogeneity of materials that blends all the blocks into one long monolithic block.
- 166 The scale of these blocks and the length of the 'terrace' result in a form of development that is not responsive to the urban grain of the context and may indeed be perceived as overly large and incongruous within this area. The school elements do however give a strongly defined base to all of the blocks, in terms of proportions and composition, and presumably a high degree of active frontage (as much as a school can).
- 167 The massing of the tower-block is articulated into two linked slabs. While this architectural device does break-up the overall bulk physically and visually into separate elements, due to the size of these elements the overall articulation is considered to be inadequate. Viewed from the north-west, the block is composed of a 16-storey flat slab above the 3-storey academy, adjacent to which is a largely glazed slot, then a 16-storey slender block that reaches the ground. The slender block and the glazed slot are not problematic in themselves, and indicate how this building could be better composed. However, the 16-storey slab is an over-dominant and visually oppressive element that will have a significantly harmful impact on the surrounding townscape.
- 168 The fact that this element is clad in dark zinc only serves to emphasise and exacerbate this impact. The opposite view from the south east suffers similarly with an almost full-width 13-storey high slab. While this elevation does have some depth within it through the introduction of inset balconies, the overall effect remains over-bearing. Viewed from the south-west one would view the slender 'gable' that is composed by the two linked (but offset) 16 and 13-storey blocks above the 3-storey academy base. This composition, apart from the excessive height, is likely to be the most successfully composed, but only because of its narrow aspect and the concentration of elements of interest. It is questioned whether the building would have a plant-room/lift over-run which would add more height and bulk to the block.

Elevational design

- 169 The aesthetic of the six linked residential blocks in the 'terrace' is positive in some respects but significantly problematic in others. The pattern of projecting bays, inset balconies and varied fenestration gives each block an interesting composition, but

cladding the entirety in white render gives it a visual homogeneity that partly negates its interest and variety. This white aesthetic is also somewhat redolent of a Mediterranean holiday complex, and thereby makes very little response to any local or London-wide character and distinctiveness. The material treatment to all elements of this proposal needs to be more contextual and robust, with an inherent aesthetic quality and variety in their finish to avoid a monolithic appearance.

- 170 A positive element is the general prominence and design focus that has been given to the residential entrances, with large portals (in coloured emphasis) demarcating their importance on the elevations. The treatment of the school blocks is given an appropriately distinct architectural typology to contrast with the residential above, which is appropriate.
- 171 The tower block, being so large and prominent, requires the greatest consideration in its architectural quality and treatment; however, the tower is significantly less articulated than the lower terrace-like blocks. While the 3-storey academy forms a strong base to the tower, the two slabs that sandwich either side of it are lacking interest in their physical massing, architectural articulation and their compositional arrangement.
- 172 Ideally the strong base would have been balanced by a lighter treatment to the top levels of the block, but no such distinction has been considered. While the 13-storey slab has some interest in its double and triple-height balcony openings, this block still has a two-dimensional aesthetic and a somewhat bar-code/data-chip appearance, particularly with the repetition of the one window type across the entire facade.
- 173 The 16-storey slab suffers even more from these aesthetic issues, but these are magnified by the complete lack of depth (with no recessed balconies), the repetitive and featureless fenestration, and the dark cladding that adds to its oppressive character. While this block needs to significantly reduce its height, the composition of the massing needs to break up the bulk into smaller elements, and these need greater articulation and interest in their architectural treatment. The 16-storey element and glazed link that are also expressed on the north-west side, do add some interest/variety to the overall composition, but the composite whole of the tower is lacking an urban design or architectural clarity that would be required from such a high and prominent building.

Materials

- 174 The use of materials on the whole development is very poor, with a predominance of render and 16-storeys of dark zinc cladding. Render is generally a material that has no significant quality inherent in its physical or aesthetic characteristics, and is indeed a material that is lacking in character and visual interest. Its use as the primary facing material for such a large development is a poor choice and suggests a response to budgetary restraints, rather than its immediate context. It is not clear from the images whether there is one or two colours of render, but regardless, the extent of it is excessive. Similarly, a 16-storey slab in dark zinc cladding is going to be aesthetically featureless, particularly with the high solid-to-void ratio; the material, its colour and level of solidity will combine with the (excessive) bulk to over-dominate the townscape.
- 175 The materiality of the base of the development is more successful with robust and better-quality brickwork to the primary school, as well as glazing and timber fins to the secondary. Colour is also well utilised to highlight feature elements such as entrances and canopies, as well as emphasising the depth of balcony recesses.

Impact on setting of adjoining listed buildings

- 176 The closest listed buildings are the terrace of early 19th century two storey cottages that are accessed from Canal Grove to the south-east. The setting of these Grade II

listed houses may not be significantly affected by the tower in their background, but this has not been tested by the viewpoints to allow this to be assessed.

