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| <b>Item No.</b><br>7.1                   | <b>Classification:</b><br>Open  | <b>Date:</b><br>26 April 2016             | <b>Meeting Name:</b><br>Planning Sub-Committee B |
| <b>Report title:</b>                     | <b>Development Management planning application:</b><br>Application 15/AP/3399 for: Full Planning Permission<br><br><b>Address:</b><br>161 DENMARK HILL, LONDON SE5 8EF<br><br><b>Proposal:</b><br>Demolition of existing office building (B1a) and construction of a four-storey terrace comprising 10 dwellinghouses (9no. 3-bed houses and 1no. 4-bed house) together with on-site car parking spaces (integral garages), outdoor amenity space and refuse and cycle storage. |   |  |
| <b>Ward(s) or groups affected:</b>       | South Camberwell  |   |  |
| <b>From:</b>                             | Director of Planning  |   |  |
| <b>Application Start Date</b> 30/11/2015 |   | <b>Application Expiry Date</b> 29/02/2016 |  |
| <b>Earliest Decision Date</b> 23/12/2015 |   |   |  |

## RECOMMENDATIONS

1. That the planning sub-committee grant planning permission subject to conditions and the applicant entering into an appropriate legal agreement by no later than 31 May 2016.
2. That in the event that the requirements of paragraph 1 above are not met by 31 May 2016, the Director of Planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 88 of this report.

## BACKGROUND INFORMATION

### Site location and description

3. The application site measures 974sqm (0.0974Ha) and is currently occupied by a two-storey detached red brick building formerly used as the Denmark Hill Neighbourhood Housing Office, although latterly used as a temporary office by Kings College Hospital. The site also accommodates eight at-grade car parking spaces on the south side of the building. The margins of the site are laid with grass and some planting.
4. The site sits within the Denmark Hill Housing Estate to the south western corner and adjacent to six-storey residential blocks to the north and east. To the west across Denmark Hill (road) is predominantly a mix of detached and semi-detached two-storey dwellinghouses.
5. This site is located among substantial blocks of post-war housing on the east side of Denmark Hill. Each block is six-storeys tall and about twenty bays long. The closest blocks are Mayhew Court to the north and Swinburne Court to the east.
6. Mayhew Court faces onto Denmark Hill with its balconies to the rear facing the quieter landscape within this estate and Swinburne Court is located further away from Denmark Hill facing onto Basingdon Way and its balconies face Denmark Hill.

7. The existing building is not listed and the site is not located within the setting of any listed building. The site is also not within a conservation area or within the setting of a conservation area. It is also not within any strategic or important local views. The site is within the urban density zone, the air quality management area, flood zone 1 and has a public transport accessibility level (PTAL) of 3. Denmark Hill which the site fronts onto and has direct access to is a classified A road (A215).

### **Details of proposal**

8. The proposed four-storey terrace of 10 dwellings would be approximately 12.2m high and 52m long. From the front to the rear elevation the depth of the terrace would range between 15.6m (Unit 1 - northern end) to 7.45m (Unit 10 - southern end).
9. The north flank wall of the new terrace would be sited between 7.3-8.0 metres from the south flank wall of Mayhew Court and it would be separated from Swinburne Court by distances ranging between 13.5-17 metres.
10. The terrace would be orientated to run parallel with Swinburne Court therefore it would veer slightly away from Denmark Hill toward its northern end where its front elevation would finish in alignment with the front elevation of Mayhew Court.
11. The natural ground level around the existing building on the site varies and there are retaining walls in places. In the proposed development the ground-floor of the dwellings would be split over two levels with the front part 0.8m lower than the rear part, reflecting the difference in elevation between Denmark Hill (road) at the front of the site and the estate road at the rear of the site.
12. Above the ground-floor level its rear elevation would be staggered with each dwelling being set in behind its immediate neighbour to the north by 1.8m.
13. Each dwelling would contain a single car integral garage with access to/from the estate road at the rear. As single family dwellinghouses each property would have its own front entrance. Outdoor amenity space for the dwellings would be provided in the form of modest front/side gardens and generous roof terraces with a westerly outlook.
14. The scheme would deliver nine 3-bed houses and one 4-bed house giving a total of 62 habitable rooms and a density of 636HR/Ha which is within the Urban Design Zone range of 200-700HR/Ha.
15. Proposed materials:
  - Petersen Kolumba brick tile (mix of brown, ochre and grey)
  - Linit u-channel glass – elevations - top storey only
  - Metal railings – brass finish
  - Double-glazed, timber-aluminium composite windows in a brass finish (front and rear elevations)
  - Cycle stores: timber with brass detailing and sedum roofs
  - Roofs: Sedum and timber decking

### **Planning history**

16. 14/AP/3464  
Prior Approval: Change of use from office to x4 residential units and provision of suitable refuse/recycle and secure bicycle storage.

Decision: PRIOR APPROVAL NOT REQUIRED

Decision date: 01/12/2014

### **Pre-application advice**

17. Pre-application advice for this proposal was provided in January 2013 primarily raising issues relating to design, scale and massing, private amenity space, overlooking, transport issues and affordable housing. No objections were raised in principle to the change of use of the site from offices to residential. Please see Appendix 3 for the details of the advice given.

### **Planning history of neighbouring sites**

18. None relevant

### **KEY ISSUES FOR CONSIDERATION**

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

19. The main issues to be considered in respect of this application are:
  - a. The principle of development
  - b. The design of the development and its impact on the surrounding townscape
  - c. Density, Affordable Housing and Housing mix
  - d. Wheelchair accessible housing
  - e. Quality of accommodation
  - f. Impact of proposed development on amenity of adjoining occupiers and surrounding area
  - g. Transport and highway impacts
  - h. Trees
  - i. Planning obligations (S.106 undertaking or agreement)
  - j. Sustainable development implications (energy use, air quality, flood risk)
  - k. The Mayoral and Southwark Community Infrastructure Levies (CIL)

#### **Relevant planning policies**

20. National Planning Policy Framework (2012)

Section 1: Building a strong, competitive economy

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of good quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 11: Conserving and enhancing the natural environment

