

Item No. 9.3	Classification: Open	Date: 8 November 2016	Meeting Name: Planning Committee
Report title:	Development Management planning application: Council's own development Application 16/AP/3503 for: Full Planning Permission Address: CAR PARK SITE, COPELAND ROAD, LONDON SE15 3SL Proposal: Erection of 67, one, two and three bedroom flats within 4 - 8 storey development with associated parking, cycle and refuse/recycling stores and landscaping including re-provision of (enlarged) ball court		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date 24/08/2016		Application Expiry Date 23/11/2016	
Earliest Decision Date 16/09/2016			

RECOMMENDATIONS

1. That planning permission be granted subject to the completion of an appropriate legal agreement and conditions.
2. That in the event that the legal agreement is not completed by 31 January 2017, the Director of Planning be authorised to refuse planning permission for the reason detailed in paragraph 96.

BACKGROUND INFORMATION

3. This application is part of the Southwark Regeneration in Partnership Programme (SRPP), which together with other programmes within the council seek to deliver more affordable housing within the borough. On 27 January 2015, cabinet agreed the development of the Southwark Regeneration in Partnership Programme.
4. The aim of the programme is to identify a number of council owned sites of varying size and development potential, which can be brought forward to provide a mix of uses, including new housing.
5. The proposed redevelopment of the site would provide 67 new residential units (of which 42 would be affordable), the provision of a new basketball court with landscaping and wheelchair parking.

Site location and description

6. The site is located at the southern end of Copeland Road, on its western side, close to the junction with Rye Lane. It fronts onto Copeland Road and has pedestrian and vehicular access and to the rear and south are neighbouring commercial and residential sites on Rye Lane.
7. The site includes the council owned car park which has a vehicular entrance and exit onto Copeland Road. It also includes a vehicular access to sites to the rear, on Rye Lane and a ball court, footpath and paved area which links Copeland Road to Bournemouth Close to the rear. It has a landscaped area in front of a terrace of two storey houses at Hazel Close.
8. The adjoining sites are in commercial and/or residential use:
 - 237 - 247 Rye Lane to the south (on the corner of Copeland Road and Rye Lane) has planning permission for a 4 to 7 storey commercial/residential development including 27 flats (see planning history of adjoining sites below)
 - The Nag's Head public house is situated at 231 - 235 Rye Lane
 - 223 - 239 Rye Lane (at the end of Rye Lane) is a three storey building with a bank on the ground floor and community use on the upper floors
 - 215 - 219 Rye Lane is a four storey building with commercial uses on the ground floor and residential above
 - 213 Rye Lane, to the west of the site, comprises a two storey building on Rye Lane with a large single storey cold store adjoining the application site, to the rear. There is a current planning application (16/AP/0131) for the addition of two storeys on 213 Rye Lane and the demolition of the cold store and the erection of a 3/5/7 storey development with a cold store on the ground floor and 40 flats above (see planning history of adjoining sites below).
9. To the north and east the site is adjoined by two storey terraced housing. There is a terrace on Copeland Road to the north and two storey terraced housing also faces the site to the rear in Hazel Close (it is separated by a footpath and landscaped area). Then there is a block of two storey terraced housing (Russell Court) opposite the site on the other side of Copeland Road.
10. The site has excellent public transport accessibility, with a PTAL rating of 6a. Within a 5 minute walk is Peckham Rye railway station. The site is close to over four main bus stops. These lie within an 8 minute walk and provide 14 different bus services.
11. The site is within:
 - An Air Quality Management Area
 - The Urban Density Zone

- Peckham Major Town Centre
 - Peckham Action Area Core
 - Peckham and Nunhead Action Area.
12. The Rye Lane Conservation Area abuts the site to the west and south; the site is not within the setting of any listed buildings or structures.
 13. The site is identified as part of Proposal Site 7 in the Peckham and Nunhead Action Area and part of Site 72P in the Southwark Plan.

Details of proposal

14. The proposal is for a 4 to 8 storey development to provide 67 flats in a range of sizes including seven wheelchair accessible dwellings with associated landscaped and access areas and the retention of an (enlarged) ball court.
15. The building would front onto Copeland Road and extend west along Hazel Close. Soft landscaping would be provided around the building along Copeland Road, Hazel Close and on the south side of the building along the vehicular access to the rear. New planting and paving would be formed on the existing space separating the car park from the properties on Hazel Close. A new, enlarged ball court would be provided at the rear and soft and hard landscaping and pathways would be formed within a courtyard and amenity/access areas to the rear of the building.
16. The new building would be made up of three distinct cores, each of a different height. Block A, on the south of the site would be eight storeys in height with the top floor being set back. The block would reduce in height to six storeys further north. Block B, sited at the corner with Hazel Close, would have five storeys while Block C, on the west of the site, opposite the two storey houses in Hazel Close, would be four storeys.
17. A simple palette of light orange and dark brown brickwork is proposed. Light orange stock brick would be used on the main frame of the proposal to match the context of neighbouring properties while a dark brown brick is proposed on the north and set back elements to minimise their impact on the elevations. The scheme would introduce texture through metal balustrades and recessed and projected elements on the brickwork.
18. The buildings would have flat roofs with areas of green roof, with solar panels and a communal amenity space.
19. The building would provide 67 dwellings; 27 would be one bed flats, 28 would be two bed flats and 12 would be three bed flats. Six of the one bed flats and one of the two bed flats would be to wheelchair user size and space standards.
20. The numbers and sizes of dwellings are set out below:

One bed flats	27 (6 wheelchair accessible)
Two bed flats	28 (1 wheelchair accessible)
Three bed flats	12

21. Of the 67 new units 25 (37%) would be for private open market sale; 18 (27%) would be for intermediate/shared ownership and 24 (36%) would be for social rent.

