

<b>Item No.</b> 6.2	<b>Classification:</b> Open	<b>Date:</b> 1 July 2014	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<b>Development Management planning application:</b> Application 14/AP/0309 for: Full Planning Permission  <b>Address:</b> FORMER SURREY DOCKS STADIUM, SALTER ROAD, ROTHERHITHE, LONDON SE16  <b>Proposal:</b> Redevelopment of the former Surrey Docks Stadium and land adjoining comprising demolition of existing buildings and erection of 103 residential dwellings (Use Class C3) in a series of buildings up to 4-storeys high, associated car parking and cycle parking, alterations to the existing vehicular access, enhancement to existing open space, associated landscaping, new pedestrian access/egress, creation of a new public park and associated works		
<b>Ward(s) or groups affected:</b>	Surrey Docks		
<b>From:</b>	Head of Development Management		
<b>Application Start Date:</b> 26 February 2014 <b>Application Expiry Date</b> 15 August 2014 (Planning Performance Agreement)			

## RECOMMENDATION

- 1 That members consider the application as it represents development affecting Metropolitan Open Land (MOL) and if so minded, grant planning permission subject to conditions and completion of a legal agreement.
- 2 In the event that the legal agreement is not entered into by 15 August 2014, then members authorise the Head of Development Management to refuse planning permission, if appropriate, for the reasons set out in paragraphs 155 and 156 of this report.

## BACKGROUND INFORMATION

### Site location and description

- 3 The application site comprises the former Surrey Docks Stadium and football pitch, a former Council depot and two areas of car parking, most of which is now overgrown. It measures 2.05 hectares and is located on the eastern side of Salter Road on the Rotherhithe Peninsula, approximately 1000m to the north-east of Canada Water Town Centre. There is vehicular access to the site from Salter Road.
- 4 The stadium and football pitch are located on the southern part of the site and have not been used since 2004, having previously been used by Fisher Athletic, a local Bermondsey / Rotherhithe football club. The stadium structures have fallen into disrepair and the football pitch has been used for open storage. The former Council depot is now being used for car garaging and repairs, although these uses are unauthorised and do not benefit from planning permission. The former depot did at

one point house a school, although the school building burnt down in 2004 and the school was subsequently relocated elsewhere in the borough. Both the former stadium and the depot are owned by the applicant.

- 5 The parking areas are located to the north and east of the former depot and for the last three years the northern car park was used for coach parking by a local youth hostel, although this has now ceased. The parking area to the east is known as The Dell and this area has become overgrown. Both of these parking areas are currently owned by the council.
- 6 The immediate context surrounding the site is predominantly residential, with a suburban character largely characterised by low scale two to three storey housing, open spaces and playing fields. There is a school to the north of the site on the opposite side of Salter Road (Peter Hills with St Mary's and St Paul's C of E School), Russia Dock Woodland is to the east, and the open Mellish Fields grassed sports ground is to the south.

### **Details of proposal**

- 7 Fairview Homes have sought full planning permission is sought for redevelopment of the site comprising demolition of existing buildings and erection of 103 residential dwellings and a new 0.94ha park. The dwellings would be located on the northern part of the site where the northern car park, former depot and stadium structures are located and the park would be created on the site of the existing football pitch. The new dwellings would be in the form of six separate blocks of up to four storeys high, with the blocks of flats arranged in a courtyard formation around a central amenity space. The buildings are described in the submission as plots A to E as follows:
- 8 Plot A - This would be a terrace of eight x part 2, part 3-storey houses with integral garages, located on the eastern part of the site with rear gardens backing onto the Dell. The Dell would remain undeveloped and would become a publicly accessible open space, with a new pathway provided to connect the existing dwellings to the east of the site to the new park. An electricity substation would be erected next to the northern-most house in this plot.
- 9 Plot B - This would be a terrace of five x 3-storey houses which would be located on the car park area on the northern part of the site .
- 10 Plot C - This would be a 4-storey block containing eight flats also located on the northern part of the site, next to the junction with Salter Road. It would be attached to plot B by way of a single-storey link element containing refuse storage and cycle parking.
- 11 Plot D - This would be a 4-storey block containing 29 flats located on the southern part of the site which would adjoin the proposed new park.
- 12 Plot E - This would be a 4-storey block containing 37 flats located towards the middle of the site. It would be almost c-shaped with frontages to Salter Road and along the existing access road, where it would then extend southwards into the site.
- 13 Plot F - This would be a 4-storey block containing 16 flats located on the south-western corner of the site with frontages to Salter Road and the new park.
- 14 The existing vehicular access would be retained and upgraded. Electronic gates would be installed across the access road approximately 20m back from the junction with Salter Road; these would be across the vehicular access only and the pedestrian access would remain unrestricted. There would be 53 parking spaces to serve the

development, including 8 integral garages and a car club space.

15 All of the buildings would predominantly be faced with brick, with elements of timber cladding. Metal and timber doors are proposed, and aluminium for the windows. The terraces of houses would have pitched roofs which would be clad with fibre cement slate and the flats would have a single-ply membrane roof.

16 The following mix of units is proposed:

<b>Unit size</b>	<b>Amount</b>	<b>Percentage</b>
1B1P	1	1%
1B2P	28	27%
2B3P	22	21%
2B4P	20	19.5%
3B4P	2	2%
3B5P	13	13%
4B4P	17	16.5%
<b>Total</b>	<b>103</b>	<b>100%</b>

17 The existing football pitch would be converted into a new 0.94ha park. It would be predominantly turfed, and would contain a new pathway running diagonally across the park connecting Salter Road with Ladago Mews to the south, seating, planting and new trees. There would be entrances to the park from within the residential development, from Salter Road and from Ladago Mews. An existing brick boundary wall on Ladago Mews would be lowered and new metal railings provided. Upon completion of the works ownership of the new park would be transferred to the Council, together with a maintenance contribution towards its future upkeep.

### Amendments

18 A number of amendments have been made to the plans since the application was first submitted. The amendments include showing the location of the proposed gates on the access road, additional / revised windows to the flank elevations of the blocks of flats, revised balcony details and revisions to the parking layout and cycle parking.

19 This application is linked to item 6.3 on the committee agenda which has also been submitted by Fairview Homes (reference: 13-AP-0310). As detailed at paragraph 43 of this report there is a land use requirement in the Canada Water Area Action Plan (AAP) to provide sports facilities on the former stadium site. The proposed development would not include any sports facilities therefore planning permission is also sought to upgrade existing sports facilities at St Paul's Sports Ground which is approximately 100m to the north of the site on the opposite side of Salter Road. The applicant proposes to contribute towards the delivery of these works.

### **Planning history**

20 There are a number of planning approvals dating from 1997 for alterations and extensions to the ancillary buildings associated with the stadium, including change of use of some lock-up units fronting Salter Road to retail units.

21 03-AP-1007 - Continued use of existing buildings as a school and retention of alterations to the existing facade, comprising addition of external fire escape and infilling to balcony together with changes to the internal layout. Planning permission was GRANTED on 10/11/2003.

22 05-AP-0590 - Proposed redevelopment of land to north of football ground involving demolition of all existing buildings and new development comprising 5 storey block at

front (Salter Road frontage) and 4 storey block at rear with roofed over ground floor area in between (landscaped to provide amenity space at first floor level), to provide 100 residential flats (mix of 1-bed, 2-bed and 3-bed units), retail shops at part ground floor (Salter Rd frontage) and new/enhanced facilities for Fisher Athletic F.C. (comprising new stand and accommodation for changing, referees, social, management and hospitality functions), with ground floor/ undercroft parking for 111 cars (for residential) and 1 space/loading bay for shops. Planning permission was GRANTED on 01/02/2006.

23 10-AP-1664 - Erection of a part 5 / part 6 storey development comprising 135 residential units (39x1 bed, 41x2 bed and 55x3 bed) and retail space (667sqm), public and private amenity space, landscaping, access and basement car parking. Planning application WITHDRAWN on 16/09/2010.

24 11-AP-0219 - Renewal of Planning Permission 05-AP-0590 was REFUSED on 27/04/2011 for the following reasons:

1) The proposal, by virtue of its unacceptable housing mix which includes an under provision of accommodation with 2 or more bedrooms and an under provision of family sized accommodation (3 bedrooms or more), fails to meet the housing needs of the borough contrary to Southwark Core Strategy Strategic Policy 7 'Family Homes', which requires 60% of units to have 2 or more bedrooms and 30% of units to have 3 or more bedrooms in the Suburban Zone.

2) The proposal, by virtue of its predominance of single aspect residential units, fails to provide high quality accommodation contrary to the aims of saved policy 4.2 'Quality of residential accommodation' in the Southwark Plan 2007 and Southwark's Residential Design Standards Supplementary Planning Document 2008, which requires a predominance of dual aspect units.

3) The proposal fails to demonstrate that it makes adequate provision for disabled residents contrary to the aims of saved policy 4.3 'Mix of dwellings' of the Southwark Plan 2007 and Southwark's Residential Design Standards Supplementary Planning Document 2008, which requires 10% of new residential units to be wheelchair accessible.

4) The proposal has failed to demonstrate that the proposal will make the fullest contribution to the mitigation of and adaptation to climate change and to minimise emissions of carbon dioxide. The proposal is therefore contrary to policies 4A.1 'Tackling climate change', 4A.3 'Sustainable Design and Construction', 4A.4 'Energy Assessment', 4A.6 'Decentralised Energy' and 4A.7 'Renewable Energy' of the London Plan 2008, Strategic Policy 13 'High environmental standards' in the Southwark Core Strategy 2011, and the Sustainable Design and Construction SPD 2009.

5) The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with policy 2.5 'Planning Obligations' of the Southwark Plan (2007), the Southwark Supplementary Planning Document 'Section 106 Planning Obligations' 2007 and policies 6A.4 'Priorities in Planning Contributions' and 6A.5 'Planning Contributions' of the London Plan 2008.

6) The proposal by virtue of insufficient information, fails to adequately demonstrate the level of flood risk. In the absence of an acceptable Flood Risk Assessment, the proposal is contrary to the aims of PPS25 'Development and

Flood Risk', saved policy SP16 'River Thames' in the Southwark plan 2007 and Strategic Policy 13 'High environmental standards' in the Core Strategy 2011, which seek to ensure development is designed to be safe and resistant to flooding.

- 25 An appeal was subsequently lodged and was DISMISSED on 01/03/2012. The Inspector concluded that there had been significant changes in relevant policies relating to housing mix, provision of wheelchair accessible housing, energy conservation, sustainability and flood risk. It was concluded that the proposal would not meet the objectives of these policies and without completed planning obligations, would fail to make appropriate and necessary provision for affordable housing and to meet the needs for infrastructure that would be likely to arise as a result of the development.
- 26 13-AP-4460 - Request for an Environmental Impact Assessment Screening Opinion for a development of 101 dwellings and 9,926sqm of open space. Decision issued on 10/01/2014 - EIA not required.
- 27 Pre-application advice was provided in advance of this application, the details of which are held electronically by the local authority. A number of meetings have been held with the applicant prior to the submission of this application. Discussions centred around the detailed design of the proposal, the quality of accommodation to be provided, and the proposed parking layout.

### **Planning history of adjoining sites**

#### Bacon's College

- 28 07-AP-0363 - New artificial turf pitch with fencing and flood lighting, two new five-a-side pitches with rebound fencing, flood lighting and synthetic surfaces, two cricket nets and a wicket with synthetic surfaces and an improved turf playing field (new topsoil and hard wearing grass) including one mini soccer pitch, two pitches for 16-18 year old's and sufficient space for softball/baseball, a jump pit and running tracks. New dropped kerb entrance to Mellish Fields for emergency access and new pedestrian route through the fields also proposed (amendment to application approved on 01/04/2004 ref 03-AP-2261 to include additional pitches and flood lighting). Planning permission was GRANTED on 03/05/2007.
- 29 11-AP-0889 - New sports hall store extension and reconfiguration of existing openings to the east elevation of the school. Within the enclosed courtyards we propose new first floor extensions of the library resource centre with roof lights introduces to the centre. The existing external staircase is to be reconfigured and openings reconfigured with the introduction of a canopy structure to the north courtyard area. Planning permission was GRANTED on 27/05/2011.