21. The London Plan (2015) (consolidated with alterations since 2011)

Policy 3.3 - Increasing housing supply

Policy 3.5 - Quality and design of housing developments

Policy 3.8 - Housing choice

Policy 3.9 - Mixed and balanced communities

Policy 3.8 - Housing choice

Policy 3.9 - Mixed and balanced communities

Policy 3.10 - Definition of affordable housing

Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes

Policy 5.2 - Minimising Carbon Dioxide Emissions

Policy 5.3 - Sustainable design and construction  
Policy 5.10 - Urban greening  
Policy 5.12 - Flood risk management  
Policy 5.13 - Sustainable drainage  
Policy 6.3 - Assessing effects of development on transport capacity  
Policy 6.9 - Cycling  
Policy 6.10 - Walking  
Policy 6.13 - Parking  
Policy 7.1 - Building London's neighbourhoods and communities  
Policy 7.2 - An inclusive environment  
Policy 7.3 - Designing out crime  
Policy 7.4 - Local character  
Policy 7.5 - Public realm  
Policy 7.6 - Architecture  
Policy 7.15 - Reducing and managing noise, etc.  
Policy 7.19 - Biodiversity and access to nature  
Policy 8.2 - Planning obligations  
Policy 8.3 - Community Infrastructure Levy

22. Relevant GLA Supplementary Planning Guidance:

Housing (March 2016)  
Social Infrastructure (May 2015)  
Accessible London: achieving an inclusive environment (October 2014)  
Character and context (June 2014)  
Sustainable design and construction (April 2014)  
Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy (April 2013)  
Shaping Neighbourhoods: play and informal recreation (September 2012)

23. Southwark Core Strategy (2011)

Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport  
Strategic Policy 5 - Providing new homes  
Strategic Policy 6 - Homes for people on different incomes  
Strategic Policy 7 - Family homes  
Strategic Policy 10 - Jobs and businesses  
Strategic policy 11 - Open spaces and wildlife  
Strategic Policy 12 - Design and conservation  
Strategic Policy 13 - High environmental standards

24. Southwark Unitary Development Plan (2007) - Saved Policies

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

25. Policy 1.4 Employment sites outside the preferred industrial locations.  
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 3.11 Efficient use of land  
Policy 3.12 Quality in design  
Policy 3.13 Urban design  
Policy 3.14 Designing out crime  
Policy 3.28 Biodiversity  
Policy 4.2 Quality of residential accommodation  
Policy 4.3 Mix of dwellings  
Policy 4.4 Affordable housing  
Policy 5.1 Locating developments  
Policy 5.2 Transport impacts  
Policy 5.3 Walking and cycling  
Policy 5.6 Car parking  
Policy 5.7 Parking standards for disabled people and the mobility impaired

26. Relevant Supplementary Planning Documents:

Residential Design Standards (2015)  
Section 106 Planning Obligations and Community Infrastructure Levy (2015)  
Sustainable Transport (2010)  
Sustainable Design and Construction (2009)  
Affordable Housing (2008)

**Principle of development**

27. The established use of the site is as offices (Class B1a) and therefore the proposal to replace this with a residential development, i.e., to lose the existing employment use of the site falls to be considered against Strategic Policy 10 of the Core Strategy and saved policy 1.4 of the Southwark Plan.
28. Strategic policy 10 of the core strategy states that the council will protect existing business floorspace and support the provision of around 25,000-30,000sqm of additional business floorspace over the plan's lifetime to help meet general demand for office space in the following locations:
- On classified roads
  - The Central activities zone
  - Town or local centres
  - Strategic cultural areas
  - Action area cores
  - Camberwell action area.
29. Denmark Hill is a classified road; saved policy 1.4 states that a loss of B class space with access or fronting onto a classified road would only be acceptable if the applicant can demonstrate that there have been convincing attempts to dispose of the site (with a B class use) or if it would be unsuitable for redevelopment including a B class use.
30. No evidence of marketing has been submitted. The site is however in a residential area, where the light industrial type of B class uses might not be appropriate. This is not to say that other, more compatible B class uses could not be accommodated on the site.
31. A significant material consideration however is the fact that the site has a permitted development right for a change of use to residential as per prior notification reference

14/AP/3464.

32. So while none of the criteria to allow for a change of use from B class use (as detailed in saved policy 1.4) have been met, the material consideration of the permitted development right of a change of use to residential is established so there is no objection to the principle of residential use proposed.
33. Officers have also had regard to the reality of the site's location, i.e., that apart from being sited adjacent to a classified road, Denmark Hill, it is immediately sited within Denmark Hill Housing Estate and beyond the estate the character remains predominantly residential. Apart from bus services along Denmark Hill it is about 800m from the nearest rail station (Denmark Hill) and this is reflected in a PTAL of only 3. It is not within or particularly close to any town or local centre and all these factors are likely to greatly diminish its commercial attractiveness to office-based businesses.
34. In addition regard needs to be had to the Government's National Planning Policy Framework (NPPF) which is a material consideration. Section 6 advises (para. 49) that housing applications should be considered in the context of the presumption in favour of sustainable development and also states (para. 51) that local planning authorities should normally approve planning applications for a change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate. As such, officers consider that as the site is not located within the central activities zone, a town or local centre, a strategic cultural area, an action area core or Camberwell action area and as permitted development rights allow the change of use of the existing building from offices to residential, on balance it is considered that a change of use to residential is acceptable in principle.

#### **Environmental impact assessment**

35. The site area falls below 0.5 hectares and the proposal does not involve the form, size, location or land use that would normally trigger the requirement for an environmental impact assessment, therefore none is required.

#### **The design of the development and its impact on the surrounding townscape**

36. The long narrow configuration of the development picks up on the established character of the larger residential blocks on the estate and is conducive to the provision of single-family dwellings. The four-storey height, which has been agreed through a process of pre-application negotiations strikes an appropriate balance between the efficient use of the site, the need to avoid significant harm to the amenity of the nearest neighbouring residential occupiers and the desire in townscape terms to create an appropriate transition between the large, monolithic six-storey blocks of the Denmark Hill Estate and the smaller two and three-storey properties which front onto Denmark Hill (A215) on the opposite side and further to the south of the site.
37. In terms of aesthetics the proposal's design is considered to be a thoughtful contemporary yet contextual response to the site. The proposed brick tile cladding would be sympathetic to the red/brown brick backdrop of the large six-storey residential blocks of Swinburne Court and Mayhew Court and the Denmark Hill Estate in general. A mix of brown, ochre and grey tiles are proposed. It will be important that the final chosen colour mix blends appropriately with this immediate brick background and therefore a condition requiring a sample panel of the brick tile cladding to be erected on site for approval is suggested.

38. The massing of the scheme is well considered and will have a subtle vertical emphasis reflecting its terrace-of-dwellings character through the contrasting angles of the front elevations of each dwelling. This will be accentuated through the contrast of light and shade on the differently orientated elevations.
39. The contrasting use of Linit glass for the much smaller and significantly recessed top floor will further reduce its perceived height and mass.
40. The perimeter of the development will be enclosed by a good quality brick wall of an appropriate height (1.3m). Elsewhere timber fencing would separate the individual front gardens.
41. Overall, it is considered that the development will complement and enhance the character and appearance of the surrounding area. It will re-orientate the site to front onto Denmark Hill road rather than turn its back to it as the existing office building currently does and the activity from so many front entrances and gardens will enliven the streetscene in Denmark Hill. It would sit comfortably in the streetscene and be a positive addition to it as it would successfully balance a contemporary design with the established character through the complementary tones and textures of its brick tile cladding.