22. The tenure of the units are set out below:

Private 'open market'	25 (37%)
Intermediate/shared ownership	18 (27%)
Social rented	24 (36%)

23. The size by tenure would be as follows:

25 private open market	8 x 1 bed; 13 x 2 bed; 4 x 3 bed
18 intermediate/shared ownership	9 x 1 bed; 9 x 2 bed; 0 x 3 bed
24 social rented	10 x 1bed; 6 x 3 bed; 3 x 3 bed

24. The proposed communal amenity spaces include a communal sitting area on the ground floor and a communal roof terrace, which together amount to an area of 144 sq. m. A designated under 5's play area is proposed on the ground floor with a total area of 255 sq. m. An enlarged and improved ball court (414 sq. m) with a new surface and fencing and new landscaping to Hazel Close would also be provided.

25. The scheme would have three secure and covered, bicycle stores, one per core, providing 97 cycle spaces in total. The number of bicycles stored per core would be as follows:

- Core A - 56
- Core B – 28
- Core C – 13.

26. In addition to residents' cycle parking spaces, 19 short stay cycle spaces are proposed on paved areas around the development.

27. Three car park spaces would be provided for wheelchair unit occupants. Apart from this, the site would be car free due to its high PTAL rating of 6a.

28. A loading bay is proposed on Copeland Road and the existing vehicular access to the south of site would allow for light service/delivery vehicles to access the site. Internal refuse/recycling stores are proposed for each core. A waste management strategy has been submitted. This indicates that the refuse/recycling stores for the three cores would meet the requirements of the council's waste management guidance notes for residential developments.

29. The existing pedestrian access and landscaped buffer between the car park and the dwellings in Hazel Close would be retained and improved with new planting. Public access would be available from Bournemouth Close to Copeland Road and the re-provided ballcourt at the rear of the site would also be publicly accessible, though access would be controlled by gates. Step-free access onto the landscaped areas and the basketball court would be achieved by sloping the landscape.

30. The children's play and communal amenity spaces within the new development would be gated for security. All wheelchair accessible flats would be located on the ground floor, while all proposed flats on the floors above could be accessed via a lift, achieving level access throughout.

31. **Planning history**

15/EQ/0356 Application type: Pre-Application Enquiry (ENQ)
Proposed new development for 67 one, two and three bedrooms units
Decision date 22/01/2016
Decision: Pre-application enquiry closed (EQC)

(A copy of the council's formal pre-application response is included within Appendix 3).

Planning history of adjoining sites

32. 237-247 Rye Lane

13AP2311 - Demolition of two existing retail units at 237 and 239 and car-wash site, and erection of a four to seven storey building comprising services and retail space at ground level, with 27 new residential units above - allowed on appeal 9 September 2014.

33. 213 Rye Lane

16AP0131 - Partial demolition of existing buildings and redevelopment to provide buildings ranging from 1 to 7 storeys in height accommodating ground floor commercial space (Class A1/B8) with 40 residential units above (Class C3), raised amenity courtyard together with associated blue badge car parking and cycle parking - not yet decided.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

34. The main issues to be considered in respect of this application are:
- a) the principle of the development
 - b) number, mix and tenure of new housing
 - c) quality of proposed accommodation
 - d) effects on amenity of surrounding occupiers
 - e) transport issues
 - f) design issues and effects on character and appearance of the area
 - g) ecology
 - h) energy efficiency/carbon reduction

- i) planning obligations (section 106 undertaking or agreement)
- j) Community Infrastructure Levy
- k) other matters.

Planning policy

35. National Planning Policy Framework (the Framework)

- S6 - Delivering a wide choice of high quality homes
- S7 - Requiring good design
- S8 - Promoting healthy communities
- S11 - Conserving and enhancing the natural environment
- S12 - Conserving and enhancing the historic environment

36. The London Plan 2016

- Policy 3.3 - Increasing Housing Supply
- Policy 3.4 - Optimising Housing Potential
- Policy 3.5 - Quality and Design of Housing Developments
- Policy 3.8 - Housing choice
- Policy 3.9 - Mixed and balanced communities
- Policy 3.11 Affordable housing targets
- Policy 3.12 Negotiating affordable housing on individual private residential and mixed use scheme
- Policy 3.16 Protection and enhancement of social infrastructure
- Policy 5.1 - Climate change mitigation
- Policy 5.2 - Minimising carbon emissions
- Policy 5.3 - Sustainable design and construction
- Policy 5.7 - Renewable energy
- Policy 5.12 Flood risk management

- Policy 5.13 Sustainable drainage
- Policy 5.15 Water use and supplies
- Policy 5.21 Contaminated land
- Policy 6.5 - Funding crossrail and other strategically important transport infrastructure
- Policy 6.9 – Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking
- Policy 7.1 - Lifetime neighbourhoods
- 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 7.8 - Heritage Assets and Archaeology
- Policy 8.2 - Planning obligations.