#### St Paul's Sports Ground, Salter Road

- 30 14-AP-0310 - Refurbishment of St Paul's Recreation Ground (Use Class D2) to include replacement and enlargement of the existing artificial playing surface; erection of a new single storey clubhouse and changing rooms; construction of two covered spectators stands with seating and standing areas, plus open spectator standing areas, two turnstile entrances from Salter Road, vehicular and cycle parking, new vehicular access onto Salter Road and boundary fencing. This application is UNDER CONSIDERATION and is item **XXX** on the committee agenda. As stated this application has also been submitted by Fairview Homes in order to address a requirement to provide sports facilities on the stadium site.

## **KEY ISSUES FOR CONSIDERATION**

### **Summary of main issues**

- 31 The main issues to be considered in respect of this application are:
- a) principle of the proposed development and conformity with strategic policies and the Canada Water Area Action Plan;
  - b) Metropolitan open land;
  - b) Environmental impact assessment;
  - c) Density;
  - d) Affordable housing;
  - e) Housing mix
  - f) Wheelchair accessible housing
  - g) Quality of accommodation
  - h) Impact upon the amenities of neighbouring residents and occupiers;
  - i) Impact of adjoining and nearby uses on occupiers and users of proposed development;
  - j) Transport;
  - k) Design;
  - l) Trees and landscaping;
  - m) Planning obligations (s106) and community infrastructure levy;
  - n) Sustainability;
  - o) Ecology;
  - p) Flood risk;
  - q) Contaminated land;
  - r) Air quality;
  - s) Statement of community involvement

### **Planning policy**

- 32 National Planning Policy Framework (NPPF)

Section 1 - Building a strong, competitive economy  
Section 4 - Promoting Sustainable Transport  
Section 6 - Delivering a wide choice of high quality homes  
Section 7 - Requiring good design  
Section 8 - Promoting healthy communities  
Section 9 - Protecting Green Belt Land  
Section 10 - Meeting the challenge of climate change, flooding and coastal change  
Section 11 - Conserving and enhancing the natural environment

Planning Practice Guidance (2014)

- 33 London Plan July 2011 consolidated with revised early minor alterations October 2013

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 3.12 - Negotiating affordable housing  
Policy 3.19 - Sports facilities  
Policy 5.1 - Climate change mitigation  
Policy 5.2 - Minimising carbon dioxide emissions  
Policy 5.7 - Renewable energy  
Policy 5.11 - Green roofs and development site environs

Policy 6.4 - Enhancing London's transport connectivity  
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 7.17 - Metropolitan open land

34 Core Strategy 2011

Strategic Policy 1 – Sustainable development  
Strategic Policy 2 – Sustainable transport  
Strategic policy 4 - Places for learning, enjoyment and healthy lifestyles  
Strategic Policy 5 – Providing new homes  
Strategic Policy 6 – Homes for people on different incomes  
Strategic Policy 7 – Family homes  
Strategic Policy 10 - Jobs and businesses  
Strategic Policy 11 - Open spaces and wildlife  
Strategic Policy 12 – Design and conservation  
Strategic Policy 13 – High environmental standards  
Strategic Policy 14 – Delivery and implementation

Southwark Plan 2007 (July) - saved policies

- 35 The Council's cabinet on 19 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.
- 36 Policy 2.1 - Enhancement of community facilities  
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 3.25 - Metropolitan Open Land;  
Policy 3.28 - Biodiversity  
Policy 4.2 – Density of residential development;  
Policy 4.2 – Quality of residential accommodation;  
Policy 4.4 – Affordable housing;  
Policy 4.7 – Non self-contained housing for identified user groups  
Policy 5.2 – Transport Impacts;  
Policy 5.3 - Walking and Cycling;

## Policy 5.6 – Car parking

### Canada Water Area Action Plan (March 2012)

- 37 The part of the site which contains the former Council depot and stadium buildings are designated as proposals site 2 in the Canada Water AAP. This lists sports facilities and car parking ancillary to the use of the adjacent playing field as required land uses, with residential and retail listed as other acceptable uses. The estimated capacity is stated as 100 homes and up to 500sqm of retail use. The site specific guidance advises that the use of the site should not compromise the future viability and use of the adjacent playing field, which is designated metropolitan open land (MOL). All parts of the site fall within the suburban density zone and an air quality management area.
- 38 The Canada Water AAP is currently being reviewed and it is proposed that the estimated residential capacity for the site be reduced to 80 units to reflect its location in the suburban density zone. It is noted that the red line application site boundary extends beyond the proposal site designation to include the parking areas on the northern and eastern parts of the site and the football pitch to the south.

### 39 Supplementary Planning Documents

S.106 Planning Obligations SPD 2007  
Affordable Housing SPD 2008  
Sustainability Assessments 2009  
Sustainable Design and Construction SPD 2009  
Sustainable Transport SPD 2010  
Residential Design Standards SPD 2011  
Draft Affordable Housing SPD 2011

### **Principle of the proposed development and conformity with strategic policies and the Canada Water Area Action Plan**

#### Loss of stadium buildings and football pitch

- 40 The proposed development would result in the loss of the existing football pitch and stadium buildings, albeit they have not been used since 2004 and are in very poor state of repair. Paragraph 74 of the NPPF states that open space, sports and recreational buildings and land including playing fields should not be built on unless an assessment has taken place showing that the land is surplus to requirements or the loss resulting from the development would be replaced by equivalent or better provision in a suitable location, or that the development is for alternative sports and recreational provision, the need for which outweighs the loss. Paragraph 2 of the National Planning Practice Guidance (NPPG) states that authorities and developers may refer to Sport England's guidance on how to assess the need for sports and recreation facilities.
- 41 Sport England's Planning Policy Statement entitled 'A Sporting Future for the Playing Fields of England' states that Sport England will oppose the loss of playing fields unless:
- i) A carefully quantified and documented assessment of current and future needs has demonstrated to the satisfaction of Sport England that there is an excess of playing field provision in the catchment, and the site has no special significance to the interests of sport.
  - ii) The proposed development is ancillary to the principal use of the site as a playing



field or playing fields, and does not affect the quantity or quality of pitches or adversely affect their use.

iii) The proposed development affects only land incapable of forming, or forming part of, a playing pitch, and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing areas of any playing pitch or the loss of any other sporting/ancillary facilities on the site.

iv) The playing field or playing fields, which would be lost as a result of the proposed development, would be replaced by a playing field or playing fields of an equivalent or better quality and of equivalent or greater quantity, in a suitable location and subject to equivalent or better management arrangements, prior to the commencement of development.

*v) The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields.*

- 42 In relation to part i) of the criteria, the Council prepared a draft playing pitch strategy in 2009 and although the strategy has not been adopted, the evidence base for it provides an assessment of the supply and need for playing pitches in Southwark and was submitted as part of the evidence base behind the Canada Water AAP Examination-in-Public (core document number CDI34).
- 43 The draft strategy indicates that Rotherhithe has 9ha of playing pitches, the second highest amount in the borough after Dulwich. The quality of playing pitches was also assessed and it was noted that Surrey Docks Stadium was disused and it was classed as being average or poor and in need of investment. St Paul's sports ground, a neighbouring Council owned facility approximately 100m to the north-east of the site was also included in the assessment, and was given one of the lowest quality scores in the borough for community accessible pitches (59%).
- 44 The draft strategy advises that by 2026 and taking population growth into account, Rotherhithe would have an undersupply of mini-soccer pitches and a sufficient supply of pitches in remaining categories (adult football, junior football, cricket, adult rugby and junior rugby). An analysis of the supply concludes that when considering adult and junior football pitches together, overall there would theoretically be a sufficient number of pitches across the borough (para 5.73). Shortfalls in provision would be significantly reduced if the pitches of those schools which do not permit community access were made available, and if the carrying capacity of pitches were increased so that all pitches could sustain at least two games per week (Para 5.74).
- 45 Whilst the draft strategy recommends that generally existing playing pitches be protected unless the Sport England criteria are met, the action plan within the strategy recommends that the Council consider the disposal of the St Paul's site owing to a lack of management presence and additional capacity provided at Mellish Fields which was delivered whilst the strategy was being prepared. The St Paul's site was previously managed by Bacon's College but this arrangement ceased when the college obtained planning permission to upgrade Mellish Fields, and the college now uses that site instead. Mellish Fields is located next to the Surrey Docks Stadium and provides a full size, third generation synthetic turf pitch as well as 2 small-sized synthetic turf pitches, 2 full size football pitches, a mini-soccer pitch and a number of ancillary facilities such as cricket nets and athletics facilities.
- 46 Given that the draft strategy recommends that the St Paul's site be disposed of and the increased capacity delivered by the upgrade works to Mellish Field; it is

considered that the loss of the facilities would comply with section i) of the Sport England criteria.

- 47 The proposed development is for housing and a new park and no playing fields would be retained on the site, therefore the proposal would not comply with part ii) of the Sport England criteria. It would not comply with part iii) either because in theory the stadium could be brought back into use, although the likelihood of this happening is considered to be very low as explained below.
- 48 The stadium and football pitch have not been used since 2004 when it is understood that Fisher Athletic (now Fisher FC) ran into financial difficulties and vacated the site. As a result the team has ground-shared with Dulwich Hamlet at the Dog Kennel Hill Stadium for the last 10 years. The Surrey Docks stadium was subsequently taken into administration, has significantly deteriorated in condition ever since, and has been subject to unlawful commercial activities including the storage of scrap vehicles. The stadium and depot were purchased by the applicant in October last year, and the applicant is in the process of purchasing the car parking areas from the Council.
- 49 The existing stadium if in use would be able to accommodate 1500-2000 spectators and requires in the region of £1.5m to be spent on it to bring it up to standard. However, there is no known club which would take it on and spend the money required, or which could pay the rent to enable an investor to carry out the works. In terms of the possibility of Fisher FC using the site, Fisher is a player owned club which does not pay its players and currently attracts around 100 players to a game (home and away fans) and as such it would not be in a position to run the stadium. Whilst it is noted that a previous permission on the site did include sports facilities, that permission was never implemented and has now lapsed. As a result it is not considered that there is any realistic prospect of bringing the existing stadium back into use.
- 50 In relation to condition iv) of the Sport England criteria, it is considered that the proposal would comply. It is proposed to upgrade existing sports facilities at the neighbouring St Paul's sports ground in line with criteria iv. St Paul's sports ground is located in very close proximity to the application site and provides a full-sized synthetic turf pitch, mesh fencing and flood lighting. This facility has not been managed for a number of years owing to a lack of funding and its condition is deteriorating. The upgrading this facility would represent a more sustainable option in the long term than refurbishing the existing stadium owing to the costs involved and the lack of any identified end-user.
- 51 The facilities to be provided at the St Paul's site would comprise upgraded access and parking, a new artificial grass 3G pitch, a club house, two 150 seat spectator stands, fencing, lighting and a public address system, all of which are estimated to cost £950k. These works are subject to a separate planning application which has been submitted by the applicant (reference: 14-AP-0310) and which appears as item 3 on the committee agenda.
- 52 The applicant proposes to contribute £500k towards the work on the St Paul's site, which would secure the upgraded surfacing and parking, the new 3G pitch, fencing and lighting (phase 1 works) and this would need to be secured through a s106 agreement. In order to secure the remaining facilities (club house, spectator stand and PA system - phase 2 works) it is intended that Fisher FC and the Council will submit a joint application to the Football Foundation and the Football Stadia Improvement Fund for approximately £225k worth of funding and that the remaining £225k would be match-funded by the Council using section 106 monies, although this would require separate approval by the Planning Committee. Fisher FC wishes to return to its home area and if the funding is secured, would have a concession

agreement with the Council to play at the site every other Saturday and mid-week during the football season. It is anticipated that the upgraded facilities would be a shared community resource and the Council would seek to find a partner operator to manage the facility.