### **Density, affordable housing and housing mix**

#### 42. Density

The density of the proposed scheme is 636 habitable rooms per hectare which falls within the recommended density range (200 to 700 habitable rooms per hectare) for the Urban Zone in which it is located.

#### 43. Affordable Housing

One of the dwellings (Unit 9) is proposed as affordable housing (social rent). This complies with strategic policy 6 of the core strategy, saved policy 4.4 of the Southwark Plan and the affordable housing SPD (2008) as 10 unit schemes are required to provide at least 1 affordable unit. The affordable housing will be secured through the s106 agreement accompanying the application.

44. With regard to tenure, saved policy 4.4 of the Southwark Plan requires a split of 70% social rented: 30% intermediate. The affordable dwelling will be secured for a social rent within the accompanying S.106 legal agreement.

#### 45. Housing Mix

Strategic Policy 7 (Family Homes) of the Core Strategy requires residential development of 10 or more units in the Urban Zone to ensure that at least 60% of the units would be 2-bed or larger dwellings and for at least 20% of the units to be 3, 4 or 5-bed units. The development would provide 9no. 3-bed dwellinghouses and 1no. 4-bed dwellinghouse and therefore would comply fully with SP7.

### **Wheelchair accessible housing**

46. 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. Unit 10 has been identified as a wheelchair accessible unit and has been designed in accordance with the South East London housing partnership wheelchair housing guidelines which are included within the residential design standards SPD (2015). The quality of the accommodation of all

of the dwellinghouses including this unit are examined below.

### **Quality of residential accommodation**

47. Saved policy 4.2 of the Southwark Plan (Quality of accommodation) requires developments to achieve good quality living conditions. The council's residential design standards SPD establishes minimum room and overall flat sizes, dependant on occupancy levels and the units should be dual aspect, to allow for good levels of light, outlook and cross-ventilation.

48. Dwelling sizes

As the table below shows all but one of the proposed dwellings would significantly exceed the minimum gross internal floor area (or unit size) required by policy 3.5 of the London Plan (2015). The one exception is Unit 9 but the shortfall in the required 108sqm size is only 1.6sqm which is approximately 1% and therefore this is still considered to be acceptable.

|              | Required GIFA (sqm) | Proposed GIFA (sqm) |
|--------------|---------------------|---------------------|
| Unit 1       | 130                 | 179.6               |
| Units 2-9    | 108                 | 106.4-178.3         |
| Unit 10 (WC) | 125                 | 161.3               |

49. Rooms sizes

The sizes of individual rooms within the development also all comply with the minimum standards which are set out in Table 2 of the residential design standards SPD (2015).

50. Outlook and ventilation

The council encourages dwellings to be dual aspect, i.e., having multiple windows looking in more than one direction, as this allows more light into the dwelling and allows cross-ventilation. All of the proposed dwellings would be dual aspect with all having at least both a westerly and a southerly outlook and all but one of the primary habitable rooms (bedrooms, living-rooms and kitchen-dining rooms) would appropriately benefit from at least a single conventional clear-glazed window. The one exception is a window to a bedroom in Unit 1 which, in the interests of protecting the privacy of neighbouring residents in Mayhew Court, would need to be obscurely-glazed. However, this is the largest 4-bed dwellinghouse and it is considered to be an acceptable compromise in the context of the overall quality of accommodation and amenity that this dwellinghouse would offer. Officers have also identified scope for additional clear-glazing in the rear elevation at first and second floor level (without resulting in any significant loss of privacy to neighbouring occupiers) and this would further improve the quality of the accommodation.

51. Floor-to-ceiling heights

All of the dwellings would also be provided with generous floor to ceiling heights. On the ground-floor due to its split level nature the entrance hallway and home-working office at the front would have a floor-to-ceiling height of 3.1m while the WC and integral garage at the rear would have a floor-to-ceiling height of 2.3m. At first-floor level the height would be 2.75m throughout, it would be 2.5m at the second-floor level and 2.6m high on the top third-floor.



52. Exposure to environmental noise

The applicant has submitted a noise impact assessment with the application. The assessment has measured the noise and vibration levels generated by traffic travelling along Denmark Hill that the proposed development and its future occupiers would be potentially exposed to. The report concludes that notwithstanding average background noise levels at the site of 76dB(A) (daytime) and 72dB(A) (night-time) compliance with the maximum noise exposure thresholds in BS 8233:2014 'Guidance on sound insulation and noise reduction for buildings' can be achieved providing that the outer walls of the building are constructed of blockwork and windows/glazed doors are good quality double or triple glazed units. A planning condition requiring the attenuation of environmental noise to an acceptable level is suggested.

53. Outdoor amenity space

The residential design standards SPD advises that new housing should provide a minimum of 50sqm private garden space and that the garden should be at least 10m in length, at the rear and should extend across the entire width of the dwelling.

| Unit | Front gardens (sqm) | Roof terraces (sqm) | Total (sqm) |
|------|---------------------|---------------------|-------------|
| 1    | 75                  | 23.2                | 98.2        |
| 2    | 40.6                | 21.3                | 61.9        |
| 3    | 34.2                | 18.8                | 53          |
| 4    | 31.3                | 17.1                | 48.4        |
| 5    | 25                  | 14.6                | 39.6        |
| 6    | 22.2                | 12.8                | 35          |
| 7    | 16.4                | 10.2                | 26.6        |
| 8    | 13.6                | 8.2                 | 21.8        |
| 9    | 8                   | 7.4                 | 15.4        |
| 10   | 56.9                | 18.4                | 75.3        |

54. All of the dwellings would benefit from both soft-landscaped gardens at ground level and from roof terraces. Both areas would be located on the west side of the development, i.e., on its front side.

55. The ground-floor gardens would not comply with the guidance in the SPD in that they would be located to the front of the dwellings rather than to the rear and in some of the dwellings the combined floor areas of the garden and roof terrace would fall short of the required 50sqm. However, given the physical constraints and configuration of the site the arrangement is nevertheless considered to be acceptable having regard to the need to also protect the privacy and relative peace and quiet enjoyed by the occupiers of Swinburne Court as well as the need to accommodate on-site car parking and access to it from the estate road at the rear of the site.