37. 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 12 - Design and conservation
- Strategic Policy 13 - High environmental standards

- Strategic Policy 14 - Implementation and delivery.

Southwark Plan 2007 (July) - saved policies

38. 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.

- Saved policy - 2.5 Planning Obligations
- Saved policy - 3.1 Environmental Effects
- Saved policy - 3.2 Protection of Amenity
- Saved policy - 3.3 Sustainability Appraisal
- Saved policy - 3.4 Energy Efficiency
- Saved policy - 3.6 Air Quality
- Saved policy - 3.7 Waste Reduction
- Saved policy - 3.10 Hazardous Substances
- Saved policy - 3.11 Efficient Use of Land
- Saved policy - 3.12 Quality in Design
- Saved policy - 3.13 Urban Design
- Saved policy - 3.14 Designing Out Crime
- Saved policy - 3.19 Archaeology
- Saved policy - 4.1 Density of Residential Development
- Saved policy - 4.2 Quality of Residential Development
- Saved policy - 4.3 Mix of Dwellings
- Saved policy - 4.4 Affordable Housing
- Saved policy - 5.1 Locating Developments
- Saved policy - 5.2 Transport Impacts

- Saved policy - 5.3 Walking and Cycling
- Saved policy - 5.6 Car Parking
- Saved policy - 5.7 Parking Standards for disabled people and the mobility impaired.

39. Peckham and Nunhead Area Action Plan (2014) (PNAAP)

- Policy 15: Residential Parking
- Policy 16: New Homes
- Policy 17: Affordable and private homes
- Policy 18: Mix and design of new homes (including minimum dwelling sizes).

Neighbour consultations

40. Six letters of objection were received. Objections raised relate to:

- Increased and excessive traffic on Copeland Road
- Loss of public parking spaces in existing car park
- Noise and disturbance (due to increased traffic)
- Excessive height for Peckham and Nunhead Action Area and Rye Lane Conservation Area
- Inappropriate design and harm to local character and distinctiveness, streetscenes and skylines
- Overbearing and overshadowing impacts for residents of Atwell Estate
- Inadequate provision of amenity space, i.e. communal amenity space for residents
- Lack of suitable amenity space in surrounding area
- Inadequate provision of car parking and servicing areas
- Inadequate access to cycle storage facilities and lack of designated cycle routes.

41. Consideration of the above objections is undertaken in the assessment below.

Principle of development

42. The car park has been identified for the Southwark Regeneration in Partnership Programme as being appropriate for residential development and a 4 to 8 storey scheme comprising 67 new residential units (42 affordable) has been designed following public consultation meetings, design team meetings and consultation with the council's Design

Review Panel.

43. The application site is part of designated site 72P in the saved Southwark Plan which has been identified as capable of providing 51 to 119 new dwellings. Additionally the site forms proposal site 7 in the Peckham and Nunhead Area Action Plan for which an indicative capacity of 75 units is stated. The principle of a residential land use is acceptable on this site.

Density

44. The proposal for 67 new dwellings with a total of 216 habitable rooms would have a density of 252 units per hectare and 811 habitable rooms per hectare.
45. The density of development would fall within the range of units per hectare recommended in the London Plan for the Urban Density Zone (i.e. 70 to 260 units per hectare). In habitable rooms per hectare the density would be slightly above the range of 200 to 700 habitable rooms per hectare detailed in the development plan. Policy documents do advise that within the action area cores higher densities may be allowed and considering the exemplary design, a higher density is acceptable. It is noteworthy that as the PNAAP states the indicative capacity as being for 75 residential units.

Number, mix and tenure of new housing

46. The proposed dwelling mix would include 27 x 1 bed units (40%), 28 x 2 bed units (42%), 12 x 3 bed units (18%). The proposal would therefore include a total of 60% two or three bed as required under Core Strategy Policy 7 (Family Homes). Six of the one bed units and one of the two bed units would be for wheelchair users in accordance with Southwark Plan policy 4.3 for 10% wheelchair housing.
47. Policy 18 (Mix and design of new homes) of the Peckham and Nunhead Area Action Plan requires developments of 10 or more residential units to provide:
- All development to be built to Lifetime Homes Standards
 - Development generating potential for 10 or more children to provide play space for children and young people as part of the scheme.
48. All the dwellings would comply with Lifetime Homes Standards. Children's and youth play space would be provided in the shape of a 254 sq. m landscaped children's play area and the enlarged (414 sq. m) ball court.
49. The proposed tenure is set out below:
- Private 'open market' 25 (37%)
 - Intermediate/shared ownership 18 (27%)
 - Social rented 24 (36%).
50. Comprising 63% affordable housing the proposal would accord with Core Strategy Policy 6 and PNAAP policy 17 which require a minimum 35% affordable housing in the

Peckham and Nunhead Action Area in developments of ten or more residential units. A development appraisal summary has been submitted. This indicates that there is no scope for providing any additional affordable housing and the proposed number and tenure of affordable units already exceeds reasonable, market expectations.

