

Item No. 7.4	Classification: OPEN	Date: 9 July 2013	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 13/AP/0999 for: Full Planning Permission Address: MANSION WHARF HOUSE FORMER LANDALE HOUSE, LOWER ROAD LONDON SE16 2XG Proposal: Alterations to the existing student accommodation building and construction of a 5-storey plus basement extension comprising 49 new bedspaces, and associated landscaping.		
Ward(s) or groups affected:	Rotherhithe		
From:	Head of Development Management		
Application Start Date 10/04/2013		Application Expiry Date 16/07/2013	
Earliest Decision Date 25/05/2013			

RECOMMENDATIONS

- 1 Subject to the applicant first entering into an appropriate legal agreement by no later than 15 July 2013, planning permission be granted subject conditions.
- 2 In the event that the requirements of 1) are not met by 15 July 2013, the Head of Development Management be authorised to refuse planning permission for the reasons set out in paragraphs 57-62 below.

BACKGROUND INFORMATION

- 3 This application has been referred to Planning Sub-Committee B for determination as it relates to a Major Development that has received five objections.

Site location and description

- 4 The application site constitutes a 0.16 hectare site situated to the rear of Rotherhithe Police Station on the north eastern side of Lower Road in the Rotherhithe area of the borough. Currently occupied by a seven-storey 1950s building arranged in a Y format. The remainder of the site is predominantly laid to hard standing.
- 5 The site is bounded to the north west by the four storey blank elevations of Orchard House, to the north east by the former Rotherhithe Dock Office, and to the south east by the rear of a petrol filling station. The site gains pedestrian and vehicular access from Lower Road via a private access road which runs along the north of the police station.
- 6 Formerly used as residential quarters in connection with the police station it originally provided police accommodation for dog handlers and their dogs. Currently in occupation as student accommodation since the late 1980s the building provides 83

single occupancy units which share kitchens, bathrooms and common rooms.

- 7 Conservation Area: No
Listed Buildings on the site or in the vicinity: No
PTAL: 5 High
Flood Risk Zone: Yes 3
Controlled Parking Zone: No
Air Quality Management Area: Yes

Details of proposal

- 8 Planning consent is sought for alterations to the existing student accommodation building to allow the construction of a five storey (plus basement) extension comprising 49 new bedspaces, disabled parking, cycle parking and associated landscaping. The scheme has been reduced from 56 units.

Planning history

- 9 12/EQ/0081 - Alterations to the existing student accommodation building and construction of a 5 storey extension comprising an additional 29 bed spaces, addition of new single storey reception and common room buildings and alternations to existing car park layout.
This pre-application enquiry was positive on the principle of the development and raised no specific policy objections.
- 10 13/AP/3726 - Alterations to the existing student accommodation building and construction of a 5 storey extension comprising 56 new bed spaces, addition of a new single storey reception and common room; alterations to the existing car park layout and associated landscaping.
Withdrawn.
- 11 13/AP/0744 - Demolition of existing community centre to provide new 7 storey building comprising 18 residential apartments (4 x 1 bed, 5 x 2 bed, 5 x 3 bed and 4 x 4 bed) (100% affordable), replacement community centre (326 sq m) with associated facilities and replacement estate office (108 sq m). Provision of 38 cycle parking spaces.
Approved subject to conditions on 4 March 2013

Planning history of adjoining sites

- 12 None of specific relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 13 The main issues in this case are:
- a] The principle of the development in terms of land use and conformity with strategic policies.
 - b] The impact on the visual and residential amenity of the area.
 - c] Quality of accommodation.
 - d] Transport impacts and access.
 - e] Design quality.

f] All other relevant material planning considerations.

Planning policy

Core Strategy 2011

- 14 Strategic Targets Policy 1 - Achieving growth
- Strategic Targets Policy 2 - Improving places
- Strategic Policy 1 - Sustainable development
- Strategic Policy 2 - Sustainable transport
- Strategic Policy 4 - Places to learn and enjoy
- Strategic Policy 6 - Homes for people on different incomes
- Strategic Policy 8 - Student homes
- Strategic Policy 12 - Design and conservation
- Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 15 The Council's cabinet on 19th March 2013, as required by para 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.

