

Item No. 7.1	Classification: Open	Date: 29 April 2014	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 13/AP/4586: full planning permission Address: 175-179 LONG LANE, LONDON SE1 4PN Proposal: Redevelopment of site to provide a new part five, part six, part seven and part eight storey building (max height 25.7m) comprising commercial floorspace (Class B1) at ground floor and 95 residential units (Use Class C3) above; associated car parking and cycle parking, landscaping, and podium garden at first floor level.		
Ward(s) or groups affected:	Grange		
From:	Head of Development Management		
Application Start Date 23/12/2013		Application Expiry Date 27/05/2014	
Earliest Decision Date 08/02/2014			

RECOMMENDATION

1. That planning permission is granted subject to conditions and the applicant entering into an appropriate legal agreement by no later than 27 May 2014.
2. That in the event that the requirements of paragraph 1 are not met by 27 May 2014, the Head of Development Management be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 139 of this report.

BACKGROUND INFORMATION

Site location and description

3. The site is bounded by Long Lane to the south, Weston Street to the west, Bermondsey Leathermarket to the north and residential developments to the east. The site is currently used for B class commercial floorspace and the majority of units are currently let. The site comprises warehouse buildings and office spaces fronting Long Lane which are three storeys in height, with a high single storey warehouse building behind. To the rear of the site is an area of hardstanding for car parking and servicing, access from Weston Street. There are a number of mature street trees directly adjacent to the site on Long Lane.
4. The area surrounding the site is predominantly residential, however, there are a number of commercial uses within the area. Immediately to the north of the site is Bermondsey Leathermarket which is a Grade II listed building situated in the Bermondsey Street conservation area, currently used as a business centre letting out small business units. The general built form and scale of the surrounding area is mixed. On Long Lane there is a mixture of two storey houses and larger residential blocks around six storeys in height. The large residential development to the east of the site has a central building set back from the street that rises to 12 storeys

(Antonine Heights). To the west of the site on the corner of Weston Street and Long Lane is a seven storey building currently under construction, which was consented under planning reference 12/AP/2589.

- The site is situated in the central activities zone, air quality management area, archaeological priority zone, and a flood risk zone. The site is situated within the Bankside, Borough and London Bridge opportunity area. The site has a public transport accessibility level (PTAL) of three which indicates a medium access to public transport. The site is adjacent to the southern boundary of the Bermondsey Street conservation area.

Details of proposal

- It is proposed to demolish the existing warehouse buildings on the site and to construct a new part five, part six, part seven and part eight storeys building comprising commercial floorspace (B1) at ground floor and residential units (Use Class C3) above with associated car parking, cycle parking and landscaped open/communal space. A total of 95 residential units are proposed (39 x one bed, 37 x two beds and 19 x three beds). The application proposes to provide 1,375 sqm of Class B1 floorspace at ground floor level, laid out as six commercial units but capable of being consolidated into fewer, larger units.
- At first floor level an area of external landscaped communal open space (1,120 sq. m) will be created which will be accessible to all of the residents within the new development.
- The proposal is 'car free' save for nine car parking spaces for disabled residents within the central covered courtyard at ground floor level. A total of 128 residential cycle parking spaces and ten commercial cycle parking spaces are provided at ground floor level.
- Vehicular access is from Weston Street. Servicing will be off-street within the covered parking/servicing area. Refuse and recycling stores will be provided at street level.
- The proposed mix of units is as follows:

Unit Type	Number	%
1 bed	39	41
2 bed	37	39
3 bed	19	20
Total	95	100

- The proposal is also providing nine unit wheelchair accessible units which equates to 27 habitable rooms out of a total 265 habitable rooms (ten per cent).
- Within this scheme the affordable housing offer can be broken down as follows:

Unit Type	Target Rent	Shared Ownership	Total
1 bedroom	9	6	15
2 bedroom	11	5	16
3 bedroom	7	0	7
Total	27	11	38

Amendments to the scheme since submission

- A number of amendments to the scheme have been made since submission and in

summary these are as follows:

- Increase in the affordable housing offer from 25 per cent to 39.4 per cent.
 - Amendments to the tenure mix and rental levels which now comprises 75 per cent target rent units and 25 per cent intermediate units.
 - Reduction in height of the proposal from nine to eight storeys and amendments to the upper floors.
 - Alterations to the Weston Street and Long Lane elevations including revised materials.
 - Alterations to the design of the corner element.
 - Increased balconies sizes to some of the units.
 - Amended ground floor layout and reduction of one disabled parking space.
 - Amended landscaping.
14. It was not considered that re-consultation was necessary in this instance as there were no materially increased impacts on neighbours over and above the originally submitted proposal.

Planning history

15. 13/AP/4375 Screening opinion – E.I.A. not required. Demolition of existing buildings for a development comprising of 1,375sqm (GEA) commercial accommodation, 99 residential units, a ground floor courtyard for servicing, refuse storage and ten disabled parking spaces, and communal open space at the first floor [decision date 14/02/2014].

Planning history of adjoining sites

171 Long Lane, SE1 4PN

16. 13/AP/4163 Current application – Variation of S106 Agreement, LBS Reg: 12-AP-2859, to provide a commuted sum in lieu of on site provision of affordable housing.
17. 12/AP/2859 [and related AODs] Permission granted for demolition of existing part single part two storey public house (Use Class A4) and erection of a seven storey plus basement building to provide a shop (Use Class A1) and 19 residential units together with associated plant room refuse store and cycle parking [decision date 21/02/2013].
18. 11/AP/4364 Permission granted for demolition of existing building and erection of a six storey plus basement building to include 13 residential units and two levels of commercial accommodation A1 (shops), A2 (financial and professional), A3 (restaurant/cafe), A4 (drinking establishment), B1 (business) at ground and basement levels together with ancillary refuse and cycle parking [decision date 02/07/2012].

199 Long Lane SE1 4PD

19. 08/AP/2248 Permission refused for erection of a ground plus six storey office building with retail (class A1) on the ground floor [decision date 31/12/2008] Appeal dismissed [appeal decision date 14/05/2009]. The reason for refusal related to the design, mass and siting and the related impact on neighbouring amenity. The inspector upheld the decision of the council in relation to the impact on amenity although did not uphold concerns in relation to design.

193-197 Long Lane SE1 4PD

20. 03/AP/0641 Permission granted for demolition of existing building and construction of a seven storey building comprising of office (Class B1) use on the ground floor and 83

self contained flats on the upper floors together with associated car parking and amenity space [decision issued 13/01/2005].

202-204 Long Lane SE1 4QB

21. 13/AP/0294 Permission granted for erection of a basement and part three, part four and part five storey building to provide eight residential units fronting Long Lane (5 x 2 bed and 3 x 3 bed), plus provision of cycle parking, refuse store and associated landscaping works [decision issued 01/07/2013].

174-178 Long Lane London

22. 05/AP/0135 - Permission granted for construction of a part-five/part-six storey building comprising 23 self contained flats with 11 parking spaces at the rear and vehicular access from Weston Street - variation to permission dated 22/9/04 including changes to design and reduction in parking spaces from 12 to 11 [decision issued date 29/04/2005].