- 53 Sport England has supported the application for the works to the St Paul's site, but submitted a holding objection to the works on the former stadium site owing to the loss of the existing facilities and pending further information regarding the delivery of the works to the St Paul's site. In order to address this a Memorandum of Understanding between the applicant, the Council and Fisher FC has been submitted to Sport England which details what each party would be required to do to deliver the project. Sport England has reviewed this and has requested further information on the timing of the works to St Paul's and how this would be connected to the stadium site, together with information to demonstrate that the applicant's contribution of £500k is the maximum that it could support without making the scheme unviable.
- 54 Based on the current build programme it is anticipated that construction of the dwellings on the former stadium site would begin in January 2015 and would be completed in August 2016. The applicant has agreed that a clause can be inserted in the legal agreement preventing occupation of the last 20 private units in the development until and unless the phase 1 works on the St Paul's site have been completed. A further clause would be included preventing occupation of the final 10 private units on the stadium site until / unless a build contract for the phase 2 works has been signed.
- 55 In relation to part v) of the Sport England criteria, the proposal would not provide any indoor or outdoor sports facilities and would not therefore comply. However, with regard to the lack of any identified investor or end user for the existing stadium, the findings of the draft playing pitch strategy which recommended the disposal of the St Paul's, the improvements made to Mellish Fields and in addition to the £500k commitment towards upgrading the facilities on the St Paul's site (the Council's s106 toolkit would generate a contribution of £68,822 towards sports facilities for a development of 103 dwellings) officers consider that the proposal would comply with parts i) and iv) of the Sport England criteria and that the proposal can be supported in principle. Whilst the St Paul's sports ground is smaller than the existing stadium, an end-user has been identified and it is considered to be a more sustainable option in the long term. Given that the works to the St Paul's site are required in order to mitigate the loss of the existing facilities and to address the land use requirement for sports facilities on the former stadium site, Members are advised that this application could only be granted if the application for the St Paul's site is granted as well, otherwise there would be no new replacement 'stadium', just a new pitch. In light of this Members should defer making a resolution until both items have been considered.

#### Proposed houses

- 56 The provision of housing on the site would comply with the proposal site designation which lists residential as an acceptable use. Concerns have been raised by neighbouring residents in relation to overcrowding and that 103 units would be excessive, although this would not significantly exceed the 100 unit estimated capacity stated in the adopted AAP which was on a smaller site not including the northern car park. It is noted that 90 units would be provided within the boundary of the proposal site designation, below the estimated capacity. Notwithstanding that there are no objections in principle to developing this parking area to accommodate plots B and C, as it is not subject to any specific land use designation within the CWAAP and the use as coach parking was on a temporary basis and has now ceased.
- 57 Neighbouring residents have raised concerns that no retail would be provided on the

site and that a cafe, supermarket or swimming pool should be provided. However, the proposal site designation lists retail as another acceptable use rather than a required land use therefore no objections are raised. It is also noted that the provision of housing on the site would help support existing shops and services in the area. Although no sports facilities would be provided, the proposal would incorporate a new park which would offer opportunities for informal leisure and recreation and would contribute towards upgrading the St Paul's site.

- 58 To conclude the land use issues, it is considered that the principle of the proposed development would be acceptable and would comply with parts i) and iv) of the Sport England criteria. It is considered that the substantial benefits arising from the scheme including the removal of unsightly structures, the provision of new housing, a substantial new park and a contribution to upgrading a neighbouring sports facility would outweigh the loss of the existing stadium buildings and football pitch and would comply with the provisions of the NPPF.

### **Metropolitan Open Land**

- 59 The existing football pitch is designated MOL, and this designation extends into the south-eastern corner of the stadium part of the site which currently contains a building. London Plan policy 7.17 states that the strongest protection should be given to MOL, and this is reinforced through strategic policy 11 of the Core Strategy and saved policy 3.25 of the Southwark Plan. Saved policy 3.25 sets out which type of development may be permitted on MOL as follows:

- 60 i) Agriculture or forestry; or  
ii) Essential facilities for outdoor sport and recreation, for cemeteries, and for other use of land which preserve the openness of the MOL and which do not conflict with the purposes of including land within MOL; or  
iii) Extension of or alteration to an existing dwelling, providing that it does not result in disproportionate additions over and above the size of the original building; or  
iv) Replacement of an existing dwelling, providing that the new dwelling is not materially larger than the dwelling that it replaces.

- 61 Any development on MOL is considered inappropriate although some development may be permitted in 'very special circumstances' and when considered essential as set out above. The proposal would result in inappropriate development on a relatively modest part of MOL of 106sqm associated with part of the stadium site; however, the area is not 'unbuilt' land as it is occupied by an existing building and any harm arising would be offset by a provision of an additional and equal area of open space abutting the new park. It is considered that the openness of the MOL would be maintained.

- 62 The provision of the new park would be a significant positive aspect of the scheme which would benefit the whole area. The works would be carried out by the applicant and would amount to £250k, and a clause would be included in the legal agreement to secure its delivery. Upon completion of the works the park would be transferred to the ownership of the Council with a maintenance fund of £250k and again, this would be secured through the legal agreement. The layout and facilities in the new park have been agreed with the Council's Parks and Open Spaces Service.

- 63 In relation to the MOL on part of the stadium site, it is proposed to build over this area which would contain the southern-most house in plot A, and objections have been received on this basis including the issue of precedent. The area in question is modest in size however, measuring only 160sqm and as noted it already contains a building. It is also noted that the previous permission on this site would also have built over this area.

- 64 By way of mitigation a land-swap is proposed whereby a 160sqm piece of land within the applicant's ownership on the western part of the site would be landscaped to form part of the new park and would be transferred to the Council together with the park upon completion of the works. This could then be designated as MOL through any future revisions to the Southwark Plan. Whilst paragraph 7.56 of the London Plan advises that development which involves loss of MOL in return for new open space elsewhere will not be considered appropriate, in this instance given that the new open space would be on the application site and abutting the current MOL boundary this is considered to be acceptable, and the particular circumstances of the case are such that it is not considered that an undesirable precedent would be set. The existing MOL contains a building and the new MOL would be landscaped to form part of the new park and would therefore be of greater amenity value than the MOL to be lost. The GLA has confirmed the acceptability of this approach and that the proposal raises no strategic issues, and the land-swap would need to be secured through the s106 agreement.

### **Environmental impact assessment (EIA)**

- 65 Prior to the submission of this application, a request for a screening opinion was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 'the Regulations'. The screening opinion was for a development comprising 101 dwellings on the site and 9,926sqm of open space (reference: 13-AP-4460).
- 66 A negative screening opinion was given, i.e. it was concluded that the proposed development would not require an EIA to be undertaken. It was concluded that according to the Regulations, the development could be classified as a Schedule 2 'urban development project' by virtue of its site area which exceeded 0.5ha. An assessment was therefore made as to whether the development was likely to have a significant effect upon the environment by virtue of its nature, size or location, based on a review of the Schedule 3 selection criteria for screening Schedule 2 Development.
- 67 It was concluded that the nature, scale and location of the development was such that it would not be likely to give rise to environmental effects of more than local significance. The site is not located within a 'sensitive area' as defined by the Regulations and based on the information submitted, it was found that no Environmental Impact Assessment would be required.
- 68 Given the similarities between the proposal subject to the screening opinion and that for which permission is now sought, it is considered that the proposal would not have a significant effect on the environment by virtue of its nature, size and location, and that based upon a review of the selection criteria set out in Schedule 3 of the Regulations, an EIA would not be required.

### **Density**

- 69 The site is located within the suburban density zone where strategic policy 5 of the Core Strategy permits a density range of between 200 and 350 habitable rooms per hectare, and this is reinforced through policy 24 of the CWAAP.
- 70 The submission advises that the density of the proposed development would equate to 342 habitable rooms per hectares (hrh), falling within the permitted range. It is noted that this is based on a site area of 0.96ha which includes the car park at the north of the site, the site of the former depot and stadium buildings and the Dell (but not including the proposed park or the former stadium). If the Dell were excluded, as it is not proposed to build on this area, the density would rise to 381hrh which would

exceed the permitted range. However, as set out below the quality of accommodation and impact upon the neighbouring properties is considered to be acceptable and it is not considered that the proposal would amount to an over-development of the site.

### Affordable housing

- 71 Strategic policy 6 of the Core Strategy requires a minimum of 35% affordable housing units to be provided on developments with 10 or more units, and requires the provision of 875 affordable homes in the Canada Water Action Area between 2011 and 2026. The affordable housing SPD assets out the method for calculating the affordable housing and advises that for developments of 15 or more units, affordable housing is calculated as a percentage of the habitable rooms rather than of the total number of units. In terms of tenure split, 70% social rented and 30% intermediate are required. Neighbouring residents have questioned the amount of affordable housing that the development would provide and how many of the homes would be for local people.
- 72 The development would provide 34 affordable units which would equate to 33% in terms of units or 35% in habitable rooms which would be policy compliant. The affordable units would be located in plots C and F of the proposed development. In terms of tenure mix there would be 30% social rented units (3 and 4-bed units), 35% affordable rented units (1 and 2-bed units) and 35% shared ownership which would broadly comply with the required tenure mix. The applicant has advised that the rent levels for the affordable rented units would be between 60 and 65% of market rent and it is recommended that this be secured through the legal agreement. Three wheelchair accessible units would be provided comprising 2 x 1B2P flats and a 2B3P flat. The mix of affordable units is set out below.

	Social rented	Affordable rented	Intermediate	Total	Percentage by mix
1 bedroom	0	3	7	10	29.5%
2 bedroom	0	9	3	12	35%
3 bedroom	6	0	2	8	23.5%
4 bedroom	4	0	0	4	12%
<b>Total units</b>	10	12	12	34	100%

- 74 It is recommended that clauses be included in the legal agreement to secure these units.

### Housing mix

- 75 Strategic policy 7 of the Core Strategy 'Family homes' requires developments of 10 or more residential units to provide at least 60% 2+bedrooms and at least 30% 3, 4 or 5-bedroom units within the suburban zone, with no more than 5% studio units to be provided. This is reinforced through policy 23 of the CWAAP, which also requires the 3+ bedroom units to have directly accessible amenity space.
- 76 The proposed development would provide 72% 2+ bed units and 31% 3+ bed units which would be policy compliant. The 3+ bed units would comprise a mix of town houses, duplex units and flats and they would all have direct access to private amenity space in the form of gardens or balconies.

## **Wheelchair accessible housing**

- 77 Saved policy 4.3 of the Southwark Plan requires at least 10% of all major new residential developments to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site.
- 78 There would be 10 wheelchair accessible units within the development which would equate to 10% provision. They would comprise 7 x 1-bed units, 3x 2-bed units and whilst the predominance of 1-bed units could limit their take up, there is no policy requirement for larger units to be provided. All of the units would be lifetime homes compliant.
- 79 Detailed layouts of the units have been provided and with the exception of the bathrooms which must be amended to wet rooms, the layouts would be acceptable and a condition in relation to the bathrooms is recommended. Following amendments to the plans the wheelchair accessible parking spaces would all be within a reasonable distance of the units, ranging from 5m to 30m away.