- 16 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 3.28: Biodiversity
- Policy 3.31: Flood Defences
- Policy 4.7: Non-self contained housing for identified user groups
- 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

Supplementary Planning Guidance (SPG) / Documents (SPD)

- 17 Design and Access Statements SPD (2007)
- Section 106 Planning Obligations SPD (2007)
- Residential Design Standards SPD (2008)
- Affordable Housing SPD (2008)
- Sustainable Transport SPD (2008)

Sustainable Design and Construction SPD (2009)
Residential Design Standards SPD (2011)
Draft Affordable Housing SPD (June 2011)

London Plan 2011

- 18 Policy 3.1 Ensuring Equal Life Chances For All
Policy 3.8 Housing Choice
Policy 3.9 Mixed And Balanced Communities
Policy 3.10 Definition Of Affordable Housing
Policy 3.12 Negotiating Affordable Housing On Individual Private Residential And Mixed Use Schemes
Policy 3.18 Education Facilities
Policy 4.1 Developing London's Economy
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 5.15 Water Use And Supplies
Policy 6.3 Assessing Transport Capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.13 Parking
Policy 7.1 Building London's Neighbourhoods And Communities
Policy 7.2 An Inclusive Environment
Policy 7.3 Designing Out Crime
Policy 7.4 Local Character
Policy 7.5 Public Realm
Policy 7.6 Architecture
Policy 7.13 Safety, Security And Resilience To Emergency
Policy 7.14 Improving Air Quality
Policy 7.15 Reducing Noise And Enhancing Soundscapes
Policy 8.2 Planning obligations

National Planning Policy Framework (NPPF)

- 19 4. Promoting sustainable transport
6. Delivering a wide choice of high quality homes
7. Requiring good design.
10. Meeting the challenge of climate change, flooding and coastal change
12. Conserving and enhancing the historic environment

Principle of development

- 20 The London Plan states that local authorities must take into account and acknowledge that students need to be provided for. London Plan Policy 3.18 concerning Education Facilities states that development proposals which enhance education and skills provision will be supported. This support is reiterated in Policy 3.8 Housing Choice which advises that the strategic and local requirements for student housing meeting a

demonstrable need are addressed by working closely with higher and further education agencies and without compromising capacity for conventional homes. A key objective of Policy 3.8 is to ensure new developments offer a range of housing choices in terms of mix of housing sizes and types, taking account of the housing requirements of different groups. As discussed below, Core Strategy SP8 also recognises the need for student accommodation whilst balancing this against other housing need.

- 21 In Southwark, student accommodation is considered to be non self-contained accommodation, defined as "Sui Generis" under the Use Classes Order. Policies relating to housing targets, dwelling mix and quality of residential accommodation are therefore not directly applicable. However, student housing is considered housing for monitoring purposes through the Council's and the GLA's annual monitoring reports.
- 22 Saved Policy 4.7 of the Southwark Plan states that new development which provides non self-contained residential accommodation will normally be permitted where the need for and suitability of the accommodation can be demonstrated. In addition, there must be adequate local infrastructure and the proposed accommodation must be of a satisfactory standard. The new development should not result in a significant loss of amenity to neighbouring occupiers.
- 23 Core Strategy Policy SP 8 deals specifically with student homes and sets out the Council's approach to the provision of student housing over the future plan period (2011 to 2026). Policy SP 8 seeks to ensure that development meets the needs of universities and colleges for new student housing whilst balancing the building of student homes with other types of housing such as affordable and family housing.
- 24 Saved Policy 4.7 of the Southwark Plan and Section 4.3 of the adopted Residential Design Standards SPD (2011) require proposals for student housing to demonstrate an identified need for this type of housing. The 2008 SPD particularly referred to a 'local' need for student housing, including the submission of a letter from a recognised local educational establishment. The requirement to demonstrate a 'local' need was not carried forward in the Core Strategy in order to recognise the strategic nature of the London-wide student housing market and its need. The reference to "local" need was therefore removed from the updated 2011 Residential Design Standards SPD.
- 25 In terms of existing student accommodation, the Southwark Student Housing Study (July 2010) sets out the number of student schemes under construction and schemes consented but not yet implemented. The Study found that Southwark had the second highest number of student schemes of any London borough in the development pipeline. Additionally, there are a number of new student schemes that have been granted permission since the date of the Study.
- 26 Notwithstanding this, the Study found that there was still insufficient student accommodation across London with demand outweighing supply. It was noted that the lack of purpose built accommodation within central London was placing upward pressure on housing demand in the private rented sector. High house prices in some central London boroughs (such as Westminster and Camden) is increasing the demand for rented accommodation in adjacent boroughs such as Southwark. At the same time the provision of purpose built accommodation has not expanded sufficiently and there is, even taking into consideration student schemes in the pipeline, an inadequate amount of purpose built student accommodation.

Environmental impact assessment

- 27 An Environmental Impact Assessment is not required for a development of this nature.