KEY ISSUES FOR CONSIDERATION

Summary of main issues

23. The main issues to be considered in respect of this application are:
- a) Principle of land use, including reduction in B class floorspace
 - b) Environmental impact assessment
 - c) Impact of proposed development on amenity of adjoining occupiers and surrounding area
 - d) Impact of adjoining and nearby uses on occupiers and users of proposed development
 - e) Transport and car parking
 - f) Design, including building heights and massing
 - g) Density
 - h) Impact on the Bermondsey Street Conservation Area
 - i) Impact on the setting of listed buildings
 - j) Affordable housing
 - k) Housing quality and mix
 - l) Planning obligations (S.106 undertaking or agreement)
 - m) Mayoral Community Infrastructure levy
 - n) Sustainable development implications
 - o) Air quality
 - p) Flood risk.

Planning policy

Core Strategy 2011

24. 1 – Sustainable development
2 – Sustainable transport
5 – Providing new homes
6 – Homes for people on different incomes
7 – Family homes
10 – Jobs and businesses
12 – Design and conservation
13 – High environmental standards

Southwark Plan 2007 (July) - saved policies

25. The council's cabinet on 19 March 2013, as required by paragraph 215 of the National Planning Policy Framework 2012 (NPPF) considered the issue of compliance of Southwark Planning Policy with the NPPF. 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.

26. 1.4 Employment sites outside the Preferred Office Locations and Preferred Industrial Locations
2.5 Planning Obligations
3.1 Environmental Effects
3.2 Protection of Amenity
3.3 Sustainability Appraisal
3.4 Energy Efficiency
3.6 Air Quality
3.7 Waste Reduction
3.11 Efficient Use of Land
3.12 Quality in Design
3.13 Urban design;
3.14 Designing out crime;
3.15 Conservation of the historic environment
3.18 Setting of listed buildings, conservation areas and world heritage sites
3.19 Archaeology
4.1 Density of Residential Development
4.2 Quality of Residential Development
4.3 Mix of Dwellings
4.4 Affordable Housing
5.1 Locating Developments
5.2 Transport Impacts
5.3 Walking and Cycling
5.6 Car Parking
5.7 Parking Standards for disabled people and the mobility impaired

London Plan (2011) including revised early minor alterations 2013

27. Policy 3.3 – Increasing Housing Supply
Policy 3.4 – Optimising Housing Potential
Policy 3.5 – Quality and design of housing developments
Policy 3.6 – Children and young people's play and informal recreation facilities
Policy 3.8 – Housing choice
Policy 3.9 – Mixed and balanced communities
Policy 3.11 – Affordable housing targets
Policy 3.12 – Negotiating affordable housing
Policy 4.3 – Mixed use development and offices;
Policy 5.1 – Climate change mitigation
Policy 5.2 – Minimising carbon dioxide emissions
Policy 5.3 – Sustainable design and construction
Policy 5.4A – Electricity and Gas Supply
Policy 5.5 – Decentralised Energy Networks
Policy 5.6 – Decentralised Energy in Development Proposals
Policy 5.7 – Renewable energy
Policy 5.10 – Urban Greening
Policy 5.11 – Green roofs and development site environs

Policy 6.3 – Assessing effects of development on transport capacity
Policy 6.4 – Enhancing London’s transport connectivity
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 8.2 – Planning obligations

National Planning Policy Framework (NPPF)

28. Section 1: Building a strong, competitive economy
Section 3: Promoting sustainable transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change
Section 12: Conserving and enhancing the historic environment

Principle of development

29. The NPPF states that development that is sustainable should go ahead, without delay – a presumption in favour of sustainable development that is the basis for every plan and every decision.
30. In relation to delivering housing, the NPPF states that local authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.
31. In respect of business, paragraphs 160 and 161 of the NPPF advise that local planning authorities (LPAs) should have a clear understanding of business needs and develop evidence bases to inform their policies and decisions on the needs for land or floorspace for economic development.
32. The site currently comprises employment generating B class business/warehouse uses and therefore the loss of any B class floorspace would need to be justified. The existing businesses appear include elements of both storage and office uses.
33. The application proposes to provide Class B1 floorspace at ground floor level. The B class floorspace on the site will fall from 2,867 sq. m. to 1,375 sqm. As such the proposed change of use would result in the loss of B class floorspace (Use Class B) outside the preferred office and industrial location, contrary to Strategic Policy 10 of the Core Strategy (2011) and contrary to Saved Policy 1.4 ‘Employment sites outside the Preferred Office Locations and Preferred Industrial Locations’ of the Southwark Plan (2007).
34. Strategic Policy 10 ‘Jobs and Businesses’ of the Core Strategy (2011) seeks to protect and increase the amount of business floorspace in the following locations:
 - the Central Activity Zone (CAZ)
 - Town and Local Centres
 - Strategic Cultural Areas
 - Action Area Cores.

35. Saved Policy 1.4 'Employment sites outside the Preferred Office Locations and Preferred Industrial Locations' of the Southwark Plan (2007) seeks to protect employment floorspace where on sites which have an established B Class Use and which meet any of the following criteria:
- the site fronts onto or has direct access to a classified road; or
 - the site is in a Public Transport Accessibility Zone; or
 - the site is within the CAZ; or
 - the site is within a Strategic Cultural Area.
36. The policy states that development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made to this where:
- a) The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful or
 - b) The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints or
 - c) The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floor space may be used for suitable mixed or residential use.
37. The site lies within the CAZ. It fronts onto Long Lane, which is a classified road, although it does not have direct access onto it (the access being from Weston Street). It is not within a public transport accessibility zone (as these are no longer used) and is not within a strategic cultural area.
38. The applicants have not marketed the property so criterion (a) does not apply. In relation to criterion (b), it is not suggested that the site is physically or environmentally unsuitable for B Class use. The applicants are proposing to redevelop the site with a mixed use scheme, with a B1 class element, although the re-provision of the B class floorspace is approximately 50 per cent of the original floorspace.
39. The applicants state that the new commercial element will lead to significantly more jobs (approximately 60-70 based on the Homes and Communities Agency Employment Density Guide 2010 for a B1 use) than the existing use. The submitted information outlines that the existing employment levels at the site are low, due to the nature of the B8 class use and that the proposed commercial space could provide a greater level of employment. However, in the absence of any further details to support this justification, this alone cannot be accepted as sufficient justification for the loss of business space, since the redevelopment of the site with full replacement B1 floorspace could provide a much higher number of jobs.
40. In this instance consideration is given to the location of the site within the CAZ, to the viability appraisal submitted and to the affordable housing offer provided. The site is on the southern edge of the CAZ, which is a relatively peripheral location for offices, within an area that is changing towards a more residential character. As such any redevelopment proposals need to be considered in the context of the viability of the location for offices, and the very high housing targets and need for affordable housing in Southwark.
41. The applicants have submitted evidence to demonstrate that a scheme that provides a

100 per cent re-provision of commercial floorspace, plus a policy compliant level of affordable housing, would not be viable. In order to provide 100 per cent replacement B class floorspace and still be viable, the scheme would only be able to support 28 per cent affordable housing, or 23 affordable housing units. This is due to the fact that B class floorspace does not produce as high a value as residential floorspace, and so higher levels of B class floorspace impacts on the overall viability of a scheme. The viability assessment was scrutinised on behalf of the council by the internal property team and following negotiation and amendments, agreement has been reached on viability evidence. The scheme has been revised to increase the amount of affordable housing to almost 40 per cent (a total of 38 units) with a tenure mix of 75 per cent target rent and 25 per cent intermediate. The intermediate units are being provided at Southwark's affordability thresholds. This is a significant contribution to affordable housing need and is a positive aspect of the development. This issue is considered further at paragraphs 116-123.