56. In the interests of good design it is also considered important that the front gardens would retain an open character in the traditional manner of dwellings with front gardens so that the development would have a satisfactory impact on the streetscene, so that the trees and other soft-landscaping within the gardens will be readily visible and will soften the appearance and enhance the setting of the development and in the interests of deterring crime and anti-social behaviour. Therefore even if low, open boundaries around the front gardens are required (a planning condition to this effect is suggested) and consequently the gardens are not entirely private, it is considered that the amount, quality and relative privacy that they would still provide, together with the roof terraces (which would be more private) is acceptable.

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

57. 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 amenity in relation to privacy, daylight and sunlight.

### 58. Daylight and sunlight received by neighbouring properties

A technical daylight and sunlight report to accompany the application has been prepared by Right to Light Consulting Ltd in line with the established industry guide from the Building Research Establishment (BRE).

59. The report analyses the impact of the proposed development on the levels of daylight and sunlight reaching properties in close proximity to the site. It does this via two methods of analysis:

- Daylight: vertical sky component test (VSC)
- Sunlight: annual probable sunlight hours test (APSH).

60. The report details the potential impacts of the proposed development on a wide number of neighbouring residential properties, including 1 to 69 Swinburne Court, 25 to 36 Mayhew Court, 196, 198, 200, 200a, 202, 202a and 202b Denmark Hill and Rutland Court.

61. With the exception of several windows in the west elevation of Swinburne Court (which sits to the east of the site), the assessment found that all main habitable room windows in all of the neighbouring properties passed the VSC test. However, the report also found that all of the non-compliant Swinburne Court windows are obstructed by overhanging balconies. The BRE guidance advises that as overhanging balconies cut out light from the top part of the sky, even a modest obstruction opposite (the proposed new development) may result in a large relative impact on the VSC and it advises that in such circumstances a further test may be carried out to calculate the VSC for the existing and proposed situations, without the balconies. This type of assessment is used to give an indication of the reduction of light from the scheme, without the 'self-limiting' effect of balconies.

### 62. Swinburne Court

The VSC tests undertaken here looked at the windows in the west elevation between the ground and the third floor levels (as the proposed development would only be four storeys high). In the assessment of the proposal's impact, with the balconies in Swinburne Court in place, 71 out of 141 habitable room windows (50%) would be left with a VSC of less than 0.8 of its existing value, below which the loss of daylight would be noticeable. Some of the windows that would be affected have balconies above them which limits the existing amount of daylight to them. The impact is exacerbated by the fact that greater weight is given to light received from higher in the sky when undertaking a VSC analysis.

63. The BRE guidance allows for a more refined assessment to be undertaken without balconies, to give an indication of the impact the proposed development would have were it not for the self-limiting effect of balconies. Using this method, all but two would experience a VSC of equal to or more than 0.8 its existing value; the remaining two would have a VSC of 0.7 of their present value. This shows that a significant factor in the loss of light in the 'with balconies' scenario is the self-limiting effect of the balconies themselves and that any reasonable scale of development on this site would have a similar effect.
64. There are some windows on Swinburne Court without balconies that would be left with VSCs of less than 0.8 their present value, however most of these currently experience very good VSCs, so while the proportional reduction may be relatively high, the resultant absolute VSCs would remain good. Three windows would have low VSCs but this is in part because of their low present values.
65. Overall, the proposed development would not significantly affect most of the windows in Swinburne Court. In the main, those that would be affected to a noticeable degree presently have limited light because of overhanging balconies, and would retain good absolute VSCs.
66. The report also found that the proposed development would satisfy the recommended guidelines (the annual probable sunlight hours test) in relation to the sunlight impacts on neighbouring properties.

67. Privacy of neighbouring properties

The design and access statement demonstrates the manner in which the development has been designed to avoid potential harmful overlooking of the nearest residents living in Mayhew Court immediately to the north and Swinburne Court immediately to the east. The staggered nature of the rear wall has allowed for south-facing clear glazing within the exposed rear part of each dwelling at first and second floor levels. The outlook available in this direction has enabled the rear windows that would directly face Swinburne Court to be obscure glazed to avoid any perception of overlooking of the flats in this block. The design and access statement also suggests that all of the windows in the north end wall would be obscure-glazed so as to avoid similar harm to Mayhew Court residents.

68. The southern end of Mayhew Court would be separated from the northern end of the proposed development by approximately 7.3m. Mayhew Court's southern gable end contains a clear-glazed window, a clear-glazed balcony access door and a balcony on each floor. It is therefore considered to be appropriate for any windows from first-floor level upwards in the north end gable to be glazed with obscure-glass.
69. In relation to Swinburne Court the proposed development would be separated from its west façade by distances ranging between 13.5-17 metres, although the most common distance between the two elevations is approximately 15 metres.
70. In relation to achieving appropriate separation distances between existing and new developments the residential design standards advises that,

'To prevent unnecessary problems of overlooking, loss of privacy and disturbance, development should achieve the following distances:

- A minimum distance of 12 metres at the front of the building and any elevation that fronts onto a highway
- A minimum distance of 21 metres at the rear of the building.

Where these minimum distances cannot be met, applicants must provide justification through the design and access statement.'

71. The 12m minimum distance guide is considered to be most relevant to the situation between the proposed development and Swinburne Court as they would be separated by a road and neither has, or would have, private or communal gardens in the intervening gap between them. At the same time due regard has been had to the fact that the flats in Swinburne Court also have balconies on this west elevation. (It is noted that there are also some, albeit smaller, balconies on the east elevation of Swinburne Court). Nevertheless it is considered that it would not be necessary or appropriate for all of the windows in the rear elevation of the proposed development to be obscure-glazed, notwithstanding the applicant's intention that this be the case. Rather, officers consider that with the separation distances that can be achieved there is scope for the narrower of the two rear windows at first-floor level and at second floor level to be clear-glazed without causing any significant loss of privacy to the occupiers of the adjacent Swinburne Court flats. This concession would improve the quality of the accommodation for the future occupiers of the proposed development and would also enhance the appearance of the development's rear elevation as well as improving the natural surveillance of the estate road.
72. For the avoidance of any doubt the 'Linit' glass clad top-floor is essentially also obscure glass which would prevent any overlooking to the north, south or east. A condition requiring the submission of external materials for approval will ensure that officers can agree a specification for this 'Linit' glass that is adequately obscure.
73. All of the roof terraces are located on the front/west side of the development adjacent to Denmark Hill (A215). With the exception of Unit 10 none of the terraces would offer any scope for overlooking neighbouring properties. A condition is suggested requiring the submission of details of an appropriate privacy screen to be erected along the rear edge of the roof terrace for Unit 10. This would satisfactorily address any concerns about overlooking toward Swinburne Court from this part of this terrace.
74. The dwellings and flats on the opposite side of Denmark Hill (A215) are adequately distant from the development to prevent any overlooking.
75. Overbearing impact on neighbouring properties

It is considered that the proposal would not have an overbearing impact on the nearest neighbouring properties at Swinburne Court and Mayhew Court, nor any other existing residential properties which would be sited further away.
76. In relation to Swinburne Court the distance between it and the new development would be, as a minimum, no less than 12.2m. As stated above, the gaps range from between 13.5-17 metres and this is considered to be sufficient to ensure that it would not create an overbearing sense of enclosure around these flats. It is also important to note that all of the flats in Swinburne Court are dual aspect as they also benefit from an outlook toward the circular 'green' to their east side.
77. Similarly, as the predominant orientation of primary habitable windows in Mayhew Court is toward the west (front elevation) and east (rear elevation) and as its southern gable end is narrow and does not contain many windows at all (some of the windows are also secondary windows), it is also considered that it would also not suffer any overbearing sense of enclosure from the proposed development.