51. Policy 17 of the Peckham and Nunhead Action Area Plan requires new affordable housing to be split 50:50 between social rented and intermediate (shared ownership). The proposal would result in a split of 57:43 between social rent and shared ownership, a relatively modest deviation and one that is acceptable.

Quality of proposed accommodation

Residential design standards

52. The individual unit sizes would comply with the National Housing Standards which are set out in the Technical Update to the Council's Residential Design Standards (2011). The unit sizes and the National Housing Standard minimum size requirements are as follows:

Unit Type	Proposed Floor Area (sq. m)	National Housing Standard (sq. m)
1 bed 2 person	50 - 53	50
2 bed 3 person	66 - 68	61
2 bed 4 person	70 - 75	70
3 bed 5 person	86 - 96	86

Wheelchair standard units	Proposed Floor Area (sq. m)
1 bed 2 person	67 - 71
2 bed 3 person	82

53. The individual rooms would also comply with the space standards in the National Housing Standards. The bedrooms would meet or exceed the minimum size requirements (i.e. 12 sq. m per double bedroom, 7 sq. m per single bedroom) and the living room/kitchen/diners would also meet or exceed the space standards. A range of open plan or separate living room/kitchen/diners would be provided. The open plan living room/kitchen/diners would be a minimum of 24 sq. m and the separate living rooms and kitchens would be a minimum of 15 sq. m and 12 sq. m respectively.
54. External balconies or terraces would be provided for all of the flats. These would range in size from a 5 sq. m balcony (for a one bedroom flat) to a 43 sq. m terrace (for a two bedroom flat on the set back seventh floor of Core A). The roof of the six storey part on Copeland Road would provide 81 sq. m of communal amenity space and the courtyard at the rear of the development (on the ground floor) would provide 255 sq. m children's play area and 63 sq. m communal sitting out area. The balconies would project on the front, sides and rear of the building. In many cases the balconies would form part of larger terraces/winter gardens situated within the building envelope. A 30 sq. m terrace would be formed on a single storey plant room projecting from the building in Hazel Close.

Internal living conditions

55. The site lies in a mixed residential/commercial area and it is not considered that there would be excessive levels of noise such that an unsatisfactory living environment would result. Planning conditions in respect of noise levels within the dwellings and from the proposed plant room are recommended.

Children's play space/communal amenity space

56. Policy 3.6 (Children and Young People's Play and Informal Recreation Facilities) of the London Plan 2015 requires new residential development with an estimated child occupancy of ten or more children to make provision for play and informal recreation based on the expected child population generated by the scheme and an assessment of future needs. The need is reinforced in the council's section 106 Planning Obligations and CIL SPD.
57. The total children's play space requirement can be calculated using the play space calculator provided in the Mayor's Children and Young People's Play and Informal Recreation Facilities SPG. This calculates the requisite play space based on child occupation rates for new dwellings by size and tenure. Inputting the tenure and sizes of the flats into the play space calculator results in a total requirement for children's play space of 277.4 sq. m. The proposal includes a 255 sq. m under 5s play area and a 414 sq. m ball court. Together these elements exceed the play space requirements.
58. A lack of communal amenity space has been mentioned in the neighbour consultation responses. However, in addition to the children's play space and enlarged ball court, the proposal would also include a communal sitting area on the ground floor and a communal roof terrace which together amount to an area of 144 sq. m. The site also lies less than 500m from Peckham Rye Common which provides abundant formal and informal open space. There would be adequate communal amenity space which taken with the good provision of private amenity space and the proximity to Peckham Rye Common means that future residents would have access to a range of good quality outdoor amenity spaces.

Effects on amenity of surrounding occupiers

Sunlight/daylight impacts

59. Calculations of the Vertical Sky Component have been undertaken for 120 windows at neighbouring properties to the site. These include windows to the rear (i.e. facing) elevations of the approved four to seven storey scheme at the adjoining site to the south (237 - 247 Rye Lane), windows to the rear of 223 - 229 Rye Lane, windows in Russell Court opposite the site and windows in the fronts of the neighbouring two storey houses on Copeland Road and Hazel Close. Because of the design proposed and the relationship with existing buildings, most of the windows for neighbouring properties would continue to receive good levels of light. Where absolute VSCs are presently low, the reductions would generally not be noticeable (VSCs of 80% their present levels) with a few exceptions that would have VSCs of around 70% their present. The one window that would be affected more significantly is a high level, secondary window on Russel Court.