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

- 28 Saved Policy 4.7 and the Residential Design Standards SPDs require student housing to be located in areas that have adequate infrastructure and are easily accessible to public transport. Core Strategy SP 8 allows for student housing developments within town centres, and places with good access to public transport services providing that these do not harm the local character. The application site has a PTAL of 5 (high) and is within close proximity to the shopping and leisure facilities of Canada Water.
- 29 Whilst student schemes can add to the mix and vibrancy of area, schemes should avoid creating an over-concentration of student accommodation. The additional rooms at Mansion Wharf would represent an uplift of 43% which is considered acceptable and will not result in adverse impacts in terms of numbers of students on the site nor will there be an over-concentration of students within the local area.
- 30 In terms of scale and massing, it is acknowledged that a five storey building is a substantial development however it must be viewed within its immediate context and in this case the extension will play a supportive and subservient role to the host building and is not considered to dominate its surroundings. The extension will not have an overbearing or overdominant presence either within the context of the host building or the nearby buildings at Orchard House and the Dock Offices. Only a small portion of the extension, viewed on an highly oblique angle from the most sensitive properties of Orchard House, will be visible and this will only affect one window on each property, and this is not considered to result in a loss of outlook particularly in the context of the existing seven storey building and the limited portion of the extension that will be visible.
- 31 In terms of privacy and outlook the proposed extension block will only be afforded very constrained and oblique views of Orchard House. The proposed lounge rooms will have full height glazing, forming the glazed link between the host building and the extension and will be located immediately opposite the flank wall of Orchard House. The flank wall of Orchard House is blank and the nearest windows are on the east elevation of 17-32 Orchard House. Whilst there will be views from the lounges within the extension to these windows, they will be very constrained, oblique views with a separation distance of 14 metres which meets the Councils standard of 12 metres. As such it is not considered that there will be any adverse impact in terms of overlooking or loss of privacy.
- 32 Concerns have been raised regarding the potential impact on daylight and sunlight. Having consideration for the most sensitive windows, 21-24 Orchard House as detailed above, it is clear that whilst there will be an impact on daylight and sunlight, the extent of the loss would not be so significant to result in a refusal of planning permission. The affected windows are located on the east facing elevation of Orchard House and the windows of the affected dwellings are already impeded by the design of Orchard House, with a significant amount of overshadowing occurring as a result of the stairwell tower and access decks. Of these windows, the most affected are the ground and first floor. At present these windows have an Average Daylight Factor of 1.39 and 1.54 respectively. These windows serve kitchens which the Building Research Establishment recommend should achieve an ADF of 2. As a result of the development, the ADF of the ground and first floor units will be reduced to 1.10 and 1.31 respectively. The reductions in ADF to these windows is marginal and whilst it falls below the 2% recommended by the BRE considerable weight has to be given to the fact that the existing ADF figures are low and the actual reduction from the existing situation to the proposed situation is fairly conservative and on balance this will not result in any significant adverse impact and the remaining rooms of these units will be unaffected as they are located on the other side of the stairwell tower and access

decks.

- 33 In terms of Vertical Sky Component, the worst affected window is again the ground floor however it should be noted that, as a result of the design of Orchard House, all of the affected windows have low existing VSC levels. The BRE recommends a VSC of 27%; the ground floor window has an existing VSC of 8.94% and will be subject to a marginal loss in absolute terms of 2.44%. This results in a dramatic overall reduction of 31% however this is highly distorted as a result of the existing low numbers and a reduction in absolute terms of 2.44% is considered acceptable in the context of the existing situation and the impact of the design of Orchard House on the existing windows. In planning terms a reduction of 2.44% is not considered a significant departure from the aims of the BRE guidance and on balance is considered acceptable and the remaining rooms of these units will be unaffected as they are located on the other side of the stairwell tower and access decks.
- 34 The second and third floor windows currently achieve 1.96 and 2.79 and after development will achieve 1.81 and 2.70 respectively. This is considered acceptable given the existing site context and the retained light and daylight levels that these units will achieve.
- 35 The proposed development is considered acceptable in terms of amenity and there will be no adverse impact on any adjoining or nearby occupiers in terms of a loss of outlook, loss of privacy, sense of enclosure or a detrimental loss of daylight and sunlight. Whilst the proposal will result in an increase in the number of people residing at the site, there will be no impact in terms of increased noise or disturbance/anti-social behavior as there will be on site staff/management and wardens. Any noise complaints can be dealt with adequately under existing environmental health legislation. Having full consideration for the existing consent (13/AP/0744), it is not considered that the proposed extension or the additional students living on site will have an adverse impact on any adjoining occupiers in amenity terms.

Proposed accommodation

- 36 Whilst it is noted that there are no amenity standards for student housing and there are no policy requirements in terms of quality of accommodation, the proposed development is considered to provide well designed rooms. The development will provide two wheelchair accessible units and the remaining rooms will be acceptable in size, with good access to daylight/sunlight and natural ventilation.
- 37 The wheelchair units at ground floor will be fully accessible with a level access achieved from the main entrance adjacent to the proposed accessible car parking spaces. The proposed development is acceptable in terms of the proposed accommodation.