Landscaping

- 177 The biodiverse roof garden, living wall and other minor improvements to public realm are welcome. The use of materials and detailing to the boundary treatment and landscaping would also be crucially important issues to the success of this scheme within the streetscape, as well as the public realm. Inadequate information has been provided on this treatment, and the images do not indicate a significant improvement over the existing situation that would be required of a development of this scale.
- 178 The high proportion of site development (including playground) leaves very little area at ground level for landscaping, which makes that proposed around the periphery of the site all the more important. There is also a suggestion in the application documents that the proposal would include some street tree planting to Rotherhithe New Road, this should be secured by condition if permission is granted.
- 179 In conclusion, the poor quality design of the proposal raises fundamental concerns. There are serious concerns regarding the height of the proposal, since the proposal does not comply with Saved Policy 3.20 of the Southwark Plan which requires clear locational and design criteria to be met. In addition, there are also concerns over the elevational quality and detailing as well as the use of materials, and so the proposal does not meet the 'highest architectural standard' test. The comments made by the Design Review Panel (summarised in appendix 2) also support the recommendation to refuse permission.

Archaeology

- 180 The site lies within the Bermondsey Lake Archaeological Priority Zone. The applicants have submitted an incomplete archaeological evaluation report. This report lacks scientific dating that is necessary for a proper determination to be made of the archaeological interests of the site. In the event that permission is granted, it is therefore considered necessary to apply archaeological conditions (mitigation and reporting) to ensure the archaeological interests of the site are protected.

Planning obligations (S.106 undertaking or agreement)

- 181 Saved Policy 2.5 of the Southwark Plan and Policy 8.2 of the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Saved Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, (which sets out in detail the type of development that qualifies for planning obligations), and Circular 05/05, which advises that every planning application will be judged on its own merits against relevant policy, guidance and other material considerations when assessing planning obligations. Strategic Policy 14 – Implementation and delivery of the emerging Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments.
- 182 The following table sets out the contributions payable based on the Section 106 Planning Obligations SPD and what the applicant has proposed to offer. The contributions are set out based the provision of 158 units. Education (D1) use is not subject to the standard charge of planning obligations listed in the SPD on Section 106 Planning Obligations. Despite this, planning obligations can still be necessary if a development, when considered on its merits, would result in negative impacts. Details of site specific mitigation have been summarised below in paragraph 184.

Topic area	S106 SPD	Applicant's S106 offer
Education	£91,144 (collected for secondary places only)	£303,813

Employment during construction	£117,509	£117,509
Employment during construction management fee	£9,209	£9,209
Public open space	£55,498	£55,498
Children's play equipment	£29,182	£29,182
Sports development	£135,432	£135,432
Transport Strategic	£88,546	£88,546
Transport Site Specific	£79,000	£79,000
Public Realm	£118,500	£118,500
Archaeology	£5,363	£5,363
Health	£178,365	£178,365
Community Facilities	£28,672	£28,672
Admin charge	£18,728	£22,982
Mayoral CIL	£604,555	£604,555
Total	£1,559,703	£1,776,625

183 The applicant has offered to pay an education contribution of £303,813, based on the standard toolkit charge. However, as a primary school would be provided, it would only be appropriate to charge for secondary school places. The contribution therefore reduces to £93,144. The primary school would however, need to be delivered before any occupation of the residential units.

184 In addition to the contributions listed in the table, some additional transport mitigation (as referred to in paragraph 142, 143 and 146 above) would be required to secure road safety measures (approximately £250,000), contributions towards a cycle docking station (approximately £180,000) and contributions towards bus stops (Transport for London need to confirm the amount). The applicant would therefore need to confirm acceptance of this additional sums, since these would be in addition to the applicant's current offer.

185 The Community Infrastructure Levy (CIL) regulations came into force on 6 April 2010. The regulations state that it is unlawful for a planning obligation to be taken into account when determining a planning application for a development, or any part of a development, that is capable of being charged CIL if the obligation does not meet all of the following tests:

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

It is considered that the planning obligations sought meet the planning tests of Circular 05/05 and the CIL regulations. The contributions would be spent on delivering new school places as a result of the development, job creation during construction, improvements to open spaces and sports facilities, improvements to increase the capacity of transport provision across the borough, improvements to the public realm, health provision and improvements to community facilities.

186 A neighbour has also raised concern over the impact upon the Avicenna Health centre, by reason of additional burden owing to the introduction of new residents and occupiers, but as described above, the development would make financial contributions to provide upgrade facilities and infrastructure to mitigate the impacts of the new population.

187 If planning permission is granted, the legal agreement would need to secure delivery of the free school and the sixth form centre, to ensure that the space is genuinely

occupied by these establishments and is not either left empty or given over to another occupier. The legal agreement should also capture the arrangement and relationship with Bede House, who as set out in paragraph 6 above would use the space during non school hours.

Mayoral Community Infrastructure Levy (CIL)

- 188 The Mayor's CIL came into effect in April 2012 and apply a financial levy against all developments which will go towards the delivery of Crossrail. The levy is not discretionary and must be applied to all developments at a rate of £35 per square metre in Central London and will be prioritised over all other planning obligations. The levy against the proposed development equates to £604,555, as listed in the above table.