60. The Sunlight and Daylight Assessment includes an analysis of the Annual Probable Sunlight Hours for existing neighbouring windows which are orientated within 90 degrees of due south. BRE guidance is that windows should continue to receive in excess of 80% of their pre-development value, 25% of available hours over the year, and 5% of hours in winter. Only windows facing within 90 degrees of due south are required to be tested. In this case 59 windows were considered. The results indicated that 14 windows would have sunlight for their windows below the recommended levels though many of the reductions are only just below the recommended levels.
61. BRE guidance advises that residential amenity spaces (e.g. gardens) should achieve at least 2 hours of sunlight over at least half of their area on the equinox (i.e. 21 March). The gardens of the nearest two houses on Copeland Road (nos. 53 and 55) would experience sunlight levels below this but would not lose all of their sunlight. Other neighbouring dwellings would retain sunlight over 50% of their gardens and 93% of the proposed communal amenity space at the rear of the development would obtain at least 2 hours of sunlight on 21 March.
62. Overshadowing was mentioned in the letters of objection which were received following neighbour consultation but only by one neighbouring resident to the site (in Russell Court). However as a result of the spacing and orientation of the development in the built environment it is considered that the windows and gardens of neighbouring gardens would retain the majority of their daylight and the majority of windows would meet the BRE criteria on sunlight by virtue of either retaining 80% of their existing value, or 25% of annual hours and 5% of winter hours. Again, this is considered acceptable.

Overlooking

63. There are living room and bedroom windows proposed in the facing elevation of the approved scheme on the 4th to 6th floors at 237 - 247 Rye Lane but they are set back. On the fourth floor they will be at least 1.5m from the boundary, on the fifth floor 2.75m and on the sixth floor 5m. There will be a communal roof terrace on the top (seventh storey) of the development at 237 - 247 Rye Lane. There are bedroom and living room windows proposed in the facing elevation of the application proposal on the corresponding floors but they are separated by the access road at the south of the site. There would be a distance of 11.5m between the windows on the fourth floor, 12.75m on the fifth floor and 15m on the sixth floor. The relationship would be akin to the distance which is advised in the council's residential design standards for front-to-front relationships across a road (i.e. 12m) and given that screens/planters are proposed to the rooms on the upper floors of the development at 237 - 247 Rye Lane no unacceptable overlooking would occur.
64. Russell Court, on the other side of Copeland Road, is set back from the highway, and off-set from the proposed development which would be opposite the landscaped/access area. The nearest windows are at least 17m from the site of the proposed development and given that the buildings would not be opposite each other, there should be no direct overlooking of any existing habitable rooms.
65. The closest relationship with any neighbouring dwelling would be at 53 Copeland Road (the neighbouring dwelling on Copeland Road to the site). The development would be 5m from the rear garden of this property. However, there would be no balconies or

terraces directly opposite this site and the glass in the windows on the north elevation of the proposal are shown as being angled away from this dwelling.

66. The four storey element would be 18m from the front elevations of nos. 6 - 12 Hazel Close to the rear of the site. The siting would therefore comply with the recommended 12m gap for 'front-to-front' relationships and no excessive overlooking would result.
67. There is an application for a seven storey residential development on the adjoining site to the east (213 Rye Lane). The application has not been approved but the footprint of the proposed building extends close to the boundary of the Copeland Road car park with balconies facing the application site on the upper floors. However, the seven storey element of the application proposal would be at an angle to this development and the minimum 14m separation should ensure that no undue direct overlooking of balconies or habitable rooms occurs. The scheme on the car park would not stymie the development opportunity at 213 Rye Lane.

Outlook

68. The size, siting and appearance of the development have been designed to ensure that it would not be unduly overbearing within the aspect of any neighbouring dwellings.
69. The development would be offset in relation to Russell Court on the opposite side of Copeland Road which would not have any windows directly facing the site. The Copeland Road dwellings are similarly orientated east-west and the development would not directly face any windows in these dwellings. The 4/5 storey elements would be situated alongside the rear elevations/gardens of these dwellings but the retention of the landscaped area between the site and the Hazel Close dwellings would provide a degree of open aspect for these properties.
70. The minimum 18m separation between the Hazel Close dwellings and the development would prevent any undue overbearing effects or an unacceptable sense of enclosure for the occupiers of these properties.
71. The siting of the buildings, with amenity space and access/parking spaces at the rear would prevent any unduly overbearing effects on any of the Rye Lane properties to the west.

Transport issues

72. The application is accompanied by a Transport Statement and this includes a plan which indicates the presence of five other car parks in Peckham Town Centre with 1015 car parking spaces. The Transport Statement refers to the Peckham Town Centre Parking Study (2010) which notes that Copeland Road is the smallest of the car parks in Peckham town centre and it also includes a survey which shows that the car park is under-used. It also notes that there are on-street parking spaces available during peak times of use of the car park on surrounding roads and that there is plenty of capacity in the council's other car parks in Peckham town centre.
73. The loss of the car park would not result in a shortfall of public parking spaces for users owing to the availability of designated on-street bays on surrounding roads and abundant capacity in other Peckham town centre car parks.