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

- 38 There will be no conflict of use detrimental to amenity.

Transport issues

- 39 The proposed development provides two accessible car parking bays for the proposed wheelchair accessible rooms at ground floor and the provision of 140 cycle parking spaces. Whilst concerns were previously raised regarding the access arrangements for emergency services it should be noted that the access to the site will remain unchanged and dry risers will be available throughout the site. In terms of car parking, two accessible parking spaces are being provided for the two wheelchair units with no

further car parking being provided. The site is within a high PTAL area with good access to public transport with both Canada Water and Surrey Quays Underground Stations within close proximity providing access to the wider TFL network.

- 40 A condition of any planning permission should therefore be imposed which requires the details of the management of term start/end move in/move out to be subject to approval by the Council, in consultation with TFL, to ensure impact on highway operations and potential cycle superhighway/cycle safety is minimised. The plan should also cover management of day-to-day servicing and pick up and drop off of residents and visitors, in particular those with disabilities.
- 41 Similarly, the construction arrangements should at no stage adversely impact on the local road network and, as such, a condition should be imposed on any permission which requires the preparation of the Construction Logistics Plan and its approval prior to any works commencing and compliance with the approved details throughout the period of demolition and construction.
- 42 The current site has 18 cycle parking spaces and the applicant is proposing 140 cycle parking spaces. It is noted that the applicant benefits from an existing consent (13/AP/0744) to reconfigure the internal arrangement of the existing student housing block to provide an additional 28 bedrooms. Should the applicant implement the existing consent (13/AP/0744) as well as the proposed development it will still result in the level of cycle parking being increased from 1 per 4.6 rooms to 1 per 1.15 rooms, a considerable and marked improvement. This is considered acceptable however further details of the cycle parking, such as making it covered, should be secured by condition.
- 43 This proposed development is located in an area with a TfL PTAL rating of 5 reflecting the area's high level of access to all forms of public transport. Developments in areas with this PTAL rating are required to provide on site parking in order to minimise overspill parking on the road network. The proposal site is not situated in a CPZ and the applicant is providing two accessible car parking spaces to serve the two proposed wheelchair units. Given the sites existing use as an 83 bed student housing development and the relatively low level of parking spaces (currently 6 with no accessible parking), The provision of two accessible car parking spaces is considered acceptable. This is further mitigated by the Site Specific Transport Contribution in the S106 Agreement and the vast increase in cycle parking from the existing 18 cycle spaces to 140 cycle spaces. It is noted that that applicant has consent to amend the internal arrangement of the existing building to achieve an additional 28 units (13/AP/0744) however even with this increase, the level of cycle parking will be elevated from 1 per 4.6 rooms to 1 per 1.15 rooms, a considerable and marked improvement.
- 44 In terms of waste, the current waste arrangements will remain unchanged with waste being transported from the site to Lower Road for collection as a responsibility of the management company. These details will be confirmed through the Service Management Plan which is a conditioned requirement of this consent. In addition to this a condition will be imposed to secure details of the on-site waste storage facilities.

Design issues

- 45 Saved Policy 3.13 Urban design, requires that principles of good urban design must be taken into account in all developments. The height, scale and massing of buildings should be appropriate to the local context and should not dominate their surroundings inappropriately; the urban structure, space and movement of a proposal should have regard to the existing urban grain, development patterns and density in the layout of development sites.