### **Transport issues**

78. Having regard to the fact that the site has a PTAL of 3 (average), is not located within

a controlled parking zone and seeks to provide large family dwellinghouses, the principle of on-site parking provision is considered to be acceptable.

79. The parking would be provided as single-car integral garages (1 space per dwelling). Access to and from the garages would be from the existing estate road to the rear of the site.
80. The internal dimensions of the garages for units 1-9 would be 2.5m wide and the point of their shortest depth would be 5m deep. The garage for the wheelchair accessible dwelling at Unit 10 would be 3.6m wide and at its shortest point its depth would be 5.3m deep.
81. It is considered that the proposed development would not result in a significant increase in local traffic movements as compared to the existing B1 use of the site as the 10 integral garage spaces provided would constitute an increase of only 3 on-site car parking spaces compared to what currently exists on site.
82. The application has been accompanied by a highway access appraisal which looks at the highways and transport impact implications of the proposed car parking.
83. A 20mph speed limit applies to the estate road and there are also two full-width speed bumps along it, one approximately halfway along the site's eastern boundary and another just beyond its southern extremity. The road itself is approximately 4.5m wide. A footpath is available for pedestrians along the east side of the estate road (adjacent to Swinburne Court).
84. The rear elevation of the proposed terrace would be set in from the site boundary (the kerbed edge of the estate road) by 0.9m to enable the provision of a 'crossover' between the garages and the road. The highway access appraisal demonstrates that the combination of the combined 5.4m width of the paved 'crossover' facility and the estate road, the retained kerbed footpath opposite, the 20mph speed limit and speed bumps and the good forward visibility available along the estate road would ensure that occupiers of the development will be able to easily and safely manoeuvre their vehicles into and out of the integral garages without causing a threat to the safety of other road users (pedestrians or motorists). It is also observed that there are double-yellow lines along both sides of the estate road which would deter other motorists from parallel parking opposite the site in a way that would block access to and from the integral garages.
85. The paved crossover would be gently sloping and be 'at grade' therefore there would be no kerb between it and the existing carriageway. It would be paved with a contrasting material to the bitumen of the estate road and so will not be perceived as widening the road. However, being at grade will allow it to be used if needed to facilitate passing motorists as well as making it easier for cars to enter and leave the garages.
86. It is suggested that it should be surfaced with a slightly uneven material (e.g. cobbles or setts) so as to provide further encouragement to pedestrians to use the existing footpath on the opposite side of the estate road which is wider, evenly-paved and kerbed. This would mean that there is a lower risk of vehicles entering or leaving the parking spaces coming into conflict with other highway users.
87. In summary officers are satisfied that the transport and highways impact of the development would be acceptable.

## **Impact on trees**

88. While there are trees on the site, none of them have a tree protection order. The largest, most significant tree is located at the southern extremity of the site and it would be retained in the new development. Another significant tree is sited in the public footpath along Denmark Hill just outside the site boundary. A condition has been recommended to ensure that these trees would be properly protected during demolition and construction works. Some of the deeper front gardens in the development are capable of accommodating small trees, to replace those that would be lost, and the details of this planting scheme will also be secured by a condition. The impact of the development on trees is therefore considered to be acceptable.

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

89. Saved policy 2.5 of the Southwark Plan and Policy 6A.5 of the London Plan advise that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and Circular 05/05, which advises that every planning application will be judged on its merits against relevant policy, guidance and other material considerations when assessing planning obligations.
90. A draft s106 agreement has been negotiated with the application to secure the following:

1 x affordable dwelling at social rent (Unit 9)  
1 x wheelchair accessible dwelling (Unit 10)

and the following contributions (all of which are in accordance with the Council's s106 and CIL SPD):

Public open space: £14,145  
Children's play equipment: £4,726.3  
2% Admin charge: £377.4

**Total: £19,246**

91. In the absence of a satisfactory legal agreement being completed by 31st May 2016, the applicant will have failed to adequately mitigate against the impacts of the development on the local community and infrastructure. In such circumstances, the development would therefore fail to be in accordance with saved policy 2.5 (Planning contributions) of the Southwark Unitary Development Plan (2007) and the Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015) and it would be recommended that the application be refused on this basis.

## **Sustainable development implications**

92. The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental.
93. The development, will make efficient and effective use of the site, providing for good quality residential development including affordable family housing in a sustainable location within reasonable walking distance of local facilities and public transport.

94. Energy use

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. Of note is that developments must reduce their carbon dioxide emissions by 40% when compared to the 2010 Building Regulations requirement (or 35% based on the 2013 Building Regulations).

95. The applicant has submitted an energy statement in support of the application and in relation to the Major's energy hierarchy, and the following is proposed:

- Be lean (use less energy)
  - Building fabric (walls and windows) with enhanced thermal efficiency of is proposed.
- Be clean (supply energy efficiently)
  - A Mechanical Ventilation with Heat Recovery system
  - High efficiency gas boilers
  - Smart meters
  - CFL (Compact Fluorescent Lamp) and/or LED (Light Emitting Diode) light-fittings.
- Be green (use renewable energy)
  - Photovoltaic panels.

96. The approach above has been tailored to the site and would achieve the required 35% improvement over the 2013 Building Regulations in relation to the Target Emissions Rate for CO<sub>2</sub> emissions. A condition is suggested which requires the incorporation of the energy efficient and renewable energy features into the development as indicated in the energy report.

97. Saved policy 3.3 of the Southwark Plan advises that planning permission will not be granted for major development unless the applicant demonstrates that the economic, environmental and social impacts of the proposal have been addressed through a sustainability assessment; a sustainability assessment has been submitted in support of the application.