74. In terms of traffic generation the Transport Statement includes an assessment of the transport modes on the basis of similar developments in Southwark and Hackney. This indicates that the proposal would generate far fewer car trips in the area on a daily basis and it is anticipated that any servicing parking demand from the development could be accommodated within parking bays on neighbouring roads and in the other car parks in the town centre.
75. There would be a significant net reduction in traffic movements in the vicinity of the site on Copeland Road and the overall impact on traffic in the Peckham area is expected to be broadly neutral.
76. Given the high level of public transport accessibility (the site has a PTAL rating of 6a) and the anticipated level of car use, the proposal for a car-free development accords with the council's policies for sustainable transport and is not anticipated to result in undue pressure on the highway network. A neighbour objection was raised on grounds of increased and excessive traffic on the surrounding roads but the Transport Statement notes that there would be a reduction in vehicular manoeuvres at the site and less congestion at the Copeland Road/Heaton Road interchange. A neighbour objection was raised that the development includes insufficient on-site parking and servicing areas. A designated loading bay is proposed in front of the development for refuse and service vehicles and there is capacity on surrounding roads and in existing car parks to accommodate anticipated parking demands.
77. The provision of cycle parking spaces was raised in one neighbour representation. However the 97 secure, covered cycle parking spaces within the three purpose-built stores and the 19 external 'short-stay' cycle parking spaces would meet resident and visitor demand and encourage the use of cycles instead of cars.
78. The refuse/recycling stores for Blocks A and B would be within 10m of Copeland Road which could be used by the refuse vehicles and it is confirmed that a store would be provided for Block C with the refuse/recyclables being wheeled out to Copeland Road on collection days.

Design issues and effects on character and appearance of the area

79. The application follows a series of pre-application schemes following five neighbourhood consultation events and consultation with the council's Design Review Panel. The proposals have been amended to take on board neighbour representations, the view of the Design Review Panel and the requirements of the applicant, the Southwark Regeneration in Partnership Programme.
80. The design always incorporated a seven storey element next to the 4 - 7 storey development which is under way at 237 - 247 Rye Lane. However in its early stages the scheme was three storeys at the corner of Copeland Road and Hazel Close with the height rising to 5 storeys to the rear, along Hazel Close.
81. At the request of the Design Review Panel the scheme was increased to 5 storeys in height on the corner of Copeland Road and Hazel Close where the street frontage justifies a prominent building, while it was reduced to three storeys in height at the rear opposite the facing two storey terraced houses in Hazel Close.

82. The height and scale of the development and the effects on the Rye Lane Conservation Area (and Peckham and Nunhead Core Action Area) remain of concern in the letters received from neighbours. However the maximum height (i.e. seven storeys with a set-back seventh floor) would be similar to the height at 237 - 247 Rye Lane and the landmark Co-operative seven storey building at 355 Rye Lane. The site is not included in the Rye Lane Conservation Area and it would not involve any development on Rye Lane.
83. The Rye Lane Conservation Area refers to the origins and heritage of development on Rye Lane, buildings at the southern end of Rye Lane being noted as being purpose built retail accommodation with residential on the upper floors. Of note is the fact that vistas along Rye Lane are contained between street frontages providing a sense of enclosure which would not be affected by the proposal. The wider vista looking south from Rye Lane would similarly not be harmed. The development would not cause harm to the setting of the conservation area; its character would be preserved.
84. Further design amendments undertaken as a result of the pre-application neighbourhood consultation events included the formation of three distinctive blocks separated by three cores and the provision of pedestrian routes through the development and access to the communal landscaped areas.
85. The corner elements on Copeland Road feature punched and projecting balconies to enhance the perspective from the north and east. The use of contrasting brickwork would add relief to the scheme. The predominant material would be light orange stock brick but the use of dark brown brick for the central 6 storey element on Copeland Road, the set-back seventh storey on Copeland Road and the four storey element on Hazel Close would serve to break up the mass of building and heighten the appearance of three inter-linked blocks.
86. Density, overlooking, overshadowing and the retention of the ball court were the main issues to arise out of the neighbourhood consultations. The number of units was reduced from 72 to 67 during the pre-application process, with the formation of a set-back seventh storey reducing the scope for overshadowing of any neighbouring development. The ball court was increased in size. The siting of the ball court at the rear of the development and the provision of an appropriate fence would enable natural surveillance in the interests of increased security in the area and a degree of noise control. The issue of overlooking is considered in 'Impact of adjoining and nearby uses on occupiers and users of proposed development' above.
87. The architectural design, including rectilinear elevations, vertical emphasis through the size, shape and design of windows and use of stock brickwork would complement the form and appearance of the immediate built environment, in particular the neighbouring commercial/residential development at 237 - 247 Rye Lane. The proposal would respect the townscape in terms of its size, scale, siting and elevational appearance and it would not detract from the appearance or setting of the Rye Lane street scene or any heritage assets within the Rye Lane Conservation Area.

Ecology

88. An Ecological Assessment of the site was undertaken in November 2015 and this showed that the existing site has negligible ecological value.

89. It is considered reasonable to require the development to provide enhancements for biodiversity and planning conditions are therefore recommended to require the submission and approval of details of green roofs (including management thereof), native planting and the provision of nesting boxes.