42. In determining the application, members need to give due weight to the competing policy objectives of retaining employment floorspace, and the need for additional housing, particularly affordable housing. The weight to be accorded to each objective will be influenced by matters such as the location, the character of the surrounding area, the relative demand, and the amount of affordable housing being provided. In this case, the demand for large amounts of office and commercial space may be more limited here than for sites which are more centrally located or near to public transport hubs. As such, the benefits of providing larger amounts of housing on this site, and particularly the very high proportion of affordable housing, could be given considerable weight, in line with the overarching objectives of the NPPF. It is therefore recommended that, in the particular circumstances of this case, the loss of a proportion of the B class floorspace is outweighed by the benefits of being able to provide additional affordable housing on this site.
43. Therefore on balance a mixed-use scheme, with active frontages provided by B class units, providing modern flexible space, plus new housing, including an above policy compliant affordable housing offer, is an appropriate response to this site. The reduction of B class floorspace is justifiable in these particular circumstances, since the loss enables an increased affordable housing provision.

Environmental impact assessment

44. A screening opinion was requested under application 13/AP/4375. Having regard to the scale and likely impacts of the development, no likely effects were identified that would be so significant as to warrant an environmental impact assessment. As such it was the decision of the council that an environmental impact statement was not required [decision date 14/02/2014].

Density

45. Strategic Policy 5 'Providing new homes' of the Core Strategy describes the density range that development is expected to fall within in different parts of the borough. This is also described in saved policy 4.1 'Density of residential development' in the Southwark Plan. This development site is located within the CAZ and developments in this zone are expected to be between 650 and 1,100 habitable rooms per hectare (hr/ha). The density of the submitted scheme is approximately 875 hr/ha and as such falls within the density parameters for this zone.

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

46. The nearest residential developments are located at 171 Long Lane, 119 Weston

Street (Tangerine House) and 193-197 Long Lane. The main considerations are the impact on daylight and sunlight, impact on privacy and the impact on outlook. It is noted that objections have been received from residents of 119 Weston Street and from 197 Long Lane. 171 Long Lane is not yet completed and hence is not occupied at present.

Daylight and sunlight

47. The Building Research Establishment (BRE) 2011 guidelines 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' is the document referred to by most local authorities. The BRE Guide covers amenity requirements for sunlight and daylight to buildings around any development site. The introduction to the guidelines state:
48. *"The guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and this document should not be seen as an instrument of planning policy. Its aim is to help rather than constrain the developer. Although it gives numerical guidelines, these should be interpreted flexibly because natural lighting is only one of the many factors in site layout design."*
49. The amount of light available to any window depends upon the amount of unobstructed sky that can be seen from the centre of the window under consideration. The amount of visible sky and consequently the amount of available skylight is assessed by calculating the vertical sky component (VSC) at the centre of the window.
50. If the VSC is greater than 27 per cent then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. The guidance states that If the vertical sky component with the new development in place, is both less than 27 per cent and less than 0.8 times its former value (more than a 20 per cent reduction), then occupants of the existing building will notice the reduction in the amount of skylight. The VSC calculation only measures light reaching the outside plane of the window under consideration, so this is potential light rather than actual. Depending upon the room and window size, the room may still be adequately lit with a lesser VSC value than the target values referred to above. The guidelines advise that bathrooms, toilets, storerooms, circulation areas and garages need not be analysed. The guidelines also suggest that where layouts of existing neighbours are known that the distribution of daylight within rooms is reviewed although bedrooms are considered to be less important.
51. Paragraph F6 of the BRE guidelines (page 62) states that when assessing loss of daylight to an existing building the VSC methodology is generally recommended.
52. A daylight and sunlight report has been prepared by GVA consultants for the application site, which assesses the proposed development against the building research establishments (BRE) guidelines. This was amended to consider the impact on daylight and sunlight levels on 171 Long Lane as a result of the reduction in height of the proposal. Additional plans were also provided during the course of the application, indicating the location of the windows referred to in the tables.
53. The adequacy of daylight received by existing neighbouring dwellings was measured using two methods of measurements. The principal method is the use of the VSC followed by a measurement of the internal daylight distribution by plotting the position of the 'existing' and 'proposed' no sky line contour where the internal layout and window sill and head heights are known.
54. As previously stated, the BRE guidance explains that a property should retain a VSC level of at least 27 per cent, in order to confirm that diffused daylighting remains

satisfactory. Should a property receive a VSC level of less than 27 per cent following construction of a new development, then the proposed VSC should not be less than 0.8 times its former (existing) value, if the reduction in daylight is to remain unnoticeable.

55. When daylight distribution is interpreted in conjunction with the VSC value, the likely internal light conditions, and hence the quality of lighting within the room, can be assessed.
56. The BRE advises against the use of average daylight factors (ADF) as a tool to measure the impact of a development on adjoining or nearby occupiers which instead should be considered using VSC. ADF is only considered as an appropriate measure of assessing daylight primarily for proposed dwellings.
57. However the submitted report has considered the existing and proposed ADF values on surrounding properties as well as the proposed units, and it is stated that this can be interpreted as a more accurate and representative measure of internal lighting conditions as it comprises a greater number of design factors and input variables/coefficients. Unlike the application of VSC, ADF differentiates between different room uses. The highest ADF standard is placed on kitchens where the minimum target value is 2 per cent daylight factor. Living rooms should achieve 1.5 per cent daylight factor and bedrooms 1.0 per cent daylight factor.
58. In terms of sunlight, the requirements for protecting sunlight to existing residential buildings are set out in section 3.2 of the BRE Guidelines. A good level of sunlight will be achieved where a window achieves more than 25 per cent annual probable sunlight hours (APSH) of which 5 per cent should be in the winter months. When sunlight levels fall below this suggested recommendation, a comparison with the existing condition should be undertaken and if the reduction ratio is less than 0.2, i.e. the window continues to receive more than 0.8 times its existing sunlight levels, the impact on sunlight will be acceptable. The BRE guidelines also limit the extent of testing for sunlight to where a window faces within 90 degrees of due south.

No. 171 Long Lane

Daylight

59. This is a recently consented scheme located opposite the application site, across Weston Street, and is currently under construction. The daylight assessment refers to a number of windows that see a reduction of more than 20 per cent VSC. The ground floor is a commercial unit. At first to fifth floor levels of this consented schemes there are open plan living/kitchen/dining room and bedrooms that are impacted by the proposed scheme. At first, second and third floor the bedrooms the reduction in VSC is greater than 20 per cent, up to a 48 per cent loss in the worst case at first floor level.
60. However, this building is under construction and has not yet been occupied. Therefore, the use of VSC, which measures the extent to which occupiers will experience change, is of less value than it would be in an established residential block. The analysis shows that the living rooms retain good levels of VSC, and the bedrooms are normally acknowledged to have a lesser requirement for daylight. The ADF levels are all well in excess of the minimums recommended by the BRE (being between 3.6 per cent and 7.99 per cent for the living/kitchen/dining rooms).
61. As such the rooms are considered to retain acceptable levels of daylight for their intended use.

Sunlight

62. The report provides the results of the daylight analysis which demonstrates that all of the residential units (there is commercial on the ground floor) achieve the sunlight standards expected by the BRE.