- 46 The existing site is extremely enclosed and the existing building is well hidden from the wider public realm. Almost complete blank elevations face the site from all sides with the flank gables of Orchard House to the north west and the south west elevation of the warehouse style building of the Dock Offices to the north east. The main bulk of the proposed extension would be located to the rear of the existing building, tucked above the Y shape. This ensures that it is almost completely hidden from view. To the rear, the extension has been kept in line with the north elevation of Orchard House which would restrict almost all views from Surrey Quays Road to the north. The extension's impact therefore on the character and appearance of the surrounding area is limited.
- 47 The height of the new built form ensures the extensions subservience to the existing building and relates well to the height of the neighbouring Orchard House and Dock Office. The height scale and massing of the development is therefore considered appropriate in the local context.
- 48 The height of the new built form ensures the extensions subservience to the existing building, being five storey relative to the existing seven, and relates well to the height of the neighbouring Orchard House (four storey) and is stepping-down from the seven storey towards the lower-scale commercial Dock Office (which equates to three and a half storey). The height and scale of the development is therefore generally considered appropriate in the local context. Consideration should be given to the nearby Grade II listed Dock Office. The most significant elements of the Dock Office (i.e. the entrance facade and the clock-tower) are located on Surrey Quays Road, behind which runs the 14 bay office/workshop wing; the proposed development sits behind the south east end of this wing which is arguably the least sensitive position for a new setting-building and as such is considered acceptable.
- 49 The main bulk of the extension has a faceted facade form to the north east, which gives a dramatic form to the articulation of the massing. Saved Policy 3.12 Quality in design, requires that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment; new buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment. Saved Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites, states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building.
- 50 A bold contemporary approach has been taken which clearly distinguishes between the original structure and the new built form. This is considered to be an appropriate response to the simple solid structure of the original building (and its relatively low architectural quality) with the glazed curtain-wall providing the linking light-weight element between the two buildings. Key to the success of this scheme however will be the quality of the materials, detailing and finish. Whilst concerns were previously raised with regards to detailed design, namely the use of fibre cement panels and rather small windows on the rear elevation, the applicant has revised the plans to show brickwork which will improve the design quality and provide a contextual relationship with the Dock Offices. The windows on the rear elevation have been increased in size which lightens the appearance of the extension. Brick type and colour shall be secured by way of a planning condition in order to secure a high standard of finish to compliment the design.

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

- 51 Saved Policy 3.12 Quality in design, requires that developments should achieve a high

quality of both architectural and urban design, enhancing the quality of the built environment; new buildings and alterations to existing buildings should embody a creative and high quality appropriate design solution, specific to their site's shape, size, location and development opportunities and where applicable, preserving or enhancing the historic environment. Saved Policy 3.18 Setting of listed buildings, conservation areas and world heritage sites, states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building.

- 52 Consideration should be given to the nearby Grade II listed Dock Office. The most significant elements of the Dock Office (i.e. the entrance facade and the clock-tower) are located on Surrey Quays Road, behind which runs the 14 bay office/workshop wing; the proposed development sits behind the south east end of this wing which is arguably the least sensitive position for a new setting-building and as such is considered acceptable in addition to the subservient scale and massing.

Impact on trees

- 53 The proposed development will have no adverse impact on any trees however it is considered prudent to secure a landscaping scheme to improve the immediate environment around the building and this will be required by way of a planning condition.

Planning obligations (S.106 undertaking or agreement)

- 54 Saved Policy 2.5 of the Southwark Plan states that the Council will seek to enter into planning obligations to avoid or mitigate the adverse impacts of development which cannot otherwise be adequately addressed through conditions; further guidance is contained within the Section 106 planning obligations SPD. the following financial contributions have been agreed with the applicant;

- 55 Employment during construction £20,824.50
Employment Management Fee £3,264
Public open space, children's play equipment and sports development £26,057
Transport strategic £10,927
Transport site specific £24,500
Public realm £36,750
Health £31,080

Admin charges £3,068.05

TOTAL: £156,470.55

The S106 will include the following clause;

Restrict the use of the rooms to full-time students only for no less than 39 weeks per year. For the remainder of the year, this accommodation can be used for holiday lets, i.e. a hotel use.

The accommodation must be let at a rent no greater than rents of comparable student housing in order to ensure the affordability of this user group.

Restrict the occupation of the units to ensure that all single rooms remain in single occupancy;

Ensure that the student accommodation extension is used as a single planning unit in connection with the existing student accommodation at all times.

- 56 As it stands the total value of the S106 agreement at present (excluding legal fees) will be £153,402.50 and all the contributions would be in accordance with the adopted SPD. In the absence of a legal agreement being completed by 15 July 2013, the applicant would have failed to adequately mitigate against the impacts of the development and, in accordance with Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, it is recommended that the application be refused for the following reasons:
- 57 1. The development fails to adequately mitigate against the adverse impacts of the development in accordance with London Plan policy 8.1 - Implementation, Policy 8.2 - Planning obligations, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 58 2. The development fails to contribute towards increasing accessibility to employment through training and other schemes in accordance with London Plan policy 3.1 - Ensuring equal life chances for all, Southwark Plan saved policies 1.1 - Access to Employment Opportunities and 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 59 3. The development fails to contribute towards increasing the quality and quantity of open spaces and associated facilities in accordance with London Plan policy 2.18 - Green infrastructure: the network of open and green spaces , Southwark Plan saved policies 2.5 - Planning Obligations and 3.2 - Protection of Amenity, Core Strategy policies 13 - High environmental standards and 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 60 4. The development fails to contribute towards increasing the capacity of public transport provision and improving accessibility to the development in accordance with London Plan policy 6.4 - Enhancing London's transport connectivity, Southwark Plan policies 2.5 'Planning Obligations' and 5.2 'Transport Impacts', Core Strategy policies 2 - Sustainable transport and 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 61 5. The development fails to contribute towards increasing the quantity of health facilities in accordance with London Plan policy 3.2 - Improving health and addressing health inequalities and policy 3.16 - Protection and enhancement of social infrastructure, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 62 6. The development fails to contribute towards increasing the quality and quantity of community and leisure facilities, in accordance with London Plan policy 3.2 - Improving health and addressing health inequalities and policy 3.16 - Protection and enhancement of social infrastructure, Southwark Plan saved policy 2.5 - Planning Obligations, Core Strategy policy 14 - Implementation and delivery and the Section 106 Planning Obligations Supplementary Planning Document (July 2007).
- 63 Strategic Policy 8 Student homes of the Core Strategy states that development will meet the needs of universities and colleges for new student housing whilst balancing the building of student homes with other types of housing such as affordable and family housing. We will do this by:
1. Allowing development of student homes within the town centres, and places with good access to public transport services, providing that these do not harm the local character.