Energy efficiency/carbon reduction

90. The application includes an Energy Statement. This indicates that target CO₂ emission rates under the Building Regulations are 73,867 kg p.a. The energy statement finds that there are no existing district heating schemes in the immediate vicinity of the site and the development would not be able to justify a discrete CHP plant and that carbon dioxide savings of 26,635 kg p.a. (i.e. 36%) could be achieved through building improvements such as insulation and air tightness standards and photovoltaic electricity generating panels.

Planning obligations/community infrastructure levy

Affordable housing

91. The proposal for 42 units (i.e. 63%) of on-site affordable housing would be secured as planning obligations. The affordable housing would be subject to a standard review mechanism.
92. Also included as planning obligations would be the provision of 3 disabled persons' parking spaces for use by the occupiers of the wheelchair standard units, landscaping to the existing green area in Hazel Close, improvements to footways (Bournemouth Close entrance and Copeland Road) and the provision of the new ball court with associated landscaping.
93. The following highway works (requested by the council's highways development management team) would also be secured as planning obligations:
- Re-paving of footway fronting the development on Copeland Road using materials in accordance with Southwark's Streetscape Design Manual (yorkstone paving slabs and granite kerbs)
 - Vehicle crossover to be constructed to the relevant SSDM standards (DS132)
 - Reinstate the redundant vehicle crossover as footway
 - Construct a raised table for the zebra crossing on Copeland Road
 - Replace any damaged gully covers.
94. These obligations are necessary to make the development acceptable, otherwise it would fail to include requisite planning obligations, including the provision of affordable housing, in accordance with policies 2.5 (Planning Obligations) and 4.4 of the Southwark Plan, policies 3.11 (Affordable Housing Targets) and 8.2 (Planning Obligations) of the London Plan 2015, policies SP6 (Homes for people on different incomes) and SP14 (Implementation and Delivery) of the LB Southwark Core Strategy 2011 and Sections 6

(Delivering a wide choice of high quality homes) of the NPPF 2012.

95. The council has an ambitious programme of housing delivery that will be achieved through the Hidden Homes project, Direct Delivery and the Southwark Regeneration in Partnership Programme (SRiPP). The intention is that the housing will either be delivered by the council as developer or in development agreement with a third party developer. Given that the council cannot be a signatory to a section 106 agreement when taking the role as developer (or interested party in the role as developer), the housing being delivered by the aforementioned projects must be secured by way of a Planning Obligations Agreement which will be a form of unilateral undertaking. The Planning Obligations Agreement will secure the same provisions as a section 106 agreement with the distinction being that it allows the council to be a signatory to the agreement as a developer (or interested party in the role as developer). The Planning Obligations Agreement will bind the council and any future party with an interest in the land and as such provides the security of a section 106 agreement on schemes where there will be a development partner where the council is unable to enter into a section 106 agreement. This is the approach that will be taken on the relevant Hidden Homes project, Direct Delivery and SRiPP schemes going forward. All other applications for development outside of these two projects will continue to be subject to a full section 106 agreement.
96. In the event that a satisfactory legal agreement has not been entered into by 31 January 2017 it is recommended that the Director of Planning refuses planning permission, if appropriate, for the following reason:

The proposal, by failing to provide for appropriate planning obligations secured through the completion of a Planning Obligations Agreement, fails to ensure adequate provision of 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 (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015).

Community infrastructure levy

97. The proposal would be liable for Mayoral and London Borough of Southwark Community Infrastructure Levy as a number of new residential units (with new floorspace) are proposed. The Mayoral CIL liability has been calculated at £240,798 and the Southwark CIL liability has been calculated at £295,043. These amounts are subject to indexation and would be collected upon the commencement of the development. The council's CIL officer has advised that the provision of affordable housing qualifies for CIL relief. The minimum CIL relief that can be claimed has been assessed at £122,212 of MCIL and £149,748 of SCIL, as long as the claim procedure is followed correctly.

Other matters

98. The site is located within flood zone 1 (i.e. low risk of flooding) on the Environment Agency Flood Map and the site area and scale of development do not trigger the need for a flood risk assessment. In terms of drainage the proposal would result in a net increase in green surfaced areas on the site and there should therefore be no increase in surface water run-off rates. It would be necessary for the developer to obtain consent

from Thames Water before connecting to the sewerage or drainage network.

Conclusion on planning issues

99. The principle of the use of the site for new housing is set out in the Peckham and Nunhead Area Action Plan which earmarks the site for the development of new dwellings. The transport statement which accompanies the application confirms that any displacement parking could be accommodated on surrounding roads and in other town centre car parks. Furthermore, the development would not result in vehicular activity prejudicial to the safety of the surrounding area.
100. The proposed 4 to 8 storey scheme would not impact unduly upon the character or appearance of Rye Lane and the outlook of adjoining dwellings should not be significantly affected. Additionally, due to the siting and orientation of the proposal there should be no significant loss of light or privacy for the occupiers of any surrounding dwellings. The development would provide 42 new units of affordable housing; 25 social rented and 17 shared ownership. Policy compliant children's play space and external communal amenity space would be included and the existing ball court on the site would be re-provided in an enlarged, re-surfaced format. Landscaping improvements would also be undertaken to existing planted and paved areas in Hazel Close, Bournemouth Close and Copeland Road. The new dwellings would achieve the GLA's requirement for a 35% reduction in carbon emission rates.