## **Quality of accommodation**

- 80 Saved policy 4.2 of the Southwark Plan 'Quality of accommodation' requires developments to achieve good quality living conditions. Further information is provided in the Residential Design Standards SPD which sets out minimum unit and room sizes, together with amenity space standards.
- 81 In terms of the layout of the proposed development, there would be good separation distances across the courtyard of a minimum of 21m, but with closer relationships at the flanks, with a minimum of 14m. All of the distances would exceed the 12m recommended in the Residential Design Standards SPD to maintain privacy where buildings would face each other across a street, and 87% of the units would be dual aspect which is welcomed.
- 82 The proposed units in block D would adjoin the new park, but it would not be possible to walk right up to the back of these units owing to a 3m wide planting strip within the park and their amenity space. As such it is not considered that the privacy or security of the units would be unduly compromised.
- 83 The cranked footprints of plots E and F is such that some of the units located next to each other at the inward facing corners would have a close relationship. Unit 58 on the ground floor of plot E would have a single bedroom at the rear, the window for which would be in close proximity to a communal pathway leading into the block which could raise privacy issues. However, detailed landscaping and boundary treatment details should be required by way of condition, and re-positioning the boundary treatment of the amenity space for this flat would improve privacy to the unit.
- 84 Units 57 and 63 in plot E (first floor) would have bedroom windows in quite close proximity to each other and whilst no direct overlooking would occur, there could be a perception of overlooking. In light of this a condition requiring details of an angled window to unit 57 is recommended, in order to direct views away from unit 63. This would affect a bedroom window in unit 57 but as the room would be served by two windows the quality of accommodation would not be compromised. It is also recommended that balcony screening to units 70 and 81 within this plot be secured by way of a condition, to ensure that the adjoining units would have an acceptable level of privacy.
- 85 The individual unit sizes within the development would be as follows:

<b>Bedspaces</b>	<b>Overall unit size</b>	<b>SPD minimum(average)</b>	<b>Amenity space</b>	<b>SPD Minimum</b>
1-bed	47sqm-67sqm	50sqm	5sqm-29.8 sqm	10sqm
2 bed	67sqm-93sqm	66sqm	6sqm-42sqm	10sqm
3 bed	86sqm-119sqm	85sqm	10sqm – 12sqm	10sqm
4-bed	119sqm – 145 sqm	95sqm	10sqm-58sqm	10sqm (50sqm for houses)

86 With the exception of unit 54, all of the units within the development would comply with or exceed the minimum unit and room sizes set out in the Residential Design Standards SPD; although the bathroom sizes are not listed in the schedule, the applicant has confirmed that they would exceed the 3.5sqm requirement.

87 Unit 54 within block E is shown as a 1-bedroom unit, albeit with a single bedroom, and at 47sqm it would be 3sqm below the required size for a 1-bedroom flat resulting in an undersized kitchen / living space. This would fail to provide an acceptable standard of living accommodation for future occupiers and a condition is recommended requiring this unit to be laid out as a studio flat, the minimum floor area for which is 36sqm which would be comfortably exceeded.

#### Amenity space

88 Section 3 of the Residential Design Standards SPD sets out the Council's amenity space requirements for residential developments and states that all flat developments must meet the following minimum standards and seek to exceed these where possible:

- 50 sqm communal amenity space per development;
- For units containing three or more bedrooms, 10 sqm of private amenity space;
- For units containing two or less bedrooms, 10 sqm of private amenity space should ideally be provided. Where it is not possible to provide 10 sqm 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 sqm to count towards private amenity space.

89 All of the units within the proposed development would have access to private amenity space, in the form of a garden, balcony or terrace and all of the 3+ bedroom units would have at least 10sqm of private amenity space. Some of the smaller units would have less than the required 10sqm of amenity space, and overall the shortfall would be 211sqm across the development. However, 1,095sqm of communal amenity space would be provided within an attractive landscaped courtyard and in accordance with the approach recommended in the Residential Design Standards SPD, this would compensate for the shortfall in private amenity space. The proposal would provide 1,010sqm of publicly accessible amenity space at the Dell and a new 0.94ha park therefore overall a generous amount of amenity space would be provided, both for future occupiers of the development and neighbouring residents.

90 Section 3.2 of the Residential Design Standards SPD advises that children's play areas should be provided in all new flat developments containing the potential for 10 or more child bed spaces. A play area of 320sqm would be required to serve the development, and a door stop play area of approximately 50sqm would be provided in the communal court yard. As detailed in the planning obligations section of this report a contribution towards providing children's play facilities in the area would be provided.



### Internal light levels

- 91 A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted with the application which considers light to the proposed dwellings. The light levels to the rooms has been calculated using the Average Daylight Factor (ADF) which determines the natural internal light or day lit appearance of a room. The BRE guidance recommends that an ADF of 1% be achieved for bedrooms, 1.5% for living rooms and 2% for kitchens.
- 92 Four windows within the proposed development would fail to achieve the recommended ADF, the units affected being numbers 87, 89, 90 and 91 in plot F. These would all affect kitchen/diners which would achieve ADFs of 1.5% for units 87, 89 and 90 and 1.1% for unit 91 rather than the required 2%. All of the rooms affected would be long and narrow which would impact upon the results, and units 89 and 90 would also be affected by balconies above at second and third floor level. Whilst noted, these units would still provide a good standard of accommodation. They would benefit from large kitchen / diners with the cooking facilities located closest to the windows which would experience good levels of light, and the light to the dining areas would only be limited by the depth of the room.
- 93 In relation to external amenity space, the BRE guidance advises that for an area to appear adequately sunlight throughout the year, at least half of the garden or amenity area should receive at least 2 hours of sunlight on 21st March. A plan has been submitted which shows that all of the communal amenity space in the courtyard would comply with the BRE guidance and it is noted that the proposal includes the creation of an extensive new park on the southern part of the site.

### Noise

- 94 A noise assessment report has been submitted with the application which considers the existing noise environment and internal and external noise predictions for the proposed dwellings. It concludes that most of the noise experienced on the site is from traffic using Salter Road or aircraft overhead, and that noise within the units would fall within acceptable limits. The report has been reviewed by the Council's Environmental Protection Team and conditions are recommended, including limiting noise output from any plant associated with the development.

### Secure by Design

- 95 The Metropolitan Police Secure by Design Officer has advised that consideration should be given to secure windows and doors, access controls, boundary treatment and how mail delivery and utilities would be managed; communal entrances should be suitable to ensure that the development is secure and secure lobbies should be provided. The police have recommended that a condition be imposed requiring Secure by Design Certification be achieved, and this has been included in the draft recommendation.
- 96 Overall, whilst the relationship between some of the units in plot E would be close and subject to a condition in relation to unit 54, it is considered that a good standard of accommodation would be provided for future occupiers.

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

- 97 Strategic policy 13 of the Core Strategy 'High environmental standards' seeks to ensure that development sets high standards for reducing air, land, noise and light

pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved policy 3.2 of the Southwark Plan states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenities in relation to privacy, daylight and sunlight.

#### Proposed houses

- 98 Concerns have been raised by neighbouring residents that the proposed development would result in a loss of privacy, however there would be good separation distances to the nearest neighbouring dwellings, all well in excess of the 12m recommended by the Residential Design Standards SPD for properties facing each other across a street.
- 99 There would be a 24m separation distance to the front elevation of 12 Foundry Close, 42m to 37 Globe Pond Road, 24m to 1 Burnside Close and 30m to 35 Burnside Close, all of which would be sufficient to maintain good levels of privacy and outlook.
- 100 The BRE daylight and sunlight report submitted with the application considers the impact of the proposed development on the following neighbouring properties:
- 1, 2, 18, 19, 34 and 35 Burnside Close
  - 12-20 Beatson Walk
  - 34-36 Globe Pond Road
- 101 An objector has commented that sunlight to properties to the west of the site has not been considered. However, the BRE guidance advises that buildings need only be subject to detailed testing where a proposed building would bisect a 25 degree line taken from the centre of the lowest window of the neighbouring property. In accordance with the BRE guidance only the properties affected in this way have been subject to further testing.
- 102 The following tests have been carried out:
- Vertical Sky Component (VSC) - the amount of skylight reaching a window expressed as a percentage. The guidance recommends that the windows of neighbouring properties achieve a VSC of at least 27%, and notes that if the VSC is reduced to no less than 0.8 times its former value (i.e. 20% reduction) following the construction of a development, then the reduction will not be noticeable.
  - No-Sky Line (NSL) - the area of a room at desk height that can see the sky. The guidance suggests that the NSL should not be reduced to less than 0.8 times its former value (i.e. a 20% reduction).
  - Sunlight - Annual Probable Sunlight Hours (APSH). This should be considered for all windows facing within 90 degrees of due south (windows outside of this orientation do not receive direct sunlight in the UK). The guidelines advise that windows should receive at least 25% APSH, with 5% of this total being enjoyed during the winter months. It should not be reduced to less than 0.8 times its former value.
- 103 The report concludes that the impact upon all of the properties tested would comply with the BRE guidance. As such, none of the neighbouring properties would experience a noticeable loss of daylight or sunlight as a result of the proposed development.

### Proposed new park

- 104 It is not considered that the proposed new park would result in any loss of amenity to neighbouring occupiers, only an enhancement. Whilst new entrances are proposed opposite residential properties in Lagado Mews, people are likely to arrive at and leave the park in a dispersed manner, and the park is likely to have less of an impact upon neighbouring occupiers than if it were used as a football pitch again. Concerns have been raised that the development as a whole would result in noise and disturbance to neighbouring occupiers, but it would be consistent with the neighbouring land uses and it is not considered that any undue noise and disturbance would occur.

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

- 105 It is not considered that any of the surrounding land uses would impact upon the use of the site for housing and a new park. The surrounding area is predominantly residential and the proposal would be consistent with this. There is much open space in the area, including Russia Dock Woodland and Mellish Fields, and the proposed development would sit comfortably within this context.

### Transport issues

- 106 Core Strategy policy 2 'Sustainable transport' asserts a commitment to encourage walking, cycling and the use of public transport rather than travel by car, and requires transport assessments to be provided with applications to show that schemes minimise their impacts, minimise car parking and maximise cycle parking to provide as many sustainable transport options as possible. Saved policy 5.1 of the Soutwark Plan is also relevant which requires major developments to be located near transport nodes. Saved policy 5.2 states that planning permission will be granted for development unless there is an adverse impact on the transport network or if adequate provision for servicing is not made, saved policy 5.3 requires provision to be made for pedestrian and cyclists and saved policies 5.6 and 5.7 relate to car parking. A Transport Assessment (TA) and Residential Travel Plan have been submitted in support of the application.

### Access and site layout

- 107 The site has a public transport accessibility level (PTAL) ranging from 1b to 2 (low) reflecting poor access to public transport. The nearest bus stops are on Salter Road approximately 60m and 120m from the site, and Rotherhithe Station is approximately 800m to the south. The site is not located in a controlled parking zone.
- 108 The existing access road provides vehicular and pedestrian access to the depot and former stadium, and pedestrian access to Foundry Close and beyond. It is proposed to retain and upgrade this access road, with works proposed to the junction. These works would require a separate highways agreement, but a condition is recommended requiring details of the visibility splays to be submitted for approval.
- 109 There is some uncertainty as to whether the existing road, although privately owned, has become a highway owing to it having been used by residents for a long period of time. In light of this the Council's Development Control Officer (Highways) has advised that it would only be possible to restrict use of the parking spaces to those living in the development if gates were provided across the vehicular access. The location of the proposed gates has been shown close to the junction with Salter Road between plots C and E.