Sustainable development implications

- 189 The energy strategy demonstrates how the energy hierarchy has been applied to the proposed development in order to achieve the carbon reduction targets set out in Strategic Policy 13 of the Core Strategy and the London Plan.

Energy Efficiency

- 190 A range of passive design features and demand reduction measures are proposed to reduce the carbon dioxide emissions of the proposed development. Both air permeability and heat loss parameters would be improved and other features include energy efficient lighting and mechanical ventilation with heat recovery. This would achieve a 2% reduction in carbon emissions.

District heating

- 191 There is no district heating network in the vicinity of the site. However, the applicant should provide a commitment to ensure the development is designed to allow future connection should one become available. In the event that permission is granted, this could either be dealt with by condition or could form an obligation in the legal agreement.

Combined heat and power (CHP)

- 192 A CHP plant has been proposed which has been sized to provide domestic hot water load as well as a proportion of space heating. The school and the residential units would be connected in a single site wide heat network. The CHP plant would deliver 23% savings.

Renewable energy

- 193 10.5kWp of roof mounted photovoltaic panels are proposed which would provide a further 2% savings.

Overall carbon savings

- 194 The applicant has followed the energy hierarchy and in total would be proposing to reduce carbon emissions by 25%. This exceeds the London Plan target of 25% but is short of the Core Strategy target of 44%. However it is considered that the strategy has maximised savings as far as possible and accordingly the scheme is acceptable in this respect.

Flood Risk

- 195 The site lies within Flood Risk Zone 3. The submitted Flood Risk Appraisal (FRA) confirms that the site is protected from flooding to a high standard by the Thames Barrier and associated river walls. The Environment Agency have reviewed the FRA and have advised that they have no objection subject to conditions being attached in relation to contamination if permission is granted.

Green and brown roofs

- 196 Parts of the roof are proposed to include a sedum planted roof. Whilst this is welcome, the planting should be extended to the photovoltaic panel area as the sedum would optimise the performance of the panels. These details should be conditioned in the event that permission is granted.

Code for sustainable homes and BREEAM

- 197 The preliminary CfSH assessment indicates that the development would achieve a code level rating of 4. This meets the minimum Core Strategy standard as set out in Policy 13. The BREEAM assessment for the education element would achieve either a 'very good' or 'excellent' standard, which would either meet or exceed the Core Strategy target of very good.

Ecology

- 198 An ecological survey has been undertaken of the site. The survey reveals that the site has negligible ecological value. It is recommended that nesting boxes and bricks are incorporated into the development, details can be requested by condition.

199 Conclusion on sustainability

In summary, the energy, sustainability and ecological aspects of the scheme are considered acceptable and would maximise carbon dioxide savings. There are some areas where further information or details would be required, and these should be requested by condition in the event of permission being granted.

Conclusion on planning issues

- 200 The proposal relates to the redevelopment of a site within a designated Preferred Industrial Location for education and residential uses. Saved Policy 1.2 Strategic and local preferred industrial locations of the Core Strategy states that in preferred industrial locations, planning permission will only be granted for developments falling within the B Class and Sui Generis use class industries which are inappropriate in residential areas.
- 201 Southwark Core Strategy policy 10 states that the council will protect industrial and warehousing floorspace to meet needs over the next 15 years. In these locations, planning permission is only granted for developments falling with the B class uses and other sui generis uses which are inappropriate in residential areas. Accordingly, the loss of the industrial site is fundamentally opposed.
- 202 The provision of residential accommodation in this context is also concerning, owing to a series of concerns regarding housing quality and the potential to prejudice activities carried out in the industrial area. There is insufficient data on noise making it difficult to assess the impacts on future occupiers. In addition, there are concerns regarding quality of the internal environment by reason of the closed windows and sealed facade that would be required to mitigate against the noise from both Rotherhithe New Road and Verney Road.
- 203 The viability appraisal submitted with the application has not demonstrated that the scheme is unviable and therefore unable to support a policy compliant level of affordable housing. It is considered that the scheme could accommodate an increase in affordable housing provision. The current offer, at 6% is considerably short of the 35% target. The provision of education uses has also been prioritised over affordable housing, the delivery of which is a key priority for the borough.
- 204 There are a number of other fundamental concerns regarding the building height, the design of the proposal and the associated density arising. In relation to transport issues, the proposal has failed to adequately assess the impacts arising from the proposal resulting in a series of road safety concerns and other issues in connection traffic congestion and the low level car parking.

205 From the above, it is clear that the adverse impacts on the local area significantly outweigh the benefits associated with the provision of a free school. Accordingly, the refusal is wholly justified and accordance with the NPPF since the adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.

Community impact statement

206 In line with the council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

207 A Statement of Community Involvement has been submitted with the application. The statement sets out the details of the pre-application consultation that was carried out by the applicants including Members, the Bonamy and Bramcote Tenants and Residents Association, the Ledbury Estate Tenants and Residents Association and also other residents and community organisations.

208 In terms of the consultation carried out, a public exhibition took place in October 2012, advertised by way of a flyer sent to over 4,000 residents in the local area. A stakeholder steering group was also set up to include a number of local residents as well as a ward member and MP. In addition, an online consultation website was launched containing details of the proposals, which has been regularly updated.