2. Requiring 35% of student developments as affordable housing in line with policy 6.

- 64 The supporting text for SP8 in the Core Strategy goes on to state that there is a need for more student accommodation across the whole of London and Southwark and that new student homes are encouraged. However it states that “this needs to be balanced with making sure there are enough sites on which to build other types of homes, including affordable and family homes. London Plan Policy 3.8 Housing choice requires the council to identify the range of housing needs in the borough and offer a range of housing choices. Whilst London as a whole has a recognised need for more student bed spaces, the Strategic Housing Market Assessment and Housing Requirements Study also highlight the huge need for more family and affordable housing.” Southwark already has the second largest number of student homes in London. The study identified four significant planning permissions for student housing which, if built, would provide 1,796 new student bedrooms (there have also been further permissions since the Core Strategy was adopted). Had these sites been developed for general needs housing, approximately 703 new homes would have been built of which at least 246 could have been affordable homes and at least 45 would have been family homes. Allowing too much student accommodation will restrict the Council’s ability to deliver more family and affordable housing.
- 65 The supporting text for SP8 goes on further to state that “Policy 3A.7 Affordable housing targets of the London Plan encourages boroughs to look at a range of sources of supply of affordable housing including provision for non-self-contained housing (which includes student housing). By requiring an element of affordable housing or a contribution to affordable housing (as conventional affordable housing as defined in the fact box on page 84) from student accommodation schemes we can make sure we work towards meeting the needs for both student accommodation and affordable accommodation. It will also help us to provide more family housing as within the affordable housing there will be an element of family housing.”
- 66 From the above, it is clear that the policy was created to address the situation where student accommodation developments were taking away land that could be developed for housing. The policy clearly states in the approach that it will apply to “new” student housing; Mansion Wharf is an existing student halls of residence. In the case of new buildings sharing the site, or extensions capable of independent use, it may be arguable that those new elements of student housing should be subject to the affordable housing requirements of SP8. In this case however, where the supply of land for housing is unaffected, and the potential for independent housing units cannot be realised, it would not be reasonable to require a contribution. The fact that it is an extension rather than a wholly new facility would be a material consideration. Whilst the wording of the policy itself does not expressly make it clear how the policy ought to be applied, the supporting text clearly sets out the underlying needs which have justified the new policy. Since these focus largely on need to protect land capable of providing general needs housing, it is suggested that the circumstances of this case make it less appropriate to seek affordable housing as part of the development, either on site or through a commuted sum. In this instance an affordable housing contribution is not required and this follows the approach taken on the previously with drawn application and the pre-application advice.

Sustainable development implications

- 67 Saved policy 3.4 - Energy efficiency of the Southwark plan 2007 (July) states that all developments must be designed to maximise energy efficiency and minimise and reduce energy consumption and carbon dioxide emissions; major developments for residential use are required to provide an eco-homes assessment. Strategic policy 13 - High Environmental Standards of the Core Strategy 2011 requires major

developments to achieve the highest possible environmental standards including targets based on the Code for Sustainable Homes and BREEAM.

- 68 The proposed development will incorporate 'Be Lean, Be Green and Be Clean' principles, communal combined heat and power scheme and photovoltaic panels units to provide domestic hot water and electricity. The incorporation of the 'Be Lean, Be Green and Be Clean' principles will achieve a minimum of 20% reduction on CO2 emissions and will contribute to an overall reduction by 44%. A combined Heat and Power scheme will be implemented in order to further reduce the Co2 emissions towards the 44% target and the development will meet BREEAM 'Very Good'. Given that this is an extension to an older building, achieving BREEAM 'Very Good' is considered acceptable on balance as to achieve 'Excellent' the existing building would need to be retrofitted and refurbished and there are design/structural and viability issues that would make this task unachievable. Given the existing context, BREEAM 'Very Good' is considered acceptable in this instance.
- 69 The Councils Environment Protection Team have been consulted on the proposed development and have raised no objections subject to conditions relating to land contamination and the submission of an Environmental Management Plan.