- 110 However, the gates would need to be positioned a minimum of 12m back from the junction for highway safety reasons and a condition for revised details is recommended. This is likely to allow all but three of the parking spaces to sit inside the gates, and one of those spaces would be a car club space. The location of the car club space outside the gates would make it visible to a greater number of people and possibly encourage more widespread use. Although the two remaining space could be used by anyone regardless of where they lived, their location relative to neighbouring properties is such that they would most likely to be used by people living in or visiting the development.
- 111 Whilst the provision of gates is not an ideal solution, given the low PTAL it is considered important that as many of the parking spaces as possible only be for use by those living in the development. Pedestrian access through the site to Foundry Close and beyond would be unaffected as the gates would only cross the vehicular surface, and a clause would be included in the s106 agreement securing pedestrian access through the site from west to east in perpetuity.

### Pedestrians

- 112 Concerns have been raised by neighbouring residents that the development would impact upon the green chain route through Russia Dock Woodland and that the plans do not confirm if the existing walkway between Ladago Mews and the Woodland would be maintained.
- 113 In addition to retaining the existing pedestrian route from Salter Road to Foundry Close as detailed above, a new pathway is proposed through the Dell connecting it to the new park. Although the Dell would remain within the applicant's ownership and would be managed by a site management company, the applicant has confirmed that public access rights across it can be included in the s106 agreement which is considered to be a significant positive aspect of the scheme. Two pedestrian entrances to the park are shown from within the communal courtyard and between plots A and D and whilst no objections are raised in principle, the Councils' Parks and Open Spaces Service has advised that none of the units must be granted access rights into the park, and this is considered further in the planning obligations section of this report. The proposed development would not impact upon existing routes, but would provide new publicly accessible routes through the site which would be of benefit to neighbouring occupiers.
- 114 Given the increase in the number of people using the site, it is recommended that a new crossing be installed on Salter Road to provide a safe connection to the bus stops and shops beyond. The cost of a new crossing has been estimated as £40K and it is recommended that the site specific transport contribution for the development be put towards this.

### Trip Generation, Modal Split, Distribution and Assignment

- 115 The Transport Assessment concludes that the proposed development would generate 23 vehicles per hour in the morning peak (0800-0900) and 20 vehicles in the evening peak (1700-1800). This would represent a total net increase of 18 vehicle trips per day compared to the existing commercial activities which are taking place on the site at present, albeit unlawfully. Although concerns have been raised by neighbouring residents on the grounds of traffic generation, this increase is not considered to be significant and measures including the car club and travel plan would reduce travel by the private car.
- 116 It is noted that the site is in close proximity to a school located on the opposite side of

Salter Road, opposite the northern car park area. Its proximity is such that children living in the development would most likely travel to the school on foot and the new crossing to be secured through the legal agreement would provide safe passage. The access gates would prevent neighbouring residents from parking on the site when dropping off and picking up from the school, and vehicle speeds are likely to be low when entering and leaving the site.

#### Car parking

- 117 The location and layout of the proposed parking spaces is considered to be acceptable. Whilst the arrangement outside plot A would be somewhat unusual in that there would be three parallel parking spaces next to the private driveways for the houses, the layout has been amended so that the parallel spaces would be clearly segregated by landscaping, with private pathways leading to the houses.
- 118 The proposed development would provide 53 parking spaces including 8 integral garages for the houses in plot A, a car club space and 10 wheelchair accessible parking spaces; 20% active and passive electric vehicle charging points would be provided and this should be secure by a planning condition.
- 119 Based on the current position of the access gates, there would be 50 parking spaces within the development which would only be available for use by future occupiers. As the eight houses in plot A would have access to two parking spaces each, only one of the spaces should be counted to give the percentage of units which would have access to a parking space, and this would equate to 41% parking provision.
- 120 Whilst this level of parking would be quite low it has been arrived at with regard to census information regarding car ownership levels and in combination with measures such as the car club space, car club membership and travel plan, it is not considered that any unacceptable overspill parking would occur. It is also noted that the CWAAP requires an additional s106 contribution towards improving public transport in Canada Water, and this would be secured through the legal agreement. A condition should also be imposed requiring the integral garages to the houses in plot A to be retained as such, which would prevent them from being converted to habitable rooms without first obtaining planning permission.
- 121 In terms of how the parking spaces would be allocated, only the houses in plots A and B and the wheelchair accessible units would have their own specific spaces. All other spaces would be allocated on a first-come, first-served basis managed through a permit system, with residents potentially parking in a different space every day. If an occupier of one of the wheelchair accessible units did not require a parking space it could be made available to others, until and unless it was required by another wheelchair user.
- 122 It is not intended that the footpaths and roadways in the development would be adopted, therefore the parking arrangements would be overseen by a site management company which would impose fines if necessary. Visitor permits would be issued to each dwelling, although if all of the parking spaces were already taken up by the units, visitors would have to park on-street. A parking survey of the surrounding streets has been undertaken in relation to the linked application at St Paul's sports ground which indicates that there would be capacity on-street to accommodate this.

#### Cycle parking

- 123 The London Plan sets more onerous targets for cycle parking and is a more recent document than the saved 2007 Southwark Plan, therefore the London Plan standards

have been considered. For residential uses the London Plan requires 1 space per dwelling up to 45sqm and 2 spaces for all other dwellings. In this instance a total of 207 cycle parking spaces would be required to serve the development, including two visitor cycle spaces.

- 124 The proposed development would only provide 146 cycle parking spaces, 52% of which would be Sheffield stands or space pods and the remaining 48% josta stands. Whilst the location and type of cycle parking spaces would be acceptable, there would be a significant shortfall in the number of spaces. Whilst this is noted, rather than require the applicant to provide additional spaces straight away, it is recommended that their usage be monitored through the travel plan with a view to increasing provision if required.

#### Servicing and Waste Management

- 125 Each of the blocks of flats would have their own communal refuse / recycling stores, the sizes of which have been calculated in accordance with the Council's guidance, and the houses would have individual stores in their front gardens. Tracking diagrams have been submitted which demonstrate that refuse collection vehicles would be able to manoeuvre within the site and enter and leave in a forward gear.
- 126 Residents should be no more than 30m from their designated refuse store and the stores should be no more than 10m from the collection point. Whilst the travel distances for residents would be acceptable, the travel distance for refuse operatives would be exceeded in relation to plot F, as collection vehicles stopping on Salter Road would not be acceptable. In light of this a refuse holding area is shown on Salter Road and the site management company would move the bins to the holding area on collection day and take them back to plot F thereafter. This would enable the travel distances to be met and for all of the refuse collection to take place from within the site. To ensure that it would not be overly obtrusive in the streetscene, a condition requiring details of the holding area is recommended.

#### Impact on public transport

- 127 Concerns have been raised that the proposed development would result in increased pressure on public transport. However, the application has been reviewed by Transport for London (TfL) which has advised that the predicted trip generation figures are unlikely to adversely impact upon any TfL roads or to require any additional bus service capacity along Salter Road therefore no objections are raised. The contributions towards public transport improvements which would be secured through the legal agreement are noted.

#### Travel plan

- 128 The Travel Plan submitted with the application outlines the measures which would be used to encourage more sustainable modes of travel. Each unit within the development would be provided with a marketing pack which would provide details of the electric vehicle charging points within the development, details of car-sharing databases, the car-club scheme including 3 years membership for each eligible adult within the development, and details of walking, cycling and public transport routes.
- 129 The Travel Plan has been reviewed by the Council's Transport Planning Team and is found to be of a good quality. A condition is recommended to ensure that it is implemented, together with ongoing monitoring and review including monitoring the use of the cycle parking to ascertain whether additional provision would be required.

## Construction Impacts

- 130 Given its size, all of the construction work should be able to take place from within the site. The construction works, although temporary, could give rise to some noise and disturbance to neighbouring occupiers and comments from neighbouring residents and the proximity to the school are noted. A condition is therefore recommended requiring a construction management plan to be submitted for approval, detailing ways in which impacts such as noise and air pollution and impacts from construction vehicles would be minimised during building works.
- 131 Overall and subject to the measures outlined above, it is considered that the proposed development would not result in any adverse highway conditions.

## **Design issues**

- 132 The site is prominently located on Salter Road and benefits from an open setting to the south, which can be viewed from Lagado Mews with Russia Docks Woodland beyond. The surrounding buildings are suburban in character and range from modest 2-3 storey houses to the north, east and west of the site, with some taller buildings of 4 and 5-storeys to the west at the junction with Rotherhithe Street. The site is not in a conservation area and the nearest listed buildings are to the north and east of the site on Rotherhithe Street with buildings in between, and their settings would not be affected by the proposed development
- 133 The NPPF stresses the importance of good design and at paragraph 56 states that: "Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people." This is reinforced through strategic policy 12 of the Core strategy which states that "Development will achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in." Saved policy 3.12 of the Southwark Plan is also relevant, which asserts that developments "should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit." and saved policy 3.13 asserts that the principles of good urban design must be taken into account in all developments, including height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
- 134 The development would be arranged around an inner communal courtyard encircled by perimeter blocks. Outside the perimeter blocks a road would extend from Salter Road to provide access to the town houses along the northern and eastern sides of the site. All of the buildings would be brick with elements of timber cladding, which would be appropriate in this context.
- 135 The design can be broken down into the following components:
- The Salter Road frontage (plots C, E and F)
  - The central communal garden and plot D
  - Town houses on northern and eastern edges of the site (plots A and B)

## 136 The Salter Road frontage

This would comprise plots C, E and F, all of which would be 4-storeys high. Plot C would be located on the northern side of the access road and would adjoin plot B, and plots E and F would be located to the south of the access road. These blocks would have a cranked footprint and a gap between them.

Concerns have been raised by neighbouring residents that 4-storeys would be excessive in this location, and whilst it is noted that the nearest surrounding buildings are predominantly 2-3 storeys high, there are taller buildings further west at the junction with Rotherhithe Street. It is also noted that the previous permission on the site included a 5-storey building along the Salter Road frontage.

The buildings would be set 3m back from the pavement with gaps between them which would break up the built form and allow for a high proportion of dual aspect units and views through the development. In light of this the height and massing of the proposed development is considered to be acceptable.

In terms of their elevational detailing, the buildings would take on the aesthetic of the traditional warehouse buildings typical of the river frontage nearby. The elevations would address the street frontage positively, with the main edges of plots E and F lined with duplex units with front doors and front gardens facing onto the street. This would also give the elevations their proportions, typically with maisonettes at the base topped with two storeys of flats above. Careful consideration of the boundary treatment along this frontage would be required, and it is recommended that this be reserved by way of a condition.

Amendments have been made during the course of the application to provide additional / revised fenestration to the flank elevations of the buildings to ensure that they would provide adequate visual interest when viewed from the street. The balcony details have also been amended to provide diagonal braces which would add visual interest and develop the warehouse aesthetic.

#### The central communal garden

- 137 This space would be at the heart of the development and would be visible from the Salter Road frontage. It would only be for use by those residing in the development and would significantly contribute to the amenity of the flats around it, with all but two of the ground floor units having direct access to the space from their private gardens.

Care has been taken in developing the scheme to ensure that the landscaped courtyard would be well designed. In particular the design has been developed to ensure that there would be no parking in this area, and that it would be of sufficient size to accommodate the private amenity space requirements of the ground floor units as well as the communal provision for the remainder of the flats.

The southern side of the courtyard would be enclosed by plot D, which would be a 4-storey pavilion-style block overlooking the park. Amendments have been made to the design of this building reduce the height of the timber-clad top floor and to provide additional fenestration in its flank elevations. It would sit at the edge of the MOL and has been designed to be symmetrical, with a distinctive recessive top clad in timber to ensure that it would not be overly dominant, but would give the communal courtyard an appropriate sense of enclosure.

#### Town houses on northern and eastern edges of the site (plots A and B)

- 138 The inclusion of the town houses within the development is welcomed. This is a typology typical of the area which would enhance the mix of housing options that the development would provide. Moreover, locating the town houses at the northern and eastern edges of the site would taper the development down at its fringes, which would help it to sit well in relation to the smaller neighbouring buildings to the east.