119 Weston Street – Tangerine House

63. The report refers to two rooms at ground floor level that see a more than 20 per cent reduction in VSC. A site visit indicated that these are residential rooms although their use is unknown. One of these rooms is dual aspect. The single aspect room will see a loss of 25 per cent in VSC while one of the windows to the dual aspect room will see a loss of 24 per cent in VSC. The ADF values reduce to just under one per cent in the worst case. With the exception of one window, the upper floor retains VSC levels at more than 0.8 times the current values.
64. Given the three storey height of the existing building any redevelopment of this site is likely to impact on the ground floor of this property. In this location, the limited instances of reduced VSC beyond that recommended by the BRE is not considered to be so significant as to warrant refusal.

Sunlight

65. The result of the daylight analysis indicates that all of the windows tested achieve the required standard save for a window on the ground floor (W1/100) which sees a loss of 27.27 per cent APSH (from 11 per cent to 8 per cent). It is noted that this room is also served by another window which will serve to mitigate the impact of this loss of daylight.

193-197 Long Lane

66. This is a seven storey building which lies immediately to the east of the proposal site. It is orientated north-south, with a primary elevation aligned with the boundary to the proposal site. During the pre-application consultation process, the applicants considered various options for laying out the building, one of the key challenges being to create an acceptable relationship with the neighbouring dwellings. The submitted layout is a u-shaped block with its open end towards 193 Long Lane. This enables the flats there to benefit from views over the communal garden, and limits the number of windows potentially affected in terms of daylight and sunlight. The building's massing also steps down towards the east, to improve sunlight and daylight penetration.
67. The report notes a loss of daylight to windows at second to third floor levels with a VSC loss ranging from 25 per cent to 44 per cent. A further two windows at fourth floor level see a loss of 27 per cent in VSC. It is noted that plans were not available to verify the floor layouts. However it has been assumed that residential is from the second to the seventh floor. It is noted that the proposed development is at a height of six storeys adjacent to this development and this height is not considered excessive. As with 171 Long Lane, windows at first to third floor level will be impacted by any form of redevelopment on this site which results in an uplift in height over the existing warehouse.
68. The report notes a loss of daylight to windows at second to third floor levels with a VSC loss ranging from 25 per cent to 44 per cent. A further two windows at fourth floor level see a loss of 27 per cent in VSC. It is noted that plans were not available to verify the floor layouts. However it has been assumed that residential is from the second to the seventh floor. All remaining windows from fourth floor upwards retain a VSC of over 27 per cent. The reduction in VSC is greatest where windows are very close to

the common boundary. It is considered that the applicant has made a reasonable response to the site, in terms of the height and layout, reflecting its inner urban location. The loss of daylight to 193-197 Long Lane is not so significant as to warrant refusal of an otherwise acceptable scheme.

Sunlight

69. The report does not test these windows as they do not fall within 90 degrees of due south.

Overlooking

70. The Residential Design Standards SPD (2011) sets out standards in relation to separation distances to ensure that no overlooking results from new development. To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:
71. • a minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
- a minimum distance of 21 metres at the rear of the building.
72. Opaque glazing is proposed for the east facing windows of the units adjacent to 193-197 Long Lane, at first to fifth floor levels. There are balconies and windows on the western elevation of 193-197 Long Lane facing towards the proposed development, and the separation distance is just over five metres at the closest point. However it is considered that the opaque glazing overcomes any overlooking from the proposed units. There are a number of terraces and balconies which fall within 21 metres of the neighbouring properties, but the expected level of use and in most cases the oblique angle would not lead to unreasonably obtrusive overlooking.
73. In relation to the impact on 119 Weston Street (Tangerine House) it is noted that there is a distance of at least 21 metres between the balconies/terraces of the proposed units and this building. As such this is sufficient distance to ensure that no intrusive overlooking occurs.
74. In relation to the impact on 171 Long Lane, there is a distance of at least 14 metres from the balconies of the proposed units and this development (which is currently under construction). This exceeds the 12 metres separation distance required across a highway.

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

75. Surrounding the application site there is a mix of residential and office uses. It is not considered that such uses would impact on the amenity of future occupiers of the site.

Transport issues

Car parking

76. The development provides minimal car parking, and will not create any significant highways impacts. It is anticipated that the site will increase use of public transport but the scale of development is not expected to create an adverse affect on the capacity of public transport. It is not considered that the highways impact will be any greater than the existing warehouse use.

77. The applicant has proposed to provide nine off street disabled bays. The applicant will be required to provide a parking management strategy to ensure that the disabled parking spaces are always allocated on the basis of need, given that not every wheelchair accessible unit owner will own a vehicle and not every disabled driver will require a wheelchair unit. This can be secured through the S106 agreement.
78. It is considered that removal of the ability to apply for a parking permit should be ensured by way of condition as the site is within a high PTAL and falls within a CPZ, in order to reduce car reliance and ensure no further parking stress in the immediate area.
79. The applicant is required to contribute towards the provision of an on-street car club bay given that the bays in close proximity to the site are already heavily used. Further to this, the applicant will be required to provide three years free car club membership for each eligible adult of the residential element of the development. Both of these requirements can be secured through the S106 agreement.

Cycle parking

80. The applicant has proposed to provide 128 cycle stands for the residential units. This is in compliance with the London Plan standards and is in excess of the required one space per unit required in Appendix 15 of the Southwark Plan, which equates to 95 spaces; 62 spaces are provided in the form of Sheffield Stands (ten Sheffield stand spaces have been provided for the commercial element, in excess of the six required as per Appendix 15 of the Southwark Plan) and 12 Sheffield stand visitor parking spaces have been provided in an area fronting onto Long Lane. These have been located between the existing street trees so as to minimise obstruction to pedestrian movement. Since this is outside the curtilage of the site, a consent from Highways will be required for this cycle parking and an informative should be added to any consent notifying the applicant of this requirement.

Servicing and refuse vehicle access

81. The applicant has proposed to remove the existing cross-over on Weston Street and provide a new cross-over 12 metre south of the removed cross-over. Cyclists will access the site using the same vehicular access.
82. The transport policy team do not have any concerns with regards to this proposal given the low number of vehicular movements and the speeds associated with these vehicles are anticipated to be slow. Pedestrian access will be from Long Lane and Weston Street.
83. The applicant has proposed to provide servicing within the curtilage. The applicant has stated that they are expecting an average of ten deliveries a day for the residential element of the development, and 14 a day for commercial, giving a total of 24 a day.
84. Visibility splay diagrams and swept paths for the largest vehicle expected are required. These have not been provided to date and as such should be requested by way of condition.

Travel plan

85. The travel plan is of good quality and seeks to promote the use of sustainable travel to and from the site. The travel plan is acceptable, and the provisions can be secured through the S106.

Cycle hire

86. TfL, in their response to the application, note that the site is directly opposite the Long Lane cycle hire scheme (CHS) docking station. This is a small docking station with only 20 docking points and, as a result, suffers from being full at a much higher rate than the CHS average. Expanding the number of docking points would allow the docking station to operate more efficiently and effectively and would also provide additional capacity to serve the increased demand from the development. A contribution of £60,000 has been requested by TfL to expand the Long Lane docking station by up to 15 docking points, and this has been agreed by the applicant.