209 A number of responses were made during the pre-application consultation period. The submitted statement has summarised the responses, and reviewed the feedback received. A total of 30 responses were received during the public exhibition, with comments received in relation to the need for family homes and school places as well as other comments regarding the design of the proposal.

Consultations

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

Consultation replies

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

212 Summary of consultation responses

Objection received from Councillor Livingstone on grounds of lack of affordable housing, traffic impacts, failure to comply with the industrial land use zoning and also in connection with the inadequate site search.

213 Seven objections received from neighbours on ground of loss of the industrial site and loss of jobs, impact on the character of the area including concerns over the height of the building, lack of affordable housing, creation of windy conditions, impact on traffic and pollution, impact on health services and impacts on daylight, sunlight and privacy. Concern also raised that the free school and sixth form are a sweetener to allow permission to be granted.

214 One letter of comment querying impacts on industrial businesses.

215 Six letters supporting the provision of school places and new homes including letters from the City of London Academy and Bede House.

- 216 The Design Review Panel are unable to endorse the design because of concerns over the poor quality design, especially the tower and its poor relationship with local context.
- 217 Greater London Authority have replied generally supporting the scheme in strategic planning terms. Other statutory consultees either have no comment or request the imposition of conditions.

Human rights implications

- 218 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.
- 219 This application has the legitimate aim of providing education facilities as well as new residential accommodation. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

220 N/a

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2354-9 Application file: 13/AP/0065 Southwark Local Development Framework and Development Plan Documents	Chief executive's department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5513 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Neighbour consultee map
Appendix 4	Images
Appendix 5	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Kiran Chauhan, Planning Officer	
Version	Final	
Dated	23 May 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	Yes	Yes
Strategic director, housing and community services	Yes	Yes
Director of legal services	No	No
Director of regeneration	No	No
Date final report sent to Constitutional Team	23 May 2013	

Consultation undertaken

Site notice date: 03/04/2013

Press notice date: 28/03/2013

Case officer site visit date: 03/04/2013

Neighbour consultation letters sent: 26/03/2013

Internal services consulted:

Archaeology Officer
Environmental Protection Team
Public Realm
Planning Policy
Transport Planning Team
Parks and Open Spaces
Arboriculturalist
Ecology
Education
Housing Regeneration Initiatives
Economic Development
Design Review Panel
Waste Management

Statutory and non-statutory organisations consulted:

Transport for London
Metropolitan Police
Environment Agency
London Fire & Emergency Planning
Thames Water
EDF Energy
Greater London Authority
London Borough of Lewisham
Natural England
Department of Communities and Local Government
English Heritage

Neighbours and local groups consulted:

Southwark Cyclists

Re-consultation:

Re-consultation was not required as no new information was submitted during the course of the application.

Consultation responses received

Internal services

Ecology: The Preliminary Ecological Appraisal is acceptable. The site currently has negligible ecological value. Some of the recommendations have been incorporated into the design of the development.

The provision of open space around the proposed school development is minimal and possibly insufficient for their needs.

The bio-diverse roof should be extended to the photovoltaic roof panel area as the brown roof will optimise the performance of the PV panels.

Conditions recommended.

Urban Forester: Whilst the use of a biodiverse and roof garden, living wall and other minor improvements to public realm are welcome, the scale and mass of proposed development contains little enhancement to green amenity, or provision of necessary open space. Ample opportunity exists within the local vicinity for environmental improvement.

Design Review Panel:

The scheme was presented to the Design Review Panel on 12th March 2013. A summary of their comments is provided below.

The Panel raised substantial concerns over the proposal and its deliverability, the quality of design and its appropriateness in this industrial context.

The Panel were concerned about the direction taken with this scheme. They found the scheme was confused in its attempting to site a significant scheme at a spur road in an industrial quarter and not a residential setting. This raised further substantial issues over the quality and arrangement of uses on this intensely developed proposal where, as a consequence, the main residential amenity and school playground were located to the rear of the site in the heart of the industrial estate.

They felt the presentation gave them no confidence that these functions could be comfortably accommodated on this site and would result in a compromised educational and residential development.

In relation to the tower, the Panel raised significant concerns over the justification for such a substantial intervention in this location. They felt there was insufficient evidence presented to them in urban design terms to justify the tower in this location. Further, they noted the council expects towers to demonstrate and exemplary standard and quality of design and a meaningful contribution to the public realm. They raised significant questions over the architectural articulation of the simple extruded form and the limited architectural expression of the tower overall.

The Panel welcomed the ambition to introduce a mix of tenures and uses on the site but raised fundamental concerns over its articulation in built form its deliverability and its presence on the streetscene. They felt the arrangement and separation of the main functions – the educational and residential uses – was poorly articulated, failed to give these separate functions a clear distinction and raised detailed concerns over its deliverability. For example, the proposal to site interlocking residential units over column-free school spaces would require the complex overlapping of services and

structure and requires a technical separation of functions that were not described in the presentation and gave them no confidence that it could be achieved in the limited space available.