Each house would have a small area of defensible space to the front which would



include refuse storage, and they would have gardens to the rear facing the Dell and Russia Dock Woodland. This arrangement and keeping the Dell as a publicly accessible space would ensure that the development would not extend to the edge of the woodland and would complement the open setting of the site by providing gardens at the northern and eastern edges. In order to preserve this relationship and to ensure that there would be no unacceptable encroachment towards the adjacent woodland, a condition removing permitted development rights from the proposed houses is recommended.

The town houses have been designed as two terraces with a distinctive gabled design facing onto the internal street. Plot A has been designed with a stepped height to give an articulated roof-line whilst plot B would be a continuous terrace. Amendments have been made to the rear elevations of plot A to include additional windows at ground floor level, and alterations have been made to the flanks. Overall the design of the proposed town houses is considered to be acceptable and they would fit well within this context.

It is noted that the elevations do not show the proposed substation, although basic details have been provided showing a simple pitched roof structure with a maximum height of 2.5m. A condition is therefore recommended to secure full details of the substation, and the applicant has advised that it would be enclosed by 1.8m high fencing.

The proposed landscaping to the park is considered below. The works to amend the boundary treatment along Lagado Mews and to provide new entrances from this street and Salter Road would be acceptable in design terms, and should be included in a condition to provide boundary treatment details for the entire site.

#### Design Review Panel Comments

- 139 An earlier version of the scheme was reviewed by the Design Review Panel on 11 November 2013 prior to the submission of this application. In summary, the Panel welcomed the proposal and the involvement of Hawkins Brown architects. They felt that the architects should go on developing their design to fulfill the promise of a good scheme, low in density and offering a good variety of typologies and mix in a wonderful landscaped setting.

They encouraged the architects to revise their scheme to clarify the fronts from the backs, reinforce the hierarchy of spaces and strengthen the architectural typologies before they submit a planning application. The scheme has been revised to address the points raised by the Panel, with primary frontages arranged to face onto streets and facades adjusted to compliment their settings.

To conclude in relation to the design of the proposed development, its layout, height, scale and massing are considered to be appropriate to its location and it would form an attractive addition to the streetscene. The quality of the scheme will rely to a great degree on the quality of the architectural detailing and the quality of the proposed landscaping, and these matters can be reserved by condition to ensure that the choice of facing materials and architectural details would deliver the warehouse aesthetic that the proposal seeks to achieve.

#### **Impact on trees and landscaping**

- 140 There are currently 50 trees on the site comprising 13 individual trees and a further 37 trees in seven groups, and a number of the trees appear to be growing out of some of the derelict buildings on the site. Whilst none of the trees are protected by a preservation order, there are four large London Plane trees along Salter Road which

are prominent in the streetscene.

- 141 A tree survey report has been submitted with the application which categorises the trees on the site; none are classified as category A trees (high value), 28 are classed as category B trees (moderate) and the remaining trees are category C (low) or U (unsuitable for retention).
- 142 The proposal would require the removal of 17 trees in total, comprising 12 of the individual trees (category B) and all of the trees within group 2 (category C) and group 7 (category U). Of particular note is the proposed removal of three trees from the Salter Road frontage which would undoubtedly result in the loss of some visual amenity in the streetscene.
- 143 It is noted however, that 79 new trees would be planted within the development including in the new park. Unfortunately owing to the presence of services beneath the grass on Salter Road it would not be possible to provide any new trees along this frontage, but given the extent of replacement tree planting no objections are raised. The Council's Urban Forester has advised of the stem girths that would be required for the new trees to ensure that there would be no loss of canopy cover, and it is recommended that this be secured by way of conditions.
- 144 The Council's Urban Forester has raised the possibility that the proximity of the back gardens of plot A to the trees within the Dell could in the future lead to requests for works to these trees to increase light to the houses and gardens. This could affect the woodland character of this area, which is to be retained in the applicant's ownership. It is therefore recommended that a condition be imposed requiring a management plan for the Dell to be submitted for approval, including a requirement for details of all tree works in this area to be submitted to the Council for approval in writing.
- 145 The landscaping for the proposed new park has been kept relatively simple, with the area to be predominantly grassed, with a new pathway, benches, tree planting and boundary treatment provided. A condition requiring a full landscaping plan to be submitted for approval is recommended, and this should also include landscaping for the proposed housing development.

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

- 146 Saved policy 2.5 'Planning obligations' of the Southwark Plan and policy 8.2 of the London Plan advise that Local Planning Authorities should seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the Council's Planning Obligations Supplementary Planning Document. Policy 33 of the CWAAP requires developments to contribute towards strategic transport improvements in the area corresponding to the expected trip generation of the scheme. It states that contributions towards improvements to the surface transport network will be the Council's priority in negotiating s106 obligations.
- 147 Concerns have been raised by neighbouring residents that the plans do not propose to improve existing services and infrastructure. However, the legal agreement would secure contributions covering a variety of topic areas which would help to mitigate the impact of the development.

Topic Area	SPD Requirement	Applicant's Offer
Education	329,744	329,744
Employment during construction	£79,330	£79,330
Employment management fee	£6,003	£6,003
Public open space, children's play, sports development	£126,987	£17,153 for children's play equipment; £250k in-kind works to create new park; £250k maintenance fund for new park; £500k contribution towards St Paul's sports ground.
Transport strategic	£59,599	£59,599
Transport strategic CW supplement	£53,560	£53,560
Transport site specific	£51,500	£40k for new crossing on Salter Road
Public realm	£77,250	In-kind works to create park - see open space contribution above.
Health	£120,113	£120,113
Community facilities	£19,299	£19,299
Total	£923,385	£1,724,801 (this includes £750k worth of in-kind works)
Admin fee (2%)	£18,467.70	<u>£34,496.02</u>

### Affordable housing

- 148 As stated terms to secure the agreed affordable housing would need to be included in the s106 agreement, including a clause to the effect that no more than 50% of the private units could be occupied until and unless the affordable housing has been completed and setting the rent levels for the affordable rented units.

#### Public open space, children's play, sports development and public realm

- 149 The s106 toolkit generates a sum of £126,986 for the open space contribution (comprising £18,677 for open space, £17,153 for children's play equipment and £91,157 for sports development) and £77,250 towards public realm improvements. The applicant would provide the children's play equipment contribution and this would be secured through the s106 agreement.
- 150 The proposed works to create the new park would cost £250k and upon completion of the works the park and the new area of MOL would be transferred to the Council. The applicant has advised that with the exception of a small area to be used for a construction compound, the park would be completed early in the build programme. As stated it is anticipated that work to construct the dwellings would commence in January 2015 and would be completed in August 2016, and work would commence on the park in January 2015 with completion in May 2015. It is recommended that this be secured through the legal agreement to ensure that most of the park is available for use as the dwellings start to become occupied. The final section of the park containing the works compound should be completed within one month of the final unit being occupied, and again this should be secured through the legal agreement together with the £250k maintenance fund. In recognition of the extent of publicly accessible space that the development would provide, no objections are raised to the lack of a public realm contribution in this instance.
- 151 In relation to the sports facilities, a clause should be included in the legal agreement

preventing the final 20 units from being occupied until and unless the phase 1 works at the St Paul's site have been completed. A further clause is recommended preventing the final 10 units within the development from being occupied until and unless a build contract for the phase 2 works has been signed. The details of the intended community use of the St Paul's sports ground and how this should be secured is detailed in the officer report for that application.

#### Public access

- 152 The s106 agreement would also need to secure access rights through the development from Salter Road eastwards towards Foundry Close, and through the Dell to the new park. The plans show an access from the communal courtyard to the park, and another between plots A and D. The Council's Parks and Open Spaces Service has advised that no private accesses must be permitted into the new park and this too must be stipulated in the agreement. Whilst the gates could be provided, it must be made clear that no access rights would exist and the gates could be locked by the Council at any time once it owns the park. The applicant is still considering whether there would be public access rights along the internal street heading southwards. If no public access is granted the s106 agreement would need to make it clear that residents of the development would have no right of access to the park at this point either.
- 153 It is noted that the southern-most house in plot A would abut the proposed new park. It would therefore be necessary for the applicant to ensure that provision is made for maintenance access to the flank wall from within the park, and this would need to be considered separately.

#### Car club space

- 154 The s106 agreement should make provision for providing the car club space on site, including three years membership for each eligible adult within the development. Given the uncertainty regarding whether the area it would be located on has become a highway, it is recommended that the agreement retain a degree of flexibility in terms of how this is delivered. If it is concluded that the land is highway land then the Council would carry out the works and the applicant would have to meet the £5k cost of this. Otherwise it may be possible for the applicant to carry out the work in agreement with the car club provider.
- 155 In the event that the s106 agreement has not been signed by 15 August 2015 it is recommended that planning permission be refused, if appropriate, for the following reason:
- 156 The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2013) and the Planning Obligations SPD (2007).

#### Mayoral Community Infrastructure Levy (CIL)

- 157 S143 of the Localism Act 2011 states that 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.

- 158 Based on the proposed floorspace of £8,366sqm, a CIL payment of £308,567 would be due.

### **Sustainable development implications**

- 159 Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. A detailed Energy Statement has been submitted with the application detailing how the proposal would comply with the Mayor's energy hierarchy, together with a Sustainable Design and Construction Statement and Code for Sustainable Homes pre-assessment indicators.

- 160 All of the dwellings have been designed to achieve Code for Sustainable Homes (CSH) Level 4, and a condition to secure this is recommended to ensure compliance with strategic policy 13 of the Core Strategy.

- 161 Be lean - use less energy

The energy statement details how the scheme would incorporate a number of passive measures aimed at reducing the amount of energy required. These measures would include good levels of insulation for the roofs, external walls and floors, and through the use of high performance windows and doors. Other measures would include the use of energy efficient boilers and appliances, low energy lighting and timber from sustainable sources.

- 162 Be clean - supply energy efficiently

The proposed development seeks to supply the required energy as efficiently as possible and all of the units would use high efficiency gas condensing boilers. The strategy considers future connection to the South East London CHP (SELCHP) energy-from-waste plant located in Lewisham, but has discounted this on the grounds that it would be located over 2 miles from the network making connection difficult.

- 163 Be green - use renewable energy

The energy statement considers a range of renewable energy technologies but found a number of them to be unsuitable. The proposal would incorporate solar photovoltaic panels to supply electricity to the buildings they would be attached to and would generate 19% of the development's electricity supply. This would be marginally short of the 20% Core Strategy requirement but this shortfall is not significant and no objections are raised. It is noted that the roof plan for the proposed development does not show the location of the photovoltaic panels and this should be required by way of a condition. The applicant has advised that areas of brown roofs could be incorporated and this should also be shown on the roof plan.

The combined energy efficiency and renewable energy measures would reduce the carbon dioxide emissions from the development by 40% when compared to the 2010 Building Regulations. This would be policy compliant and conditions to secure this are recommended.

In relation to water use, the Sustainable Design and Construction Statement details how every dwelling would be provided with low water use fittings and appliances including flow regulators for all taps and showers and low volume and dual flushes;

water butts would be provided on down pipes to the blocks of flats and houses for re-use. It is noted that a neighbouring resident has raised the impact upon the sewerage system as a concern. However, Thames Water has advised that they have no objection to the proposal on this basis.