Design issues and Impact on character and setting of listed buildings and/or conservation area

87. Saved Policy 3.13 Urban Design, requires that the height, scale and massing of buildings should be appropriate to the local context and should not dominate its surroundings inappropriately.
88. The entire adjacent Leathermarket site is within the Bermondsey Street conservation area and all of that site apart from 108 Weston Street, is grade II listed. As this forms the northern boundary to this proposal site, the development must show that it would preserve or enhance the setting of these heritage assets.
89. It is important that there is no “conflict between the heritage asset’s conservation and any aspect of the proposal (including by development affecting the setting of a heritage asset).” Paragraph 129 of NPPF (see also paragraphs 132 and 137). The scale of the development in the setting of a three to five storey listed building is critical. The significance of this heritage asset has a great deal to do with its presence on Weston Street frontage.
90. The building heights in the surrounding context are varied, ranging from two storeys to the west and south, six to the east and south west (on the corner of Weston Street and Long Lane), and three to five storeys within the grade II listed Leathermarket to the north. The exception in the surrounding townscape is the 12 storey tower at Antonine Heights, which is within the courtyard of the large residential development to the east; however this positioning gives its bulk a less direct impact on the surrounding streetscapes, and views of it are generally restricted.
91. This revised proposal responds to concerns raised by the initial submission, namely the height and the detailed design.
92. The corner element of the proposal has been reduced by one floor, from nine to eight storeys. This has had some benefit in terms of the building’s response to the junction and on views from the west along Long Lane. The corner projections framed in steel will distinguish it from the rest of the building. The top floor is now a lighter weight structure which will reduce its dominance. This detail should be confirmed in sections through the roof line/parapet of the set back top floor to ensure the fascia above the window does not become too deep. This can be required by way of condition.
93. The building height along Long Lane is broadly consistent with the neighbouring buildings at 193-197 Long Lane to the east (although it is noted that 193-197 Long Lane is seven storeys in height, whereas this proposal is six storeys for the most part, rising to seven and eight on the corner of Long Lane and Weston Street). The modulation on the Long Lane elevation serves to break up the mass of the building, as do the set back elements. This is also the case for the Weston Street elevation, with modulation and setbacks breaking up the apparent bulk of the building.

94. The two principal elevations have improved since the original submission. The removal of large areas of metal cladding has improved the appearance, so that there is now a better ordered pattern of bays along Long Lane.
95. The building is now a predominantly brick building, in two tones, with inset balconies on the street frontages and setback top floor. The base of the building is defined as commercial with generous floor to ceiling heights and full height glazing and this contributes to the creation of a strong base and an active street frontage along Long Lane and Western Street. Details of the gate for the car park should be secured by way of condition.
96. The areas of glass brick is potentially beneficial, helping to define the corner projection, separating it from the rest of the elevations. Additional details of this glass cladding will be required by way of condition.
97. Details of the junctions around windows and ground floor entrance ways and commercial frontages should be ensured by way of condition. This level is all brick and the quality of the brickwork within the reveals and soffits must be guaranteed.
98. Conditions should cover all materials and require a sample panel structure to be completed on site. These conditions should ensure that the building is not only exemplary in detailed design, but that the material finish of the building responds sensitively (though not imitatively) to its historic environment.
99. A comprehensive landscape condition should address the boundaries in front of the commercial units and how these relate to the future function, access and use of these units.

Design Review Panel

100. An earlier version of the scheme was reported to the Design Review Panel on 12 November 2012. The panel felt that they could not support that scheme design and challenged the architects to revise the arrangement of form on the site, and the height and scale, especially at the eastern edge of the site. The scheme design did change significantly as a consequence of this and other feedback received.

Residential Design Standards

101. The council seeks to ensure that residential units provide an excellent standard of accommodation as set out within Southwark's 'Residential Design Standards' SPD 2011. Providing a predominance of dual aspect units, exceeding minimum internal space standards, including storage space and having good daylighting would, together, contribute towards 'excellent living standards'.

Aspect

102. Of the units, 56 are dual aspect (59 per cent) with 39 single aspect units (41 per cent). There are no north-facing single aspect units. This is considered to be a positive feature of the development.

Unit sizes and room sizes

103. A detailed schedule of accommodation has been provided with the application. All of the units comply with the minimum area sizes and room sizes, and for the most part, exceed them.

Unit Type	Area (sq m)	Number	%
1 bed/2 person	51-61	39	41
2 bed/3 person	62-79	6	59
2 bed/4 person	71-84	31	
3 bed/4 person	-	0	
3 bed/5 person	86-110	19	
Total		95	100

Amenity space

104. Standards for amenity space are set out within the Residential Design Standards SPD (2011). All flat developments must meet the following minimum standards and seek to exceed these where possible:
105. • 50 sq m communal amenity space per development
• ten sq m of private amenity space for units containing three or more bedrooms
• ten sq m of private amenity space should ideally be provided for units containing two or less bedrooms. Where it is not possible to provide ten sq m of private amenity space, as much space as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity space requirement.
• Balconies, terraces and roof gardens must be a minimum of 3 sq m to count towards private amenity space.
106. All units have balconies and there is a large communal garden area at first floor level as well as smaller terraces at fourth, fifth and sixth floor levels, which exceeds the 50 sq. m. communal space required. Each of the 3 bed units have a minimum of ten sq. m. private amenity space in the form of either a private garden at first floor level (Unit 22 has a garden and a balcony) or a balcony at the upper levels. The remaining 1 and 2 bed units are all provided with either private garden space (at first floor podium level) or with balconies or roof terraces, ranging from 4 sq. m balconies to a roof terrace of 44 sq. m). The provision of an above policy compliant area of communal space and at least policy compliant amenity space to each of the units is welcomed.

Internal overlooking

107. In relation to overlooking between units within the development, most units are separated by at least 20 metres. There are a number of instances where distances fall below this, the closest being 14 metres apart (for instance units F05 and unit F15 at first floor level). In many instances, the windows are angled slightly away from each other which to some extent mitigates against intrusive overlooking. Overall, it is not considered that the degree of overlooking will adversely affect the amenity of the future residents to an unreasonable extent.

Children's playspace

108. Children's playspace, in particular playspace for younger children, should be accommodated on site. A full assessment of need, taking into account any existing play facilities in the area, should be provided in line with the London Plan and the Mayors supplementary planning guidance (2012) (SPG). While the submitted landscaping plan highlights some elements of play equipment, it is considered that further details should be required by condition. It is noted that there is sufficient space provided to accommodate children's playspace.

Noise

109. The applicants have submitted a noise assessment with the application. This establishes the existing noise climate at the site and considers the internal noise levels within the habitable rooms of the proposed development. The noise assessment concludes that acoustic glazing is required for the windows on the Long Lane elevation. It is also noted that as these windows will need to remain closed to meet internal target noise levels, an additional means of ventilation (e.g. passive through the wall or mechanical ventilation) will be required. This will need to be further explored by the applicant as it may not be ideal to have non-openable windows. If mechanical ventilation is required, details will be required by way of condition. Other suitable noise mitigation measures should be ensured by way of condition. It is concluded, however, that noise does not pose a material constraint to the development of the site as proposed.