98. The applicant has submitted a sustainability assessment which has applied an analysis similar to a code for sustainable homes assessment. Officers are satisfied that the scheme would provide economic sustainability by re-using and making best use of the site and by helping to address London's housing shortfall. Social sustainability would be delivered by the fact that the scheme would deliver much needed large family dwellinghouses, an affordable 3-bed dwellinghouse for social rent and a wheelchair accessible dwellinghouse. Environmental sustainability would be delivered by the re-use of a brownfield site, an attractive, durable and sustainable design, by avoiding harm to the environment or to visual and residential amenity, by ensuring that the development would use less energy and water and would generate a proportion of its own energy needs from on-site renewable energy and by providing cycle storage to encourage occupiers to use more sustainable modes of travel to and from the site.

99. Flood risk

The site is within Flood Zone 1 therefore no objections are raised on flooding grounds.

## 100. Air Quality

PM10 and NO2 concentrations are not expected to exceed the relevant air quality objectives. Although the site is located on a busy road traffic generally moves freely along this part of Denmark Hill (A215). The dwellings are also intended to have a high level of air-tightness so to reduce heat loss but this have the further beneficial impact of providing a more robust barrier to air pollution. Furthermore the dwellings would be set back from Denmark Hill and be buffered by their front gardens. Suitable planting within the front gardens can be secured by condition so as to contribute to reducing exposure to traffic-generated air pollution.

101. The development will not result in any significant air quality impacts on existing properties given the modest increase in on-site parking as compared to the existing office use of the site. The provision of integral garages would also increase the feasibility of owning and charging an electric vehicle for future occupiers of the development.

### **Other matters – Mayoral and Southwark Community Infrastructure Levies (CIL)**

102. 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.

103.

| GIA(sq m) | Existing GIA   | Proposed GIA     |
|-----------|----------------|------------------|
| G/F       | 291.63         |                  |
| 1/F       | 291.97         |                  |
| 2/F       | n/a            |                  |
| Total     | 584 (app form) | 1517.5 sqm (DAS) |

104. Southwark CIL for residential development in Zone 2 is charged at £200 per sqm.

Southwark CIL (Resi Zone 2) = 933.5sqm x £200x275/260 = £197,471

Mayoral CIL = 933.5sqm x £35x275/223 = £40,291

### **Conclusion on planning issues**

105. For the reasons set out above and subject to the suggested conditions and the satisfactory completion of an appropriate s106 legal agreement the proposal is considered to be acceptable.

### **Community impact statement**

106. 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. The impact on local people is set out above. There are no issues relevant to particular communities/groups likely to be affected by the proposal, and, There are no likely adverse or less good implications for any particular communities/groups.



## **Consultations**

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

### **Consultation replies**

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

109. Summary of consultation responses: (11)

London Borough of Lambeth: No objection

Thames Water Plc.: No objection

The Camberwell Society: Support the application

Southwark Transport Planning Team: The only concern is the limited visibility for vehicles leaving the properties.

Southwark Environmental Protection Team: No objection subject to addition of conditions in relation to adequate attenuation of environmental noise and potential noise from adjoining dwellings across internal party walls.

6 letters of objection were received by neighbouring occupiers in response to the public consultation. The issues raised include:

- Concern at proximity of the development to Swinburne Court
- Concern at the area between the Swinburne Court and the new development becoming prone to anti-social behaviour.
- Loss of light
- Loss of privacy
- Loss of outlook
- Detrimental impact on highway safety
- Concern at loss of the existing pedestrian thoroughfare between the estate and Denmark Hill
- Poor design: in terms of the quantity and quality of dwellings
- Impact on trees
- Noise from use of garages
- No account taken of bus stop in front site along Denmark Hill set back on the pavement which is liable to block access to at least one of the proposed houses.

All of the above issues are addressed in the relevant section of the report above.

### **Human rights implications**

110. This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.

111. This application has the legitimate aim of providing for a redevelopment of this site for residential development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

| Background Papers  | Held At  | Contact   |
|--|--|---|
| Site history file: TP/2511-161<br>Application file: 15/AP/3399<br>Southwark Local Development Framework and Development Plan Documents | Chief Executive's Department<br>160 Tooley Street<br>London<br>SE1 2QH | Planning enquiries telephone:<br>020 7525 5403<br>Planning enquiries email:<br><a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a><br>Case officer telephone:<br>020 7525 4877<br>Council website:<br><a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a> |

## APPENDICES

| No.        | Title                           |
|------------|---------------------------------|
| Appendix 1 | Consultation undertaken         |
| Appendix 2 | Consultation responses received |
| Appendix 3 | Pre-application advice          |
| Appendix 4 | Recommendation                  |

## AUDIT TRAIL

|   |                                       |                          |
|---|---------------------------------------|--------------------------|
| <b>Lead Officer</b>   | Simon Bevan, Director of Planning     |                          |
| <b>Report Author</b>  | Ciaran Regan, Senior Planning Officer |                          |
| <b>Version</b>  | Final                                 |                          |
| <b>Dated</b>  | 14 April 2016                         |                          |
| <b>Key Decision</b>   | No                                    |                          |
| <b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b> |                                       |                          |
| <b>Officer Title</b>  | <b>Comments Sought</b>                | <b>Comments included</b> |
| Strategic Director of Finance and Governance                            | No                                    | No                       |
| Strategic Director of Environment and Leisure                           | No                                    | No                       |
| Strategic Director of Housing and Modernisation                         | No                                    | No                       |
| Director of Regeneration  | No                                    | No                       |
| <b>Date final report sent to Constitutional Team</b>                    |                                       | 14 April 2016            |