The Panel questioned the active frontages that would be achieved on Rotherhithe New Road given that the lower floors predominantly providing educational uses and are less likely to engage with the streetscene. Added to this the Panel looked at the other uses across the site including the level of affordable housing and felt the strategy for the creation of a mixed community on this site was confused. They felt the scheme had not struck the right balance between the proposed uses and benefits and had failed to resolve the implications of these complex overlapping uses. As a consequence, the strategy for car parking and servicing of the site was poorly conceived and relied on the access roads to the industrial estate which may have further implications for the site and the area.

In conclusion, the Panel were unable to endorse this design. Whilst they welcomed the development of this site they felt the current proposal raises significant concerns over its deliverability, the poor quality of the design especially the tower, and its poor relationship with its context.

Education (Project Director, Capital Projects): Concern regarding acoustics and how the scheme is going to achieve the requirements in Building Bulletin 93 (Acoustics for schools) for both the classroom spaces and the playground. Their acoustic report should not just be taking account of what is currently there but what could reasonably be sited there in the future. Need to avoid the position where there is opposition to future industrial use as a result of a noise concern because the applicant has underspecified.

The parking and traffic issues particularly at school drop off and pick up are a concern.

Another issue is the restricted outdoor play area.

Statutory and non-statutory organisations

Greater London Authority:

The application is generally acceptable in strategic planning terms and the provision of a much needed free school is very welcome. However, further discussion is needed, together with some consequent changes, on the issues set out below to ensure conformity with London Plan policy:

- Land use principle: The applicant has submitted evidence of the lack of demand for industrial sites in the area given the site's transitional status between the industrial and residential areas, the low intensity of the current use, the local objections to the previous waste applications, the potential level of release set out in the Mayor's Land and Industry SPG and the priority for education set out by the NPPF this is considered to be on balance, acceptable.
- Housing and affordable housing: The level of three bed units is welcomed however the social rent units should be replaced with affordable rent and consideration should be given to the inclusion of some intermediate units in the affordable element. The viability is currently being assessed and an independent assessment will need to be commissioned either by the GLA or the council.
- Child playspace: The arrangements for access to the MUGA for residents should be clarified and secured in the section 106 agreement.
- Urban design: The scheme is well designed, successfully accommodating both educational and residential uses. The residential quality of the proposal is high however the fire doors in the long corridors should be alarmed so they are not used as a matter of course. Noise mitigation for the single aspect units in the noise exposure category C should be conditioned.
- Density: Given the nature of the site and the overall design quality of the scheme, a higher density than the London Plan guidelines is acceptable.

- **Inclusive design:** The applicant should confirm that the units meet Lifetime Homes standards. Wheelchair units should be identified. The applicant should consider replacing the platform lift in reception with a ramp if this is possible within the constraints of the site.
- **Climate change mitigation:** The applicant should carry out an investigation to identify any existing or planned district heating networks within the vicinity of the proposed development. If there are none available the applicant should provide a commitment to ensure that the development is designed to allow future connection to a district heating network should one become available.
- **Climate change adaptation:** Further discussion and commitments are needed regarding flooding and drainage.
- **Transport:** Further details regarding blue badge, visitor and cycle parking, clarification and further information is needed regarding trip data in order to assess whether mitigation is needed and assessment of pedestrian/cycle routes and bus stop accessibility together with a commitment towards necessary improvements.

Natural England: The development would benefit from green infrastructure provision. It is not clear whether there would be any impact on statutorily protected sites, species or habitats. The council should encourage opportunities to incorporate biodiversity into their proposals such as green/brown roofs, landscaping, nesting and roosting sites and sustainable drainage.

Environment Agency: No objections subject to conditions being imposed.

English Heritage: The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Thames Water: Conditions and informatives recommended.

London Fire and Emergency Planning Authority: No observations at this time.

Neighbours and local groups

Councillor Livingstone: Object.

Affordable housing

Concerned with the lack of affordable housing on site. Of the 158 residential units, only 4 are for social rent (2.5%) and a further 6 for intermediate housing (3.8%), totalling together only 6.3% affordable units of the total number of units. This is unacceptably lower than the 35% outlined in the UDP, with little explanation as to why a higher figure is not viable. This level is simply unacceptable and reason to reject the development. It fails utterly to help meet the substantial pressure for homes available at social rents that we face in Livesey ward.

It is unclear why this is the case: the Free School that is part of the development is receiving capital funding from the Education Funding Agency, and the City of London Academy presumably also has access to capital funding. The development could therefore go ahead without subsidising these elements of the proposal and so it seems a weak argument to suggest that these limit the scope to provide affordable housing as part of the scheme.

Traffic

The development may lead rise to substantial traffic issues in the area, due to cars arriving to drop off children for school. There have been concerns along Verney Road in the past with blockages impacting on what is the main access to the Bonamy Estate. Rotherhithe New Road is a main thoroughfare. The proposals must ensure that neither road can be blocked by parking or cars waiting whilst dropping off children.