Affordable housing

110. The NPPF adopted in March 2012 states that local planning authorities should set policies for affordable housing need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.
111. The regional policies and guidance relating to affordable housing are set out in the London Plan and the Mayor's housing SPG. The London Plan forms part of the development plan for Southwark. The key relevant policies within the London Plan in relation to this aspect of the application are:
112. Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes. Part A of the policy requires that the maximum reasonable amount of affordable housing should be sought with regard to a number of factors including:
- current and future requirements for affordable housing
 - the need to encourage rather than restrain development
 - the need to promote mixed and balanced communities
 - the specific circumstances of individual sites
 - resources available to fund affordable housing, to maximise affordable housing output and the investment criteria set by the Mayor
 - the priority to be accorded to provision of affordable family housing.
113. Part B of the policy sets out that negotiations on sites should take account of their individual circumstances including development viability.
114. The local policies are saved Southwark Plan Policy 4.4 Affordable housing, and Core Strategy Strategic Policy 6 – Homes for people on different incomes.
115. Strategic policy 6 'Homes for people on different incomes' of the Core Strategy requires developments to include a minimum of 35 per cent affordable housing. It also requires developments in the Grange Ward, such as this site, to provide a minimum of 35 per cent private housing. This policy works in conjunction with saved policies in the Southwark Plan such as policy 4.5 'Wheelchair affordable housing' which states that for every affordable housing unit which complies with the wheelchair design standards, one less affordable habitable room will be required. Saved policy 4.4 'Affordable Housing' requires developments in the this area to provide this affordable housing in a tenure split of 70 per cent social rented and 30 per cent intermediate/shared ownership units.
116. The proposed development includes 95 residential units (265 habitable rooms in total)

38 units (106 habitable rooms) of which will be provided as affordable housing. Using the Affordable Housing SPD method of calculation, which counts rooms over 27.5sqm as two rooms for the purposes of affordable housing calculations, the total development would comprise of 317 habitable rooms, of which 125 are affordable. This equates to 39.4 per cent affordable housing being provided on site.

117. Of this affordable housing, 75 per cent (27 units) will be allocated as target rented tenure and 25 per cent (11 units) as intermediate tenure. The affordable housing provision is set out below:

Unit Type	Target Rent	Shared Ownership	Total
1 bedroom	9	6	15
2 bedroom	11	5	16
3 bedroom	7	0	7
Total	27	11	38

118. The 27 rented units would be accommodated in the entirety of the back right block, served off Residential Entrance 1, and the first and second floors of the back left block, served off residential entrance two.
119. Eight of the intermediate units are located on the third and fourth floors of the back left block, served off residential entrance two with three of the units located on the first floor of the front left block, accessed off residential entrance three.
120. The proposed rented units are allocated as target rent units. This is a very welcome aspect of the development since it will provide genuinely affordable housing in a high value part of the borough.
121. The 11 intermediate units would be subject to and comply with the council's affordability criteria and this would be secured through the S106 agreement.
122. The tenure mix results in 75:25 rented to intermediate mix (as opposed to the 70:30 expected under saved policy 4.4). This is an acceptable tenure mix having regard to the need for genuinely affordable rented units in the borough.
123. The affordable housing provision is a offer is welcomed in this instance. This level of affordable housing has been achieved through the improved viability associated with the reduced quantum of Class B floorspace. The development is able to make a significant contribution to the delivery of affordable housing, and maintenance of a mixed community in the north of the borough.

Mix of units

124. The proposed mix of units is as follows:

Unit Type	Number	%
1 bed	39	41
2 bed	37	39
3 bed	19	20
Total	95	100

125. Core Strategy Strategic Policy 7 requires at least 60 per cent of units to have two or more bedrooms and 20 per cent of units to be three, four or five bedrooms in the CAZ.
126. The proposed mix falls slightly short of the required 60 per cent of units which are two

bed or more (59 per cent of the units are two bed or larger). However the shortfall equates to less than one unit which, having regard to the overall quality of the scheme, as well as having regard to the affordable housing provided by this scheme, it is not considered to be of overriding concern. As required by policy, 20 per cent of the units are three bed

Wheelchair units

127. Saved Policy 4.3 of the Southwark Plan 2007 requires ten% of units to be fully wheelchair accessible. The required ten per cent dedicated wheelchair accessible units should be served by two lifts.
128. The proposal is providing nine wheelchair accessible units which equates to 27 habitable rooms out of a total 265 habitable rooms (ten per cent). These will be fitted out on completion.

Unit No	Bed	Tenure
2	2B/3P	Target Rent
3	2B/3P	Target Rent
15	1B/2P	Private
38	2B/4P	Private
61	2B/4P	Private
80	2B/4P	Private
90	2B/4P	Private
91	2B/4P	Private
93	1B/2P	Private

Impact on trees

129. It is noted that there are six existing London Plane trees on Long Lane. The building line is set back 5.5 metres from the trunks of these trees. The arboricultural report provides sufficient detail showing protection measures for this line of mature street trees on Long Lane. The Urban Forester has noted that, due to the location of the proposed elevation, set back from the existing trees, none will require major pruning or ongoing additional maintenance.
130. However, a condition is necessary to ensure protection measures are adhered to, together with appropriate details of a landscape scheme for the proposed raised planters, podium, green roofs and external courtyard which are shown as indicative.

Air quality

131. The site is located within an Air Quality Management area. An air quality assessment has been submitted. The mitigation measures as outlined in this plan should be ensured by way of condition.
132. It is also recommended that a construction management plan be requested by way of condition, in order to ensure that any construction impacts are minimised.

Archaeology

133. The site is located within the Borough, Bermondsey and Rivers Archaeological Priority Zone. The applicants have submitted a desk-based archaeological assessment that adequately summarises the archaeological potential of the site. Limited previous archaeological work has been undertaken on the site and this has revealed post medieval drainage ditches and parts of the channel network in this area.
134. It is therefore recommended that a programme of archaeological evaluation works are

undertaken. Depending upon the results of the evaluation works further archaeological recording may be necessary and conditions should be applied to control the design of foundations and the submission of a final archaeological report.

Flood risk

135. The site is located within Flood Zone three which is deemed to be 'high risk'. It is within an area benefiting from the River Thames barrier defences. The applicants have submitted a Flood Risk Assessment (FRA). The Environment Agency has raised no objection to the proposal subject to conditions.

Planning obligations (S.106 undertaking or agreement)

136. Saved policy 2.5 of the Southwark Plan advises that planning obligations should 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 merits against relevant policy, guidance and other material considerations when assessing planning obligations.

Planning Obligation	Amount of planning gain calculated by toolkit (£)	Amount of planning gain agreed by applicant (£)
Education	196,952	196,952
Employment in the Development	19,123	19,123
Employment During Construction	94,457	94,457
Employment During Construction Management Fee	7,150	7,150
Public Open Space	42,641	42,641
Children's Play Equipment	11,762	11,762
Sports Development	104,056	104,056
Transport (Strategic)	68,032	68,032
Transport (Site Specific)	66,955	66,955
Transport for London	60,000	60,000
Public Realm	90,705	90,705
Health	110,784	110,784
Archaeology	5,471	5,471
Community Facilities	22,030	22,030
Admin Fee	18,002	18,002
Total	918,120	918,120

137. The applicant is providing sufficient contributions in this instance and is in line with the toolkit within the S106 SPD. Other measures within the S106 include the requirement to provide a car club bay contribution and to provide three years car club membership to each eligible adult occupier of the development. The S106 would also secure £60,000 for the expansion of the nearby Cycle Hire Docking Station, as requested by TfL.
138. In accordance with the recommendation, if the S106 agreement is not signed by 27 May 2014, the Head of Development Management is authorised to refuse planning

permission, if appropriate, for the reason below:

139. 'In the absence of a signed section 106 agreement, there is no mechanism in place to avoid or mitigate the impact of the proposed development on affordable housing, public realm, public open space, sports facilities, education, health, affordable housing, the transport network, community facilities and employment and the proposal would therefore be contrary to Saved Policy 2.5 'Planning Obligations' of the Southwark Plan and Strategic Policy 14 – 'Implementation and delivery' of the Southwark Core Strategy, the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2007, and Policy 8.2 Planning obligations of the London Plan 2011'

Mayoral CIL

140. This development is subject to the Mayoral CIL and the charge is calculated according to the amount of additional floor space the new development will produce. The chargeable rate for Southwark is currently £35 per square metre. Existing floor space (gross) within a red line of a site can be deducted from the chargeable floor space calculation. Existing floor space can only be considered where it has been in continuous lawful use for at least six months in the 12 months prior to the development being permitted. The applicant has submitted the relevant CIL form and the CIL liability is calculated at £43,395.