## Consultation undertaken

**Site notice date:** 15/09/2015

**Press notice date:** 24/09/2015

**Case officer site visit date:** 21/09/2015

**Neighbour consultation letters sent:** 02/09/2015

### Internal services consulted:

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

### Statutory and non-statutory organisations consulted:

London Borough of Lambeth  
Thames Water - Development Planning

### Neighbour and local groups consulted:

|  |                                 |
|--|---------------------------------|
| Flat 32 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 71 Swinburne Court SE5 8ER |
| Flat 31 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 72 Swinburne Court SE5 8ER |
| Flat 34 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 75 Swinburne Court SE5 8ER |
| Flat 33 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 78 Swinburne Court SE5 8ER |
| Flat 30 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 76 Swinburne Court SE5 8ER |
| Flat 28 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 77 Swinburne Court SE5 8ER |
| Flat 27 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 70 Swinburne Court SE5 8ER |
| Flat 3 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 63 Swinburne Court SE5 8ER |
| Flat 29 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 64 Swinburne Court SE5 8ER |
| Flat 8 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 61 Swinburne Court SE5 8ER |
| Flat 7 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 62 Swinburne Court SE5 8ER |
| Denmark Hill Neighbourhood Housing Office 161 Denmark Hill SE5 8EF | Flat 65 Swinburne Court SE5 8ER |
| Flat 9 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 68 Swinburne Court SE5 8ER |
| Flat 6 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 69 Swinburne Court SE5 8ER |
| Flat 36 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 66 Swinburne Court SE5 8ER |
| Flat 35 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 67 Swinburne Court SE5 8ER |
| Flat 5 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 40 Swinburne Court SE5 8ER |
| Flat 4 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 20 Swinburne Court SE5 8EP |
| Flat 26 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 21 Swinburne Court SE5 8EP |
| Flat 15 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 19 Swinburne Court SE5 8EP |
| Flat 14 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 2 Swinburne Court SE5 8EP  |
| Flat 17 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 22 Swinburne Court SE5 8EP |
| Flat 16 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 25 Swinburne Court SE5 8EP |
| Flat 13 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 26 Swinburne Court SE5 8EP |
| Flat 10 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 23 Swinburne Court SE5 8EP |
| Flat 1 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 24 Swinburne Court SE5 8EP |
| Flat 12 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 18 Swinburne Court SE5 8EP |
| Flat 11 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 11 Swinburne Court SE5 8EP |
| Flat 23 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 12 Swinburne Court SE5 8EP |
| Flat 22 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 1 Swinburne Court SE5 8EP  |
| Flat 25 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 10 Swinburne Court SE5 8EP |
| Flat 24 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 13 Swinburne Court SE5 8EP |
| Flat 21 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 16 Swinburne Court SE5 8EP |
| Flat 19 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 17 Swinburne Court SE5 8EP |
| Flat 18 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 14 Swinburne Court SE5 8EP |
| Flat 20 Mayhew Court Denmark Hill Estate SE5 8HG                   | Flat 15 Swinburne Court SE5 8EP |
| Flat 2 Mayhew Court Denmark Hill Estate SE5 8HG                    | Flat 27 Swinburne Court SE5 8EP |
| Flat 53 Swinburne Court SE5 8ER                                    | Flat 33 Swinburne Court SE5 8ER |
| Flat 54 Swinburne Court SE5 8ER                                    | Flat 34 Swinburne Court SE5 8ER |
| Flat 51 Swinburne Court SE5 8ER                                    | Flat 31 Swinburne Court SE5 8ER |
| Flat 52 Swinburne Court SE5 8ER                                    | Flat 32 Swinburne Court SE5 8ER |

Flat 55 Swinburne Court SE5 8ER  
Flat 58 Swinburne Court SE5 8ER  
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Flat 37 Swinburne Court SE5 8ER  
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Flat 8 Swinburne Court SE5 8EP  
Flat 9 Swinburne Court SE5 8EP  
Flat 6 Swinburne Court SE5 8EP  
Flat 7 Swinburne Court SE5 8EP  
45 Swinburne Court Basingdon Way SE5 8ER  
32 Swinburne Court Basingdon Way SE5 8ER  
81a Grove Park London SE5 8LE  
51 Swinburne Court Basingdon Way SE5 8ER

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]

#### Statutory and non-statutory organisations

London Borough of Lambeth  
Thames Water - Development Planning

#### Neighbours and local groups

Flat 24 Swinburne Court SE5 8EP  
Flat 25 Swinburne Court SE5 8EP  
Flat 31 Swinburne Court SE5 8ER  
Flat 32 Swinburne Court SE5 8ER  
Flat 32 Swinburne Court SE5 8ER  
Flat 45 Swinburne Court SE5 8ER  
32 Swinburne Court Basingdon Way SE5 8ER  
45 Swinburne Court Basingdon Way SE5 8ER  
45 Swinburne Court Basingdon Way SE5 8ER  
51 Swinburne Court Basingdon Way SE5 8ER  
81a Grove Park London SE5 8LE

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 Pre-application advice
 

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**Chief executive's department**  
 Planning division  
 Development management (5th floor - hub 2)  
 PO Box 64529  
 LONDON SE1P 5LX

Ms Valeria Piras  
 John Smart Architects  
 XXXXXXXXXXXXXXXX

SE1 XXX

**Your Ref:**  
**Our Ref:** 14/EQ/0217  
**Contact:** Dipesh Patel  
**Telephone:** 020 7525 1778  
**E-Mail:**  
 planning.applications@southwark.gov.uk  
 k  
**Web Site:** <http://www.southwark.gov.uk>  
**Date:** 20/07/2015

Dear Ms Piras

**TOWN & COUNTRY PLANNING ACT 1990 (as amended)**  
**PRE-APPLICATION ENQUIRY**

**At:** 161 DENMARK HILL, LONDON, SE5 8EF  
**Proposal:** Demolition of the existing two storey building and construction of eight 3 bedroom houses and one 2 bedroom house arranged over 3 to 4 storeys with associated bin and bike stores and landscaped private amenity spaces

I write further to your pre-application enquiry and meetings with council officers on 25/03/2015 and 18/06/2015.

**Description of proposal**

- I. The proposal is for the demolition of the existing two storey detached office building and erection of a part 3/part 4 storey row of 10 x 3-bedroom terraced dwelling houses with associated parking and amenity space.

**Policies**

13. The Development Plan is made up of the Further Alterations to London Plan 2015, Southwark Core Strategy 2011 and Southwark Unitary Development Plan 2007 saved policies, along with Supplementary Planning Documents. The National Planning Policy Framework is a material consideration.

**Key issues**

- n. The proposed development raises the following issues:
  - Principle of development
  - Design
  - Impact on Amenity of Neighbouring Residents
  - Transportation
  - Sustainability

### **Principle**

- o. As previously identified the site was previously used as a housing office by Southwark Council and is currently being used as a temporary office by Kings College Hospital. It will be necessary to demonstrate that the loss of the office space is acceptable as required by saved policy 1.4 of the Southwark Plan 2007. The principle of residential use in this location is acceptable.

### **Design**

- p. The relevant design policies seek to ensure that the proposed development is of a layout, scale and massing that is appropriate to its context and that the design and appearance reflects the positive characteristics of neighbouring development while also making a positive contribution to the character and appearance of the area on its own.

### *Layout*

- 17. The alterations to the layout respond to the positive characteristics of the neighbouring residential block fronting onto Denmark Hill providing an area of soft landscaping in front of the building which will complement the existing green buffer which exists between the built environment and the main road. This provides a setting more in keeping with a building of the scale proposed and helps integrate the proposed development with the surrounding streetscape.
- 18. The site tapers inwards to the south west and finishes with a very limited set in from the south west boundary of the site. The land immediately adjacent to this point is currently occupied by a single storey brick structure, which appears to be a substation of some kind and some soft landscaping. It is recommended that the proposed development is set in from this boundary to improve the setting of the building and the outlook of the end residential unit. The other option is to explore the potential for acquiring this strip of land and incorporating it within the development site.