Inconsistency – preferred industrial location zoning

The case is made that there is a surplus of industrial land locally and that the council should therefore ignore the preferred industrial location designation for the area. This ignores the fact that much of the site has been used recently for industrial uses, suggesting that this site itself is not surplus to the borough's industrial needs.

For the remainder of the site, the council rejected an application two years ago at the building at 399 Rotherhithe New Road for a change of use as it was in a Preferred Industrial Location.

Inconsistency – sites available for a Free School

Furthermore, the report on the Free School Site Search seems to have a number of inconsistencies.

Firstly, it sets out the intention to site the school to serve the wards of Grange and Livesey, on the grounds of deprivation, but then also cites meeting the needs of East Walworth. It ignores South Bermondsey ward, in-between Grange and Livesey and more deprived than the former. The initial site proposed at Great Dover Street is in Chaucer ward and would be ideally suited to recruitment in that ward and Cathedrals ward. This appears to be a muddle of ill-considered post-factual rationalisation.

Furthermore, the secondary school search information also provided suggests that there could be sites that the primary school did not consider; whilst these sites were deemed too small for secondary school use, they may well have been of adequate size for a primary school. The secondary school site search rules out a site on Ossory Road for being outside the required catchment area but has different considerations cited for the site on Malt Street that is only a few metres away, across Asda's car park.

These inaccuracies mean that this report cannot be taken seriously as one making the case that a shortage of other sites justifies this as the sole viable location for the Free School.

Seven objections from neighbours received.

12 Fallow Court: Huge concerns to the impact this development will have to my rights to light. The proposed development would have a detrimental affect on daylight and sunlight. For this reason alone, strongly object to a having a development designed to this height.

Need to understand what S106 contributions this development will bring to the community.

10 Culloden Close: The proposed application should be refused for overbearing effect that this development will cause to local residents is tantamount to a total reduction in the quality of life for all those caught in its shadow. The proposed application and building design is incongruous to the surrounding architecture. Being between 6 to 19 storeys high, is more suited to city centre commercial development, where It can blend into a retail and banking environment.

Planning approval should be refused due to the catastrophic visual impact wreaks havoc on the local skyline as it obliterates the sun.

At 19 storeys, this development will be the tallest in the area and significantly dwarf the height of local buildings, its six storey section alone will constitute the tallest structure in the vicinity whilst the 19 storey monolithic structure will puncture the skyline of Old Kent Road. The proposal does not embrace the aims or guidance of either CABE or Southwark's policy and is a prime example of ad hoc development that is unwilling to recognise, or indifferent to the impacts to infrastructure and social fabric of the Old Kent Road.

Planning approval should be refused as this proposal invades the privacy of local homeowners.

This proposal should be refused due to the injurious impact to health and wellbeing caused by the shadow cast across its entire structure and reduction in daylight impacted upon local residents. The sunlight and shadowing report clearly shows that the entire existing area will be affected 365 days of the year, amounting a catastrophic reduction in the right to amenity and enjoyment of our homes.

Planning permission should be refused as the increase in traffic noise will render the local homes and businesses uninhabitable. This onerous development will subject existing home owners, proposed residents and local businesses, to life sealed in our cells.

The proposed open air play space will create a sound amplifier to project noise directly at residents homes. This unsupervised concrete patch will be open to the elements, making an attractive haunt for all manner of nefarious nocturnal dealings. Its noise and night time lighting will cause nuisance and distress.

Planning consent should be refused as this development will drastically alter the character of the area. This development is not in keeping with the existing area housing development. It will be closer to the roadway than other residential units. The proposed structure will further narrow the feel of this roadway. Its immense size will tower over pedestrians and motorists, creating a long dark tunnel, casting an extensive cold and windy shadow for its entire length.

The application should be refused due to the significant area impacts it will have on traffic. Passenger drop offs on the Rotherhithe New road will cause traffic to back up to the Old Kent Rd and restrict turning signal access into Rotherhithe New Rd. The increased scale of demand for bus services will outstrip supply. During the AM peak, Route 381 and P12 are regularly too full to accept additional passengers due to the high volume of schoolchildren. The entire development has a derisory 17 standard parking spaces for 158 households and NO parking for 2 schools with a projected teacher quotient of 60. This location is within an Air Quality Management zone, the data collection is vital to measure the impact to health of PM10, PM2.5 and N02 levels within this area. Defra and the EU are mandating reductions in these pollutants, the increased traffic congestion caused by this development will result in increased exposure to these damaging elements.

Ask that Southwark refuse this application based on the strategic industrial significance of this area. Historically, Southwark has refused planning application in respect of this location for change of use, on numerous occasions. There is no clear reasoning for Southwark to now change their policy to meet the needs of private developers wanting change of use for this zone. The applicant SCCD Developments, owned by Southwark Metals, appealed a planning refusal by Southwark Council in 2012 to change the use of his yard to become a waste transfer station for non ferrous metals. It is now barely 9 months later and a complete change of use is being requested, The strategic designation of this area has been in place for a considerable time, to the benefit of the applicant. That designation should not now be modified to the detriment of other industries in the area.