### **Ecology**

- 164 Strategic policy 11 of the Core Strategy 'Open spaces and wildlife' seeks to improve, protect and maintain a network of open spaces and green corridors and to protect important open spaces, trees and woodlands and site of importance for nature conservation. Saved policy 3.28 of the Soutwark Plan 'Biodiversity' requires biodiversity to be taken into account in the assessment of all planning applications and requires the submission of ecological assessments where relevant.
- 165 Concerns have been raised by neighbouring residents that the proposed development could give rise to harmful impacts upon wildlife. Given the derelict condition of most of the buildings on the site and its proximity to Russia Dock Woodland, a site of importance for nature conservation, an ecological assessment has been submitted in support of the application. The assessment concludes that most of the habitats within the site are common and widespread and are of no intrinsic ecological value.
- 166 Bat roosting and bat activity surveys have been carried out on the site and no evidence of bat roosts was found; moreover, none of the trees on the site were identified as being suitable for bat roosts. Whilst it is noted that it has not been possible to carry out internal examinations of all of the buildings due to their poor structural condition, no bats were recorded entering or emerging from the buildings during the activity surveys. There were 25 recorded incidences of bats during the survey, with the majority of activity being commuting through the site with four instances of bats foraging for short periods. The assessment notes that the habitats within the site provide some potential for bat foraging, with the trees and scrub at the edges of the site being of most interest.
- 167 Concerns have been raised regarding the adequacy of the bat surveys, although these have been reviewed by the Council's Ecology Officer and are found to be acceptable. Whilst there could be some loss of a commuting route owing to the loss of three trees on the Salter Road frontage, 79 new trees would be planted across the development and conditions would ensure that they would be of a sufficient size to provide replacement canopy cover. The Ecology Officer has suggested a number of conditions including for downward facing lighting and the provision of bird and bat boxes and these should be imposed upon any forthcoming planning permission.

### **Flood risk**

- 168 The site is located within flood risk zone 3 and as such a flood risk assessment has been submitted for approval. This has been reviewed by the Environment Agency and the Council's Flood and Drainage Team, both of which have recommended a condition requiring a sustainable urban drainage scheme (SUDs) to be submitted for approval, and this should be attached to any forthcoming consent.

### **Contaminated Land**

- 169 The application is supported by a Geotechnical and Geoenvironmental report which considers the levels of existing contaminants in the site and mitigating measures for dealing with these. The report concludes that the contamination risk at the site is generally considered to be low to medium and that mitigating measures could be used including the use of handstanding to act as a barrier and a capping layer of clean topsoil to the landscaped areas and gardens. The document has been reviewed by

the Council's Environmental Protection Team and a condition is recommended.

### **Air Quality**

- 170 Saved policy 3.6 of the Southwark Plan states that planning permission will not be granted for development that would lead to a reduction in air quality.
- 171 An air quality assessment has been submitted with the application which concludes that the air quality for the ground floor rooms facing Salter Road would fall within acceptable limits and that any changes in air quality caused by the development would be imperceptible. It does note that adverse conditions could arise from dust during the construction process, although this be addressed through the construction management condition.

### **Statement of Community Involvement**

- 172 A Statement of Community Involvement has been submitted with the application which details pre-application consultation that has been carried out by the applicant. It advises that the approach taken was to provide detailed information about the proposed development key stakeholders (locally elected representatives, local community groups and statutory bodies) and the local community, to answer questions about the proposals and to provide reassurance that key issues likely to affect the community have been addressed. It describes how a range of communication techniques were employed comprising one-to-one meetings with key stakeholders, presentations at public meetings arranged with local amenity groups and a 2-day exhibition between 21st and 23rd November 2013 which was attended by 88 people.
- 173 The Statement advises that attendees at the exhibition were asked to complete a questionnaire and provide feedback. 75% of attendees stated support for the proposal including the linked scheme at St Paul's sports ground and 25% expressed support but with reservations. In the main the attendees could appreciate the regenerative potential of creating a mixed-use scheme, but queries were raised regarding additional traffic movements and impact of the St Paul's proposals on the amenity of neighbouring occupiers.

### **Other matters**

- 173 Concerns have been raised by a neighbouring resident that insufficient time was allowed to respond to the proposal and that the Council's website is difficult to use. The consultation carried out on the application is detailed at Appendix 1 of the officer report and residents were given the required 21 days to comment. It is noted that a number of comments have been received after the 21 days and have been fully considered. All plans and documents submitted in support of the application have been displayed on the website and listed on the application documents page.

### **Conclusion on planning issues**

- 174 The proposed development is considered to be acceptable in land use terms. Although it would result in the loss of an existing stadium and football pitch, for the reasons outlined in the report this is considered to be adequately justified and the provision of a new park and a significant contribution towards upgrading a neighbouring sports facility would outweigh the harm caused. In reaching this conclusion regard is had to the poor condition of the existing stadium and the lack of any identified end-user. The provision of a new park would be a significant positive aspect of the scheme and an appropriate use of the MOL, and although a small area of MOL would be built upon, the particular circumstances of the case and alternative

provision within the site is such that no objections are raised. It is noted that a number of representations have been received in support of the application, including from a ward Councillor and the three ward Councillors for the Rotherhithe ward.

- 175 The density of the proposed development would be acceptable and 35% affordable housing would be provided based on habitable rooms. A policy compliant mix of units would be delivered, together with wheelchair accessible housing and a good standard of accommodation for future occupiers.
- 176 The proposal would not result in any significant loss of amenity to neighbouring occupiers and no adverse highway conditions would occur. It would be of an appropriate design which would sit well within this context, and although there would be some loss of trees including to the Salter Road frontage, extensive new tree planting and landscaping is proposed. A range of planning obligations would be provided including securing the delivery of the affordable housing, the new park, the replacement sports facilities and a new crossing on Salter Road. The proposal would be acceptable in relation to the Council's sustainability policies, ecology and flood risk and appropriate documentation has been provided in relation to contaminated land and air quality.
- 177 Overall it is considered that there would be significant benefits arising from this scheme, not just to those residing in the development but for the wider area. Regard has been had to the objections received from neighbouring residents, but it is not considered that there would be any basis for withholding planning permission. In light of this and subject to conditions and a s106 agreement it is recommended that planning permission be granted.

### **Community impact statement**

- 178 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.
- 179 The impact on local people is set out above. The following issues relevant to particular communities/groups likely to be affected by the proposal have been identified above. The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### **Consultations**

- 180 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. Details of consultation responses received are set out in Appendix 2.

### **Summary of consultation responses**

- 181 Seven representations have been received objecting to the application on the following grounds:
- Overcrowding
  - 103 units excessive
  - Area already being built up
  - Building on MOL should not be permitted - precedent.
  - Open spaces essential for the community
  - No plans to improve services and infrastructure



- Overcrowding on Jubilee line and busses
- Harm to plants and birds
- Buildings too high
- Prefer cafe, supermarket or swimming pool
- Increased traffic
- Noise pollution.
- Impact on green chain through woodland
- Should be used for leisure purposes
- Impact on ecology including bats
- Over-density
- Traffic impact on local schools
- Question how many houses for local people
- Question how much affordable housing
- Not enough time to respond
- Website hard to use
- Impact on bats including roosting in existing buildings
- Loss of privacy
- Loss of daylight and sunlight - says no sunlight figures for properties to the west
- Construction impacts
- Impact on sewage system
- Plans don't confirm if existing walkway between Ladago Mews and the Woodland will be maintained - no impact on existing footpath.

182 Ten representations have been received in support of the application on the following grounds:

- Support provided four storeys max and no building on former pitches;
- Land undeveloped and unmaintained for too long;
- Must ensure pedestrian and vehicular traffic not affected.
- Site unattractive in current form;
- Good for residents if there were at least one commercial unit as non in this area;
- Will support Fisher FC returning to the area and the club is a huge asset to the community;
- Provision of new park and greening of the development will enhance the area and make the junction with Lagado Mews safer;
- Will regenerate two deteriorating sites with community focussed plans;
- Housing in the area is increasing so facilities such as this must increase.

183 One comment has been received in relation to the application:

- Current proposal better than previous scheme
- Site recently used for car boot sales and burning of tyres, producing noxious fumes;
- It would be the second open access space in 5 years is to be lost (St Pauls's and Mellish Fields)
- The layout and content of new park should be consulted on, especially with teenagers.

#### 184 **Human rights implications**

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.

This application has the legitimate aim of providing a residential development and a new park. 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**

Not applicable.

#### **BACKGROUND DOCUMENTS**

<b>Background Papers</b>	<b>Held At</b>	<b>Contact</b>
Site history file: TP/536-C  Application file: 14/AP/0309  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 5410 Council website: www.southwark.gov.uk

#### **APPENDICES**

<b>No.</b>	<b>Title</b>
<b>Appendix 1</b>	Consultation undertaken
<b>Appendix 2</b>	Consultation responses received
<b>Appendix 3</b>	Neighbour consultee list
<b>Appendix 4</b>	Recommendation

#### **AUDIT TRAIL**

<b>Lead Officer</b>	Gary Rice, Head of Development Management	
<b>Report Author</b>	Victoria Lewis	
<b>Version</b>	Final	
<b>Dated</b>	16 June 2014	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic director, finance & corporate services	No	No
Strategic director, environment and leisure	Yes	Yes
Strategic director, housing and community services	Yes	Yes
Director of regeneration	No	No
<b>Cabinet member</b>	No	No
<b>Date final report sent to Constitutional Team</b>	<b>20 June 2014</b>	

## Consultation Undertaken

**Site notice date:** 13/03/2014

**Press notice date:** 13/03/2014

**Case officer site visit date:** 13/03/2014

**Neighbour consultation letters sent:** 10/03/2014

### **Internal services consulted:**

Property Team  
Environmental Protection Team  
Planning Policy  
Transport Planning Team  
Public Realm Asset Management  
Public Realm Project Design  
Urban Forester  
Ecology Officer  
Waste Management Team  
Parks and Open Spaces  
Surface Water Flood Management Team  
Housing Regeneration Initiatives  
Archaeology Officer

### **Statutory and non-statutory organisations consulted:**

Greater London Authority  
Environment Agency  
Transport for London  
Sport England  
Natural England  
Metropolitan Police  
London Fire and Emergency Planning Authority  
Thames Water  
EDF  
National Grid

**Neighbours and local groups consulted:** Refer to list in Appendix 3.

**Re-consultation:** Not required.

### Consultation Responses Received

#### Internal services

##### Environmental Protection Team

Approval with conditions relating to internal noise levels, plant noise, contamination and a construction management plan. An informative is recommended in relation to air quality.

##### Planning Policy

No objections; comments incorporated into report.

##### Transport Planning Team

Comments incorporated in the report.

##### Public Realm Asset Management

Comments incorporated in the report.

##### Public Realm Project Design

No response received at the time of writing.

##### Urban Forester

A discrepancy exists in the Planning Statement which describes the loss of 8 trees. Regrettably, no arboricultural impact assessment has been provided. However, the arboricultural survey shows that in order to facilitate development one Category B Plane tree is to be retained.

Taking into account the 79 trees proposed in the outline landscape plan, and discounting category U and C trees, in order for there to be no net loss of canopy cover a total of 3056 cm stem girth needs to be replaced across both sites, equating to a minimum of size of 38cm per tree.

A tree planting condition is therefore necessary to include a defined minimum amount of tree planting based on the stem girth removed to facilitate development, as per relevant London Plan policy relating to canopy cover. Taken together the area offset to replace MOL, this will provide a net benefit in to amenity, should suitable landscaping be provided as above.

A concern remains regarding the impact of the layout where this backs onto Russia Dock Woodlands whereby former development has led to pressure to remove trees which overhang rear gardens, adversely affecting the woodland character of the park. This is especially relevant in regard to the potential loss and degradation of bat foraging habitat. This could be addressed by a covenant or other vehicle by which it is understood to purchasers that tree are to be retained intact. Alternatively, a TPO may be placed along the boundary of the park to protect trees and habitat most worthy of retention. Elsewhere, the concerns regarding internal courtyard layout and amenity have been successfully resolved to address conflicts with parking and amenity.