### *Scale and Massing*

- s. London Plan and Southwark planning policies seek to ensure that the scale of development is appropriate to the location in which it is situated in terms of the scale of neighbouring development and the availability of public transport and other infrastructure. In addition to these policies also require buildings to make a positive contribution to the public realm commensurate to the significance of the site location.
- t. The proposed development at 3 storeys with a recessed fourth storey is considered to be the maximum extent of the scale of development for this site. It is noted that the neighbouring buildings rise up to 6 storeys in height but that they also benefit from a greater set in from the estate road to the rear. The design detail and landscaping in the frontage should be used to break down the massing of the building.
- u. The design of the south west elevation with the introduction of windows, the framed recess balcony and over-sailing upper storeys provides an elevation which addresses this prominent edge of the site. However this would benefit from a set in from the boundary which allowed for the provision of soft landscaping and does not seem to take into account the existing single storey structure directly outside of the site.

### *Material and Design Detail*

- v. Proposed materials and the treatment of elevations should complement but not necessarily replicate the local architectural character. The proposed red clay brick tile and timber framed double glazed windows for the frontage are considered to be appropriate given the context and are indicative of the quality of materials that the council would expect on a new development such as this. We remain to be convinced that the proposed linited glazing is an appropriate finish for the upper storeys although it is recognised that the proposed building benefits from lighter material finish

on the upper storeys.

#### *Landscaping*

- w. The provision of a landscaping setting to the front of the development and the indicative tree, planting and sedum roof information is welcomed as this will make a valuable contribution to the design and appearance of the development. A tree survey will also need to be submitted to ensure that there will be no damage to the existing mature trees located just outside of the site boundary. The provision of a front boundary wall similar to that which extends to the north east along Denmark Hill should be provided.

#### **Quality of residential accommodation**

- x. The proposed dwellings are all shown to comply with the minimum space standards set out within the Residential Design Standards SPD (RDS). It should be noted that details of space standards for individual rooms should be provided to demonstrate compliance with the standards set out in RDS.
- y. All of the units are dual aspect and are generally laid out to ensure that levels of daylight, sunlight and outlook are maximised. The distances between facing habitable room windows are considered to appropriately maintain privacy.
- z. However there are concerns with the quality of the residential units closest to the south west boundary. As the site tapers inwards the proposed residential units are narrower with rooms closer to both the front and rear boundaries. In particular the last two units have very little in the way of defensible space and the end unit includes habitable room windows on and very close to the boundary which would not provide adequate separation from the neighbouring public spaces.
- aa. As the proposed development is for 10 new homes at least one of these should be a disabled unit with a wheelchair user parking space. The proposed parking spaces all appear to be a maximum width of 2.5m and would therefore not be suitable for wheelchair parking. The proposed development will have to be amended to include a disabled unit with parking provision.
- bb. The provision of amenity space on the roof as well as in the frontage is welcomed. These spaces should have appropriate screening along boundaries to ensure that each has appropriate levels of privacy and the privacy of neighbouring residents is preserved.
- cc. The proposed residential units are separated by party walls which are shown to be no wider than 20cm. It will be necessary to confirm that this depth is achievable while also achieving suitable levels insulation for sound and sustainability purposes.

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

- dd. The nearest residential properties are those situated to the north east and south east of the site within the 6 storey apartment blocks that form part of the Circle Estate. A full BRE compliant daylight and sunlight assessment will be required with any application.

#### **Transport**

- ee. The site is situated in an area with moderate accessibility to public transport (Ptal 3) and is approximately 700m from Denmark Hill Station, 950m from North Dulwich and 1250m from Herne Hill Station with good bus links along Denmark Hill. The provision of a parking space for each of the family units is considered to be acceptable in this location. The application will need to be accompanied by a Transport Statement



demonstrating that the proposed development will have an acceptable impact on local highway conditions while also providing a justification for the level of parking proposed and confirmation that the proposed development will have an acceptable impact on parking on neighbouring streets.

32. The London Plan states that for residential units there is a requirement for a minimum of 2 spaces per each 2 bed and above unit. In accordance with Table 15.4 of the Southwark Plan there is a requirement to provide visitor cycle parking at 1 space per 10 units; at least one space should be provided. Policy 5.3 of the Southwark Plans requires cycle parking to be secure, convenient and weather proof. We recommend Sheffield stands as the preferred cycle storage method in all cases and request that the applicant makes every attempt to provide these in the design of the development. The details submitted appear to indicate that this will be complied with.
33. The proposed development will need to provide disabled access units in accordance with London Plan standards. All wheelchair accessible units should have access to a disabled accessible parking bay in accordance with Section 9.1.2 of Southwark Council's Sustainable Transport Supplementary Planning Document.
34. Waste/Recycling storage will need to be provided in accordance with the Council's standards set out in *Waste Management Guidance Notes for Residential Developments*.

### **Sustainability**

- ii. Any proposed development will be required to demonstrate how carbon dioxide emissions will be minimised in accordance with the Be Lean, Be Clean, Be Green hierarchy set out in London Plan and Southwark planning policies. A detailed energy assessment to demonstrate how the targets for emissions reductions are to be met should be submitted. Development proposals should also demonstrate that sustainable design standards are integral to the proposals, including its construction and operation and the potential for on-site renewables, and ensure that they are considered at the beginning of the design process.

### **Community Infrastructure Levy**

- jj. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
- kk. In Southwark Cil the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm.. The Southwark CIL rate is based on the type and location of the development. Southwark CIL for residential development in Zone 2 is charged at £200 per sqm.

### **List of documents required at application stage**

- ii. At application stage the applicant should include the following documents: Design and Access Statement, Transport Statement and Parking Study, Noise Report, Air Quality Assessment, Land Contamination Assessment, Energy / Sustainability Statement, Daylight / Sunlight Report, and a CIL form. The following link will take you to the council's webpage where you can view the list of documents that should accompany

the application:

[https://www.southwark.gov.uk/downloads/download/2021/full\\_planning\\_permission](https://www.southwark.gov.uk/downloads/download/2021/full_planning_permission)

### **Conclusion**

mm. The principle of the development is acceptable, subject to satisfying saved Policy 1.4 on loss of office space. However further consideration will have to be given to the issues raised above in relation to design, quality of residential accommodation, impact on amenity and transportation before any application is made.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Yours sincerely

Rob Bristow  
Group Manager- Major Applications.