Object to the application as it removes the potential for job creation and growth within Southwark.

Oppose the application as it detracts from the Old Kent Road action area plan. The proposed development does not reflect Southwark Council's vision or planning strategies for the Borough as a whole, nor the Old Kent Road Action Area. Falling within the Old Kent Road Action Area, the proposed development will detract from the overall vision that Southwark Council has for this zone. It is not located within the preferred

locations for tall buildings. It seeks to dismantle Protected industrial sites and encroach upon the scarce land available to bona fide industries.

Request this application to be refused due to its lack of affordable housing.

The paltry inclusion of 10 homes designated for affordable housing flies in the face of Southwark's councils success in increasing the quantity of affordable housing within the borough to 35% in each development.

Submit that the application does not meet Southwark Council's core policy on environmental standards and should be refused.

There is no clear plan for dealing with construction waste. The contamination report indicates the presence of harmful pollutants which in the process of excavation, will be released into the environment. The presence of asbestos has not been assessed, nor have the removal and mitigation plans been presented. During any proposed construction or excavation on this site, the detriment to amenity of residents adjacent to this development is significant. The planned location is within an AQMA, with high levels of PM10 , PM2.5 and N02, the removal of construction debris would increase exposure to these toxins and spread them throughout the road network

Ask that the council reject this proposal due to the reduction of amenity caused by winds generated by the structure. The expected high winds generated by this design would make many areas unsuitable for a pedestrian environment. The long term environmental damage from shading and high winds can dramatically alter the flora and fauna. The proposed development is more blight than right.

Object to the planning application as Southwark Free schools traffic assessment plan does not take fully into account the traffic and parking impacts it will cause. Southwark free school proposed travel plan is merely a list of promises, hopes and desires. It fails to tackle the serious issues of traffic noise, pollution and congestion. Relying on parent charters and unreasonable assumptions to dictate and monitor effectiveness of their plan. That it has no allocated parking for its staff; its catchment area is widespread and its proposed location is not readily accessible by single bus journeys.

As there are only 2 bus routes directly serving this location, parents using public transport to drop off children will double the demand for bus seats during peak travel periods, and significantly affect the projected journey volumes for their onward journey. These AM and PM peaks will disrupt seat availability for local residents and without response from TfL to provide additional service during peak times, the wait times for an available bus seat will inevitably increase. With its projected maximum capacity of 420 pupils with 35 staff, and the proposal fails to show how it can operate in a sustainable manner, in harmony with the local area.

Oppose this application as it fails to consider the health care provision in the area The application disregards the fact that up to 700 residents who are projected to live in this development, will have no local provision for health service.

Oppose this planning proposal as it adversely impacts local infrastructure

The proposed development causes significant impact to local infrastructure. It will lead to increased congestion on local roads, requiring additional investment and research to devise new roads to link Old Kent Rd to Surrey Quays and the Rotherhithe tunnel area. It increases the sense of unchecked urban sprawl and provides no community green space or facility for residents. The dramatic increase in demand for local health care would require funding from local government.

Object to the planning application on the basis that it will destroy an area of archaeological significance. The Old Kent Road archaeological priority area contains a wealth of artifacts that detail the historic significance of Southwark throughout the centuries. The proposed deep level excavations to create underground parking, will destroy these invaluable insights into our nation's past.

12 Culloden Close: The dwellings have been condensed on such a small area, resulting in a tall building. At six and 19 storeys, the development would be too high since the existing buildings are no taller than four storeys. Concerned about loss of light, increase in noise and impact on traffic and local services. Query whether sufficient parking has been provided. The area is for light industrial use, which creates much needed jobs. If changed to residential, it has gone forever.

14 Culloden Close: The developer has proposed a school as a sweetener. The high rise block would attract criminal activity. Jobs are needed in the area and the site is for industrial use. The proposal will impact on daylight and result in a loss of privacy. There would be an impact on satellite television reception. There is a large profit to be made by the developers. The height would dwarf nearby buildings and would be ugly to look at. Also concerned about traffic impact and parking.

16 Culloden Close: Previous requests for change of use have been rejected and we believe that the area should remain as light industrial. Once the land has been built on we have lost valuable land that could provide much needed jobs for local people.

Object to the plans for a tower block being built that would totally overshadow existing properties. Surrounding properties have a height of more than 4 floors high. Properties underneath the tower block would totally lose the enjoyment of gardens and communal areas. Any new development should be in keeping and no higher than existing buildings e.g. The Bonamy Estate.

The number of properties that a tower block would create would have a severe negative impact on the area.

The impact on the air quality would have a significant negative health impact during building work.

The number of people that would need to register with a GP would far exceed local capacity.

Footfall Rotherhithe New Road has a very narrow pavement and walkers have to walk single file along the road. This would pose a severe health and safety risk especially with Mothers with pushchairs and a walking child.

The immediate area has 2 bus services with 1 bus going towards central London. This would cause enormous problems for local people and commuters.

The area already has severe parking problems and this development would increase parking problems. Residents suffer parking problems on a daily basis this would add to that problem.