Flood risk

- 70 The Environment Agency have raised no objections subject to compliance with relevant Flood Risk Assessment.

Other matters

- 71 Section 143 of the Localism Act 2011 states the any financial sum that an authority has received, will, or could receive in the payment of CIL as a material "local financial consideration" in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail. CIL is payable on this application. The applicant has completed the relevant form and CIL is payable on 1876 square metres of floorspace equivalent to a CIL charge of £65,660.

Conclusion on planning issues

- 72 In planning terms the proposed extension is considered acceptable in design terms and in terms of the impact on visual and residential amenity. The proposed extension will provide much needed student accommodation in a sustainable and accessible location with minimal impact on the surrounding environment and this is still considered acceptable in the context of the existing consent (13/AP/0744). The development complies with the relevant saved policies of The Southwark Plan 2007 (July), The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012. Given the above it is considered that detailed planning permission be granted subject to conditions and the completion of a Legal Agreement.

Community impact statement

- 73 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.
- 74 a) The impact on local people is set out above.

- 75 b) There are no issues relevant to particular communities/groups.
- 76 c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

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

Consultation replies

- 78 Details of consultation responses received are set out in Appendix 2.
- 79 Summary of consultation responses
All comments received in response to the proposal have been summarised and addressed below;
- 80 Archaeology - No objections and no conditions or further action required.
Response - Noted and agreed.
- 81 Environmental Protection - No objections subject to conditions regarding land contamination and environmental management.
Response - Noted and agreed, the relevant conditions will be imposed on any consent issued.
- 82 Design and Conservation - No objection subject to material conditions and revisions to show larger windows/brickwork.
Response - Noted and agreed, the applicant has amended the annotations on the plan to show brickwork as opposed to cement fibre panels and the windows on the rear elevation have been increased in size. Conditions in relation to materials will be secured by way of condition.
- 83 Transport - The concerns raised in the previous consultation to transport have been fully addressed as part of this application, namely cycle parking provision has been increased, the disabled units are now fully accessible and the applicant is providing accessible parking. Emergency Services access remains unchanged from the present arrangement and dry risers will be installed. A Travel Plan, Service Manage.
- 84 English Heritage - No objections.
- 85 Environment Agency - No objection subject to the proposal being carried out in accordance with the Flood Risk Assessment.
Response - Noted.
- 86 Transport For London - Request conditions relating to service management plan, construction logistics plan and secure details of day-to-day servicing and pick up and drop off of residents and visitors, in particular those with disabilities as part of the SMP. Additional cycle parking would be desirable and could be accommodated by stacked parking.
Response - The relevant conditions will be attached to any consent issued. In terms of cycle parking, stacked cycle parking does not comply with Southwark Council Standards whereas the proposed Sheffield Stands do. The level of cycle parking provision is in compliance with London Plan standards and represents an improvement to the current situation.

- 87 Thames Water - No objections.
- 88 Following neighbour consultation, six letters of objection have been received. The main points of the letters of objection have been set out and addressed below;
- 89 Objection - The applicant has undertaken very little consultation with the local community.
Response - Whilst applicants are encouraged to undertake consultation it is not a statutory requirement and is not a material consideration. It should be noted however that the applicant did undertake a consultation exercise, including a leaflet drop and public exhibition.
- 90 Objection - The development will be intrusive and will have an overbearing impact on Orchard House. There will also be a loss of outlook and privacy.
Response - In terms of scale and massing, it is acknowledged that a five storey building is a substantial development however it must be viewed within its immediate context and in this case the extension will play a supportive and subservient role to the host building and is not considered to dominate its surroundings. The extension will not have an overbearing or overdominant presence either within the context of the host building or the nearby buildings at Orchard House and the Dock Offices. Only a small portion of the extension, viewed on a highly oblique angle from the most sensitive properties of Orchard House, will be visible and this will only affect one window on each property, and this is not considered to result in a loss of outlook particularly in the context of the existing seven storey building and the limited portion of the extension that will be visible. In terms of privacy and outlook the proposed extension block will only be afforded very constrained and oblique views of Orchard House. The proposed lounge rooms will have full height glazing, forming the glazed link between the host building and the extension and will be located immediately opposite the flank wall of Orchard House. The flank wall of Orchard House is blank and the nearest windows are on the east elevation of 17-32 Orchard House. Whilst there will be views from the lounges within the extension to these windows, they will be very constrained, oblique views with a separation distance of 14 metres which meets the Councils standard of 12 metres. As such it is not considered that there will be any adverse impact in terms of overlooking or loss of privacy.
- 91 Objection - The residents of Orchard House will experience a loss of daylight and sunlight. This in turn will exacerbate problems with damp and the warming effect of the sun will be lost resulting in an increase in energy use to heat apartments.
Response - The affected windows are located on the east facing elevation of Orchard House and the windows of the affected dwellings are already impeded by the design of Orchard House, with a significant amount of overshadowing occurring as a result of the stairwell tower and access decks. Of these windows, the most affected are the ground and first floor. At present these windows have an Average Daylight Factor of 1.39 and 1.54 respectively. These windows serve kitchens which the Building Research Establishment recommend should achieve an ADF of 2. As a result of the development, the ADF of the ground and first floor units will be reduced to 1.10 and 1.54 respectively. the reductions in ADF to these windows is marginal and whilst it falls below the 2% recommended by the BRE considerable weight has to be given to the fact that the existing ADF figures are low and the actual reduction from the existing situation to the proposed situation is fairly conservative and on balance this will not result in any significant adverse impact and the remaining rooms of these units will be unaffected as they are located on the other side of the stairwell tower and access decks.
- 92 Objection - The development will result in an increase in anti-social behavior/noise and disturbance due to the transient nature of future residents.
Response - There is no evidence to suggest that there is an increased risk of