Sustainable development implications

141. The NPPF sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental. In relation to environmental implications of development, section ten 'meeting the challenge of climate change, flooding and coastal change' describes the key role that planning has in securing radical reductions in greenhouse emissions, providing resilience to the impacts of climate change and supporting the delivery of renewable and low carbon energy and associated infrastructure.
142. The Draft Further Alterations to the London Plan (2014) are currently at consultation stage. Adopted and proposed revisions to energy policies are set out within this document and are likely to be adopted. In accordance with policy 5.2 in the London Plan 2011, all major development proposals should include a detailed energy assessment to demonstrate how the targets for carbon dioxide emissions reduction outlined above are to be met within the framework of the energy hierarchy. This policy also sets out required carbon reductions over 2010 building regulations (currently 40 per cent carbon reduction is required, over the 2010 building regulations).
143. Of note is the new requirement for demand side management, which enables non-essential equipment to be turned off or to operate at a lower capacity, and developments will be encouraged to include infrastructure to enable demand side management. The policy also requires major developments to reduce surface water run-off by at least 50 per cent. As a major development, the proposal will need to incorporate green biodiverse roofs, which can be combined with the use of roof space for photovoltaic (PV) panels.
144. Policy 5.5 Decentralised Energy Networks states that developers should prioritise connection to existing or planning decentralised energy networks where feasible.
145. Policy 5.6 'Decentralised energy in development proposals' states that development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate, also examine opportunities to

extend the system beyond the site boundary to adjacent sites. The London Plan also encourages developers to investigate opportunities to incorporate energy from waste, or where technically feasible, renewable energy in developments. In addition to this, where a district CHP system provides part of a developments power and / or heating and / or cooling demand, suitable renewable energy technologies should also be considered in addition to the CHP system.

146. Policy 5.7 'Renewable Energy' expects that all development proposals will seek to reduce carbon dioxide emissions of at least 20 per cent through on-site renewable energy generation, wherever feasible.
147. In relation to on-site renewable energy, there is a presumption that major development proposals will seek to reduce carbon dioxide emissions through the use of such energy sources. Development should also support innovative energy technologies such as electric vehicles (by providing charging points).
148. The council's supplementary planning document on Sustainable Design and Construction provides guidance that should be taken into consideration and Strategic Policy 13 in the Core Strategy 2011 provides targets that development should meet.
149. Strategic policy 13 'High environmental standards' of the Core Strategy 2011 requires developments to meet the highest possible environmental standards, including targets based on the Code for Sustainable Homes and BREEAM (Building Research Establishment Environmental Assessment Method) standards. This includes requiring residential development to achieve a minimum of Code for Sustainable Homes Level 4, and other non-residential development to achieve at least a BREEAM 'excellent' except community uses which should achieve a minimum BREEAM level of 'very good'.
150. An Energy Strategy has been submitted with the application. This notes that the development will achieve a 52 per cent reduction in CO2 emissions over 2010 baseline. A district heating option with a gas-fired Combined heat and Power (CHP) system serving the domestic hot water usage has been provided, although this is restricted to the residential units only, and excludes those above the fifth floor (which are to be served by electric heating). Solar PV panels are proposed at roof level.
151. The residential units will achieve Code Level 4 and the commercial element will achieve BREEAM Excellent. The total aggregate reduction of regulated carbon emissions compared to Part L of the Building Regulations 2010 is 52 per cent, exceeding the new London Plan targets for the development as a whole.
152. A sustainability statement has also been submitted with the application. This states that a water use of 105l per day will be targeted. This is required to achieve Code for Sustainable Homes Level 4.
153. The sustainability statement also noted that green roofs are to be provided. Details of these green roofs will be required by way of condition.

Biodiversity

154. The applicants have submitted an ecological assessment with the application. This document assesses the ecological interest of the site and any potential impacts resulting from the development are assessed. It is noted that the site is not subject to any statutory or non-statutory designations. In relation to habitats on site is noted within the report that the site is dominated by buildings and hard-surfacing, with small areas of re-colonising vegetation and amenity planting. These habitats are considered to be of low to negligible ecological value. In relation to protected species it is noted

that there are only limited opportunities for common birds on the site. However mitigation measures are proposed and these include reducing the impact of lighting on the existing trees on Long Lane, in order to protect any foraging and travel of bats, and clearing of the site to take place outside of nesting season or to ensure that nests are located and cordoned off until the end of nesting season (March to August inclusive).

155. The landscape plan indicates that the landscaping is divided into three distinct areas, the streetscape, the podium area and the roofs. Planters are provided along the front of the building along Long Lane and Weston Street and green/sedum roofs provided. Details of species types for the sedum roofs and tree planting will be required by way of condition.

Pre-application discussions and advice

156. Council officers have held lengthy and extensive pre-application discussions with the applicants. The discussions began in September 2011 when a pre-application submission proposed buildings up to 12 storeys in height, which were criticised as being incongruous and overbearing, and providing poor quality communal space, as well as adversely affecting neighbours. The second round of discussions focused on a building up to nine storeys high, arranged in a u-shaped block with its open end facing north towards Leathermarket and a small public space adjacent to 193 Long Lane. Concern was again expressed about the impact on residential neighbours, the impact on the Listed Leathermarket, and the design of the buildings. A subsequent submission in 2012 maintained the u-shaped form but included a wing parallel to 193 Long Lane at eight storeys. The applicants were advised that the overall height and massing was unacceptable, and that the maximum height should be focused towards the Weston Street corner. Throughout these discussions, the loss of B Class floorspace was a key concern, and evidence was presented in relation to the office market and the supply and demand of warehouse and commercial space in SE1.
157. In 2013, following advice from the Design Review panel, council officers and feedback from local stakeholders, the design shifted to a design with the open courtyard facing east towards number 193. This improved aspect and daylight to residential neighbours. The height on Weston Street reduced by one storey, and the corner element became better defined. B Class space now extended across the ground floor. The mix of units also improved, and the courtyard landscaping was included.

Conclusion on planning issues

158. The scale and design are considered appropriate, and the reduction in height from nine to eighth storeys, and the amendments to the street elevations were welcome improvements to the proposal. The impact on neighbouring properties is on balance acceptable within this central/urban area, and the low level of car parking, when combined with restrictions on securing parking permits, will mean that the impact on the highway will be limited.
159. The quality and mix of accommodation is acceptable, and will provide good quality housing for future residents. The impact of the new accommodation on local infrastructure and services is adequately mitigated through S106 contributions.
160. The loss of business floorspace is outweighed by the benefits of being able to secure more affordable housing on site. The location is relatively peripheral for commercial floorspace, and the reduction in commercial space has improved the overall viability of the development, enabling it to provide almost 40 per cent affordable housing, including much needed target rent units.
161. As such, the recommendation is to grant permission, subject to the completion of a

legal agreement.

Community impact statement

162. 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.
163. Consultation with the community has been undertaken as part of the application process. The applicants have submitted a statement of community involvement which records their consultation with local stakeholders.
164. The impact on local people is set out above.
165. The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified as none.
166. The likely adverse or less good implications for any particular communities/groups have been also been discussed above. No specific actions are required to ameliorate these.