##### Ecology Officer

The ecological surveys contains an extended phase 1 habitat survey including a bat survey. The site has limited ecological features and is dominated by brownfield characteristics. Brownfield habitat is noted as important for invertebrates and birds. The bat surveys indicated that no evidence of bats

roosting were found in the structures on the site. Bat were recorded in the activity surveys. This is good news as the rare Nathusius pipistrelle was recorded on the site. The mature plane trees adjacent to the road appear to be used as a commuting route. If these trees are removed it is necessary to know how the loss of the bat commuting route will be mitigated - officer response - the Ecology Officer has subsequently confirmed that the new tree planting would mitigate this.

The site could benefit from biodiverse brown roofs which would reduce runoff and help with flooding mitigation. This will also replace the brownfield habitat present help the black redstart which has been recorded in the area. The plans do not appear to include any lighting plans and all the illustrations in the design and access statement show no lighting. The site is currently dark and details of lighting that will be included and how avoidance to bat foraging and commuting will be achieved are required.

The new open space is rather featureless and could be enhanced for biodiversity and people with natural play and ecological features. The sustainability survey states the development will include nesting features and bat roost features and these are best addressed through planning conditions - officer response - the design and layout of the new park has been agreed with the Council's Parks and Open Spaces Service.

#### Waste Management Team

No response received at the time of writing.

#### Parks and Open Spaces Service

Provision of new park welcomed. Public accesses onto the park would be acceptable but no private access would be permitted into the park and the gates would only act as a design feature. The gates shown leading from the housing development to the park would be acceptable, but it would need to be stipulated that no private access rights exist from the dwellings, and the gates would be locked at night.

General details and layout of the park would be acceptable, subject for conditions for landscaping, boundary treatment and any lighting; the applicant does not necessarily have to provide lighting within the park. The proposed maintenance fund of £250k would last around 5 years, possibly longer. The simple layout of the park should minimise maintenance requirements.

#### Surface Water Flood Management Team

Note that the flood risk assessment outlines possible surface water drainage options for the development but does not provide any specific details of this which can be formally reviewed. Recommend a condition for a SUDs scheme.

#### Archaeology Officer

The site is almost entirely located within the former Globe Pond, a timber proving pond within the dock complex. As such there will be little archaeology left to study. No archaeological response is necessary for this application.

### **Statutory and non-statutory organisations**

#### Greater London Authority

The application has been assessed and it is concluded that the proposal for redevelopment to provide 103 dwellings, enhancement to existing open space and creation of a new public park does not raise any strategic planning issues. Although technically referable under Category 3D of the Mayoral Order, there is only a small incursion into Metropolitan Open Land of 160sqm which is to be re-provided as a land swap. Given the limited scale of the proposed development on MOL and the proposed land swap, this does not raise any strategic issues in the context of London Plan policy. The Mayor of London does not need to be consulted further on this application and the Council may therefore determine the

application without further reference to the GLA.

#### Environment Agency

No objection subject to a condition for a SUDs scheme and informatives.

#### Transport for London

Salter Road is not part of the strategic road network and there does not appear to be any TfL assets nearby that may be affected. The predicted trip generation figures are unlikely to adversely impact upon the TfL road network or require additional bus service capacity along Salter Road. No further comments regarding strategic transport provision.

#### Sport England

Confirmation of the phasing of the replacement provision at St Paul's sports ground is required to allow an informed assessment to be made of whether the facilities to be lost would be replaced by facilities of an equivalent or better quality and quantity, in a suitable location and subject to equivalent or better management arrangements prior to commencement of development. Object to the application.

#### Natural England

No objection in relation to statutory nature conservation sites. Standing advice provided regarding protected species. Green infrastructure could be incorporated into the development. If the site is next to a local nature conservation site the authority should ensure it has sufficient information to understand the impact of the proposal. The application may provide opportunities to incorporate green features into the design including bird and bat boxes and to enhance the character and local distinctiveness of the surrounding natural and built environment. This could be through using natural resources sustainably, bringing benefits for the local community including green spaces and opportunities for contact with nature.

#### Metropolitan Police

Note some shortfalls and suggests a number of measures including secure lobbies, windows and doors, boundary treatment, mail delivery / utilities. Recommends a condition requiring secure by design certification to be obtained.

#### London Fire and Emergency Planning Authority

No response received at the time of writing.

#### Thames Water

No objection with regard to sewerage infrastructure capacity. Condition recommended requiring a piling method statement and an informative recommended regarding surface water drainage.

Neighbours and local groups

#### Councillor Hubber (Surrey Docks Ward)

Writing as a ward Councillor in support of the applications for planning permission in respect of the sites of the former Surrey Docks Stadium and St Paul's Field, Salter Road. Both applications have been presented to me in some detail and I believe they will lead to an enhancement of both the housing and recreational provision in Surrey Docks ward.

#### Councillor Whittam (Rotherhithe Ward)

Writing in support of the application by Fairview homes to build on the Surrey Docks Stadium site. I believe this application will enhance the area substantially with the addition of the new park space and the new family housing. I also welcome the return of Fisher Athletic football club to the St Pauls Field site.

I am satisfied that there will be no major disruption to other residents in the area with the addition of the clubhouse and stands on Salter Road edge of the site.

The housing development is no more than 4 stories high which is the limit of what I would support.

I look forward to seeing over 20% affordable housing once the final figures are worked out. All in all this is a very good scheme and I wholeheartedly support it both as a near neighbour at my home in Bywater Place and as Ward Councillor for Rotherhithe ward where it is on the border.

#### Cllr Williams (Rotherhithe Ward)

I am writing in support of the application by Fairview homes to build on the Surrey Docks Stadium site. I am satisfied there will be no major disruption to other residents in the area with the addition of the clubhouse and stands on Salter Rd end of the site.

I also support and welcome the return of Fisher Athletic FC to the St Paul's Field.

#### Cllr Cryan (Rotherhithe Ward)

I am writing to support the above planning applications. I believe that the application by Fairview Homes to build on the Surrey Docks Stadium site will bring much needed family housing and the addition of a new park will also greatly enhance the area.

Having looked at the plans I am satisfied that the proposed development will enhance this area of Salter Road and am satisfied that disruption to residents will be kept to a minimum.

I also support the plans to bring Fisher Athletic back to Surrey Docks and support the application of the development of the St Paul's Field site to accommodate this.

#### Rotherhithe Area Housing Forum

The Rotherhithe area housing forum received a comprehensive detailed planning application from the developers on the 22 October 2013 for the above planning applications. The forum delegates agreed that the plans presented to forum fitted in with what they would like to see built on the sites and the Forum-passed a unanimous motion to support FNH's proposals and as authorised myself as the chair to write to confirm you to that forum gives it's backing to these developments.

#### Objections

##### Leaside Court

- Object to building on MOL. The land forms part of the green chain. If the site cannot be returned to sporting use it would become an additional nature conservation area within the green chain;
- Impact upon wildlife in Russia Docks Woodland and Stave Hill Ecological Park; question adequacy of bat surveys;
- 4-storeys would be too high in this location when the surrounding buildings are 2-storeys high;
- The development would be overly dense and would make the area crowded;
- Increased traffic and impact upon public transport;
- More development leads to more strain on resources and makes the borough a less green place to be;
- Would be irresponsible development, 2-storeys with a density similar to inner Rotherhithe would be responsible development;
- Question the amount of affordable housing and housing for local people.
- Insufficient time to respond and conflicting information on the website regarding consultation dates.

#### No address provided

- Understand the need for new homes but developers crowd people in 'shoe-boxes'. Overcrowding is bad for families and the community and triggers anti-social behaviour
- 103 units excessive in such a small area, with other developments the area is becoming overcrowded.
- Land designated as MOL should not be built upon.

#### No address provided

- Surrey Quays becoming overcrowded, 100 dwellings at the site will add to this. The area would better serve the public as a park or recreational space. Has been a glut of building in Surrey Quays in the last few years.

#### No address provided

- Underground stations in Bermondsey and Canada Water are overcrowded and will worsen when Harmsworth Quays and the Decathlon site are developed. Most residents use the tube rather than walking or cycling.
- At 4-storeys high the proposal would affect the environment and have adverse impacts on birds and plants; buildings will be an eyesore.
- Would prefer developments which are beneficial to residents including cafes, supermarkets and swimming pools not developments which damage the greens, increase traffic and noise pollution.

#### No address provided

- No 4-storey buildings on adjacent developments, would constitute an eyesore. Would change the character of the area which is 2-storey dwellings.
- Over 100 dwellings would have a negative impact on population density causing the area to become over-developed and crowded.

#### No address provided

- Overcrowding is bad for families and the communities, causes stress and triggers aggressive behaviour. No works undertaken to enhance infrastructure.
- Buses not frequent enough to cope with additional demand;
- New developments arising but no sign of enhancing the shopping centre to help the area become more of a community;
- Land designated as MOL should not be built upon.
- Support new homes and expansion of the community provided there were infrastructure developments too, without this object to new homes. Priority should be to infrastructure requirements.

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#### No address provided

- Am against building on metropolitan open land. The area is becoming massively overpopulated with many developments in the last few years and further plans for Harmsworth Quay;
- Are no plans to improve services, facilities and infrastructure;
- Would prefer to see a reasonable development in keeping with the area and not building on land set aside for other use.

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#### Supports

#### Denny Close

- Fisher is a long standing force for good in the area and a club that is huge community asset



### Greenacre Square

- Applications in keeping with the area's history and tradition whilst addressing key issues for its future;
- Proposal offers to return the site to potentially much wider access and community use;
- Return of the club is a tremendous asset to the area and offers real hope of a renewal of sporting success for Rotherhithe;
- Revised plans have substantially dealt with potential problems of traffic disruption and parking on match days;
- The combined proposals make them an attractive addition to Rotherhithe and offer real hope of renewing two deteriorating sites with new community-focused plans.

### Ainsty Estate

- Rotherhithe resident of over 20 years, would like to see the team back and the improvement of the facilities currently available. They would benefit not just the team but the community as a whole. The site is in desperate need of repair and this is a golden opportunity to solve multiple issues.
- Area is expanding with increases in new houses so facilities such as this must also be increased.

### Boss Street

- Proposal allows for significant improvements in the area and the return of Fisher FC. The presence of a local football club provides significant benefits to the local community including opportunities and inspiration.

### Surrey Water Road

Support the development of the old into a new football stadium as it is not very attractive in its current format. Would support at least one commercial unit as there are none at this end of Canada Water.

### Leydon Close

- Totally support the application, subject to there being no development on the existing football pitch and the housing is no greater than 4-storeys high.

### Princes Riverside Road

- Support the development, the land has been unused and unmaintained for too long. Trust that careful attention will be paid to ensuring that pedestrian and vehicle traffic in the area are not affected.

### No address provided

- Support the proposals for Fisher FC to move back home. The stadium site laying unused and the St Paul's site underused and neglected, both areas would be regenerated to the benefit of the club and community;
- The 3G sports pitch would allow year round providing schools, clubs and the community with a great facility to use;
- Would be great example set to couple regeneration with securing the future of Fisher FC at the heart of the community which can help bind it further.

### No address provided

- Support bringing Fisher FC home. Once they moved away the club lost its identity. Fisher are the roots of football.

### No address provided

- The development will give a huge boost to the area. Fisher is a genuine community club owned by their fans which has been exiled from Bermondsey / Rotherhithe for too long. The club is a not for profit organisation run for the good of the community. The facility would be good for local schools and everybody in the area.
- The club has experienced difficult times in the last decade but have rebuilt themselves and continued to be a force for good in Bermondsey and Rotherhithe. The club has never lost touch with their community, despite being exiled in Dulwich for a decade.
- The players play for free which shows ho much they care for their local club. The facility would be fantastic for the whole community, old and young.