disturbance around student housing. Whilst the proposal will result in an increase in the number of people residing at the site, there will be no impact in terms of increased noise or disturbance/anti-social behavior as there will be on site staff/management and wardens. Any noise complaints can be dealt with adequately under existing environmental health legislation.

- 93 **Objection** - S106 money should be sought for mitigating works to adjacent buildings.
Response - A comprehensive S106 Agreement has been agreed by the applicant for local improvement works however S106 money is not suitable for upgrading existing neighbouring residential accommodations and will be focused on mitigating the adverse impact of the development on the local environment, infrastructure and services.
- 94 **Objection** - The proposal will impact on the emergency services ability to access the site and this may impact on Orchard House.
Response - The access arrangements remain unchanged and as such it is not considered that there will be an impediment to emergency services accessing the site. Dry risers will be installed in line with Building Regulations requirements.

Human rights implications

- 95 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.
- 96 This application has the legitimate aim of providing student housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/139-99 Application file: 13/AP/0999 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 5365 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Terence McLellan, Senior Planning Officer	
Version	Final	
Dated	10 July 2013	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	27 June 2013	

Consultation undertaken

Site notice date: 02/05/2013

Press notice date: 25/04/2013

Case officer site visit date: 02/05/2013

Neighbour consultation letters sent: 19/04/2013

Internal services consulted:

Access Officer
Archaeology
Design and Conservation
Environmental Protection Team
Planning Policy
Transport
Waste Management

Statutory and non-statutory organisations consulted:

English Heritage
Environment Agency
Transport For London
Thames Water

Neighbours and local groups consulted:

19/04/2013	FLAT 50 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013	FLAT 48 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013	FLAT 49 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013	FLAT 39 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BE
19/04/2013	FLAT 4 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BE
19/04/2013	FLAT 37 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BE
19/04/2013	FLAT 38 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BE
19/04/2013	FLAT 42 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
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19/04/2013 66A LOWER ROAD LONDON SE16 2TU
19/04/2013 ST JOSEPHS PRIMARY SCHOOL GOMM ROAD LONDON SE16 2TY
19/04/2013 FLAT 19 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 28 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 11 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 12 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 1 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 10 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 15 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 16 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 13 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 14 WELLS HOUSE HOWLAND ESTATE LOWER ROAD LONDON SE16 7BN
19/04/2013 FLAT 31 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 32 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL

19/04/2013 FLAT 29 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 30 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 35 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 36 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 33 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 34 RITCHIE HOUSE HOWLANDS ESTATE MOODKEE STREET LONDON SE16 7BL
19/04/2013 FLAT 46 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013 FLAT 47 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013 FLAT 44 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013 FLAT 45 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BG
19/04/2013 FLAT 5 COLUMBIA POINT CANADA ESTATE MOODKEE STREET LONDON SE16 7BE

Re-consultation:

Re-consultation not required.

APPENDIX 2

Consultation responses received

Internal services

Archaeology - No objection.

Design and Conservation - No objection, conditions.

Environmental Protection Team - No objection, conditions.

Transport - No objection, conditions.

Statutory and non-statutory organisations

English Heritage - No objections.

Environment Agency - No objections.

Transport For London - No objections.

Thames Water - No objections.

Neighbours and local groups

Orchard House Nos. 21, 23, 24, 27, 29 and 31.

Orchard House Ltd.