Consultations

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

Consultation replies

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

Summary of consultation responses

169. 15 responses have been received; 13 objections including an objection on behalf of 23 flats (two in support). The main planning issues raised by each address are summarised below.
170. 197 Long Lane (four letters):
 - Concerns in relation to design
 - Height is not in keeping with the surrounding area
 - Impact on privacy of 195-197 Long Lane
 - Impact on privacy and views
 - Loss of daylight and sunlight
 - Nature of occupation of the commercial units
 - Numbers of flats may be excessive – impact on health services and local facilities
 - Developers of No. 171 should be consulted as may have an impact on daylight/sunlight of these properties
 - Application should be rejected in favour of a more sympathetic design
 - Lack of demand for retail and commercial units
 - Will result in noise and disruption.
171. Tangerine House, 119 Weston Street (four letters, including one from 23 flats):
 - Nine storey building is out of keeping with the area
 - Impact on light especially on lower floors
 - Impact on privacy

- Design is monotonous - could be more creative
 - No consideration for amenities such as a crèche, nurseries, school and doctors
 - Impacts on the unfinished Valentine House
 - Planning application should be rejected
 - Traffic generation
 - Visual impact of the development.
172. Via email (three, no addresses given):
- Nine storeys is out of keeping with the area
 - Application refers to 98 units
 - Nine storeys would set a new precedent
 - Elevation on Long Lane is too tall, overbearing and monotonous
 - Impact on increase in population on existing amenities
 - Safety issues as Weston Street is the main ambulance route
 - Communal area is a private garden for residents – no community benefits
 - Affordable housing on site is positive – should remain on site
 - Commercial units may be empty.
173. Estate Agents, Shad Thames (in support):
- Will make a positive contribution to the street
 - Will help in letting and selling other commercial buildings nearby
 - Will provide employment
 - The commercial space within the scheme is well laid out to meet local market demands.
174. Registered Social Landlord (RSL) (in support):
- Fully supportive of the scheme
 - Support any new affordable housing in the area.
175. Burwash House, Weston Street:
- Supports the principle of the scheme
 - Concern about the increasing trend to increase the height of developments along Long Lane – this development is 2 storeys too tall
 - Noise and traffic related impacts.
176. Calico House, 199 Long Lane:
- Do not object to the proposed redevelopment of the site
 - Concerns about major disruption from construction projects
 - Would like more information on the proposed commercial units
 - Height is not in keeping with the adjacent properties.

Human rights implications

177. This planning application engages certain human rights under the Human Rights Act 2008 (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.
178. This application has the legitimate aim of providing a mixed-use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

179. There was none.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/214-118 Application file: 13/AP/4586 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 5420 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	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Rónán O'Connor	
Version	Final	
Dated	11 April 2014	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments sought	Comments included
Strategic Director, Finance and Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Cabinet Member	No	No
Date final report sent to Constitutional Team	11 April 2014	

APPENDIX 1

Consultation Undertaken

Site notice date: 16/01/2014

Press notice date: 16/01/2014

Case officer site visit date: 16/01/2014 and 07/03/2014

Neighbour consultation letters sent: 16/01/2014

Internal services consulted

Design and Conservation
Transport
Environmental Protection
Flood and Drainage Team
Archeology Officer
Ecology
Planning Policy
Urban Forester

Statutory and non-statutory organisations consulted

Environment Agency
Transport for London (referable applications)
Transport for London (planning obligations)

Neighbours and local groups consulted

Bermondsey Village Action Group
Leathermarket JMV
Bermondsey Neighbourhood Forum
Neighbour Consultee Map as per Appendix 3

Re-consultation: None

APPENDIX 2

Consultation Responses Received

Internal services consulted

Transport – no objection

Flood and Drainage Team – request justification that SUDS hierarchy has been followed

Design and Conservation – request conditions

Archeology Officer – request conditions

Urban Forester – request conditions

Statutory and non-statutory organisations

Environment Agency – no objection subject to conditions

TFL – Development is unlikely to have an impact on the TFL Road Network or on the Strategic Road Network.

Limited impact on public transport capacity

Liable for CIL

Request a S106 contribution of £60,000 to expand the Cycle Hire Station by up to 15 docking points

Neighbours and local groups

15 responses have been received: 13 objections including an objection on behalf of 23 flats and 2 in support.

The main planning issues raised are summarised below.

197 Long Lane:

Concerns in relation to design

Height is not in keeping with the surrounding area

Impact on privacy of 195-197 Long Lane

Loss of daylight and sunlight

Occupation of the commercial units

Numbers of flats may be excessive – impact on health services

Developers of No. 171 should be consulted as may have an impact on daylight/sunlight of these properties

Application should be rejected in favour of a more sympathetic design

Tangerine House, 119 Weston Street:

9 storey building is out of keeping with the area

Impact on light and privacy

Traffic generation

Visual impact of the development

Via email:

9 storeys is out of keeping with the area

Application refers to 98 units

9 storeys would set a new precedent

Elevation on Long Lane is overbearing and monotonous

Impact on increase in population on existing amenities

Safety issues as Weston Street is the main ambulance route

Communal area is a private garden for residents – no community benefits

Affordable housing on site is positive – should remain on site

Tangerine House (on behalf of 23 flats):

Will impact on privacy

Loss of light and aspect, especially on the lower floors

Proposal is too high
Design is monotonous – could be more creative
No consideration for amenities such as a crèche, nurseries, school and doctors
Impacts on the unfinished Valentine House
Planning application should be rejected

Tangerine House:
Impact on privacy
Proposal is too high
Design is monotonous – could be more creative
No consideration for amenities such as a crèche, nurseries, school and doctors
Impacts on the unfinished Valentine House
Planning application should be rejected

Estate Agents, Shad Thames (in support):
Will make a positive contribution to the street
Will help in letting and selling other commercial buildings nearby
Will provide employment
The commercial space within the scheme is well laid out to meet local market demands.

Tangerine House:
Impact on privacy
Proposal is too high
Design is monotonous – could be more creative
No consideration for amenities such as a crèche, nurseries, school and doctors
Impacts on the unfinished Valentine House
Planning application should be rejected

197 Long Lane:
Have recently purchased property at 197 Long Lane
Concerned about the impact on light

Via email:
Concerns regarding height of the building/proximity to neighbouring buildings
Will reduce daylight to 197 Long Lane
Building is too high on Long Lane
Commercial units may be empty

Registered Social Landlord (RSL) (in support):
Fully supportive of the scheme
Support any new affordable housing in the area

Burwash House, Weston Street:
Supports the principle of the scheme
Concern about the increasing trend to increase the height of developments along Long Lane – this development is 2 storeys too tall
Noise and traffic related impacts

Calico House, 199 Long Lane:
Do not object to the proposed redevelopment of the site
Concerns about major disruption from construction projects
Would like more information on the proposed commercial units
Height is not in keeping with the adjacent properties

197 Long Lane:
Have not received any information from the council about the planning application
Would like further information about the proposed plans for the area

Has concerns about the height, impact on privacy and impact on light

Via email:

Proposal is too high

Impact on light and views

197 Long Lane:

Did not receive any correspondence from the Council regarding planning application

No documents available online

Balconies will overlook the proposed building

Will impact on privacy and block lights and views

Will result in noise and distraction

Lack of demand for retail and commercial units

Lack of provision for an extra 97 residential units