The area has sufficient schools and nursery facilities and with the eminent closure of Bermondsey College in July 2013 there will be a very large free School (The Compass Free School) built on that site due to welcome pupils in September. There may even be room for some residential properties on the site.

Believe that this development does not fit Southwark Council's Strategic Planning Policy.

Flat 2 Archers Lodge, 17 Culloden Close: Concern over building height and impact on daylight and sunlight reaching the garden. Concern over congestion likely to occur to Rotherhithe New Road. In turn, St James Road could become a drop off and cause congestion.

2 Argyle Way:

Developers benefit more than the local community.

The free school and sixth form are a sweetener to allow permission to be granted. The development is entirely profit based. Note that only 10 of 158 dwellings are affordable.

Proposed height not in keeping with the local area

The proposal is considered excessive in height and not in keeping, going against historic principles regarding the scale of development in the area, the proposal would be better suited to the Heygate Estate. The new and planned developments in the area amount to creating up to 5,000 new dwellings (including the Southwark and Lewisham regeneration sites) which is remarkable and accordingly the development is not necessary.

Negative effects of building works on local properties

The surrounding buildings are one to two storeys high, and therefore there is the threat of possible subsidence.

Poor Management of transport, traffic and pedestrians

There would be local disruption as a result of necessary road closures during construction. After construction, the roads would be even more congested as a result of extra traffic from residents, staff and pupil drop off and pick ups. There is also the cumulative effect, given the mixed use development of the Surrey Canal site. Increased risk of accidents, bottlenecks of Rotherhithe New Road/Verney Road junction and width of pavements would not be sufficient.

Parking concerns

There is a low level of parking spaces proposed. Those not given a space would need to find somewhere else to park, likely to be on local streets. There will be staff needing parking spaces. The planning statement (paragraph 3.1.12) claims there is an abundance of parking spaces, and so local streets would be affected. Local streets would also be affected by drop off parking.

Pollution (noise, air contamination)

Increase in pollution during construction, as well as afterwards given traffic increase. Units provided with balconies, the roof terraces and the muga will generate more noise. The land contamination report states potential existence of pollutants including asbestos and underground diesel tanks which could all be disturbed during construction.

Worrying impact on the Avicenna Health Centre

It is already heavily oversubscribed in comparison to other health centres. The additional staff, children and students would place further burden making it difficult to secure appointments. The rise in air pollution would increase the need for appointments and those with respiratory conditions would worsen their health.

Negative effects on light levels, privacy and security of immediate neighbours.

The six and 19 storey elements are too tall, and would block light for local residents and also invade privacy by overlooking into homes and gardens. Proper and actual readings to measure daylight should be taken from the property. There would also be reductions in sunlight, especially in the winter months. This could also affect plants, shrubs etc.

Adverse social impacts on immediate residents

No guarantee for local families to be enrolled at the school or sixth form. This is

unreasonable given the extent of disruption. Not enough social space for sixth form, so the students could loiter on surrounding local streets.

One letter of comment

6-8 Verney Road: Run and own a business behind the site. It is light industrial and has daily access to lorries for delivery and collection of goods. There are issues with access to our premises due to parking along Verney Road. The road is narrow and there is difficulty getting lorries in. Clarification required as to how much parking is available to the site. Do the flats and the schools have their own parking? Query the safety of primary children given the traffic in the light industrial area. Details of the measures relating to preventing business interruption during construction should be provided. Query development options for businesses given the development would be residential.

Six letters of support

City of London Academy: Support the application. Aware that the council has a growing demand for school places and this will help meet some of that need without the capital expenditure for the local authority. The academy is six times over subscribed. The proposal would provide the opportunity to develop specialist sixth form provision for students of all abilities including autistic spectrum condition. Preliminary discussions have been held with Bede House to establish a strong partnership approach to working in the local community to benefit young people and their families.

Bede House: Bede House is a local Southwark charity that has been serving the neighbourhoods around Bermondsey and Rotherhithe since 1938. The youth projects, social and educational work programmes for people who have a learning disability and support services for those living in fear because of hate crime or domestic violence create new opportunities for those who have fewest, and enable local people to create better lives for themselves, their families and communities.

The redevelopment of the site would significantly improve the quality of life for local people in this deprived area. We are currently in discussions with the City of London Academy to plan how we would work in partnership with them to run youth facilities from a new sixth form college to benefit local young people out of school hours.

Parent and Parent governor, City of London Academy: My son is in year 10 he could join the sixth form. The new sixth form centre will mean better facilities and a potential for more students to attend the school. The school is very popular locally and this increased provision will mean more local people will get their first choice of school and sixth form – particularly as distance from school is one of the primary criterias on COLA's admissions policy.

The school has already expanded on its existing site – so extra facilities would be of considerable benefit to the school and to the local community.

No address: Please give permission for the new development. The new homes for families and school would be fantastic for our area.

No address: Support the redevelopment to provide a school. My daughter is attending the school and the education is at a high standard. The school will be a big successful school in the borough. Southwark needs an outstanding school.

No address: The site has been run down for years. The new development will improve the area all around with new homes and new schools.