Community impact statement

101. 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.

Consultations

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

Consultation replies

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

Summary of consultation responses

LB Southwark transport planning team

104. No objections raised. Vehicular tracking diagrams were requested. These were duly submitted and considered to be acceptable. The cycle parking facilities, in their entirety, were noted to comply with London Plan standards. Refuse and recycling arrangements were considered to be acceptable (subject to refuse vehicles not impeding the highway). The use of the proposed loading bay should be subject to restrictions. Recommended that the travel plan should be approved.

LB Southwark highways development management

105. No objections raised. Further information requested (to be provided as planning obligations) in respect of:
- Re-paving of footway fronting the development on Copeland Road using materials in accordance with Southwark's Streetscape Design Manual (York stone paving slabs and granite kerbs)
 - Vehicle crossover to be constructed to the relevant SSDM standards (DS132)
 - Reinstall the redundant vehicle crossover as footway
 - Construct a raised table for the zebra crossing on Copeland Road
 - Replace any damaged gulley covers.
106. Pedestrian inter visibility splays requested. A minimum footway width of 2.4m should be made available and maintained along the entire footway fronting the development. The highway authority wishes to adopt the strip of land (between the public highway and the proposed fence line around the development) which currently does not form part of the public highway as publicly maintained. Vehicular tracking diagrams were requested. These were duly submitted and considered to be acceptable.
107. Drainage details and a condition survey will be required for any works on the highway.

Thames Water

108. Thames Water raised no objections in relation to the capacity of the sewerage/drainage system to accommodate foul/surface water or in relation to the supply of water at the site. However, the applicant is advised to obtain the necessary consents in relation to any groundwork within 3m of any existing drains/sewers, to ensure the provision of sewerage/drainage facilities to the network and in relation to any new connections to the network. Thames Water will require details of any piling to be submitted to and approved by themselves.

Human rights implications

109. 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.
110. This application has the legitimate aim of providing 67 new dwellings. 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/2744-45 Application file: 16/AP/3503 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 5428 Council website: www.southwark.gov.uk

APPENDICES

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

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Adam Greenhalgh, Planning Officer		
Version	Final		
Dated	27 October 2016		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments sought	Comments included	
Strategic director, finance and governance	No	No	
Strategic director, environment and leisure	No	No	
Strategic director, housing and modernisation	No	No	
Director of regeneration	No	No	
Date final report sent to Constitutional Team		27 October 2016	

APPENDIX 1

Consultation undertaken

Site notice date: 05/09/2016

Press notice date: 15/09/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 08/09/2016

Internal services consulted:

Ecology Officer
Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation]
Highway Development Management

Statutory and non-statutory organisations consulted:

Thames Water - Development Planning

Neighbour and local groups consulted:

Flat 9 Russell Court SE15 3NW
15 Sandlings Close London SE15 3SY
16 Sandlings Close London SE15 3SY
Flat 6 Russell Court SE15 3NW
Flat 7 Russell Court SE15 3NW
Flat 8 Russell Court SE15 3NW
211 Rye Lane London SE15 4TP
219 Rye Lane London SE15 4TP
221 Rye Lane London SE15 4TP
17 Sandlings Close London SE15 3SY
18 Sandlings Close London SE15 3SY
Flat 38 Russell Court SE15 3NW
Flat 39 Russell Court SE15 3NW
Flat 4 Russell Court SE15 3NW
Flat 35 Russell Court SE15 3NW
Flat 36 Russell Court SE15 3NW
Flat 37 Russell Court SE15 3NW
Flat 43 Russell Court SE15 3NW
Flat 44 Russell Court SE15 3NW
Flat 5 Russell Court SE15 3NW
Flat 40 Russell Court SE15 3NW
Flat 41 Russell Court SE15 3NW
Flat 42 Russell Court SE15 3NW
239 Rye Lane London SE15 4TP
Site 1-13 Copeland Road SE15 3SL
8 Hazel Close London SE15 4UF
9 Hazel Close London SE15 4UF
Shop 213 Rye Lane SE15 4TP
225-229 Rye Lane London SE15 4TP
241-247 Rye Lane London SE15 4UA
10 Hazel Close London SE15 4UF
11 Hazel Close London SE15 4UF
12 Hazel Close London SE15 4UF

Flat 5 217 Rye Lane SE15 4TP
215 Rye Lane London SE15 4TP
Flat 1 Russell Court SE15 3NW
Flat 10 Russell Court SE15 3NW
Flat 11 Russell Court SE15 3NW
59 Copeland Road London SE15 3SL
61 Copeland Road London SE15 3SL
63 Copeland Road London SE15 3SL
Living Accommodation The Nags Head SE15 4TP
241a Rye Lane London SE15 4NL
First Floor 223-229 Rye Lane SE15 4TZ
Ground Floor 223-229 Rye Lane SE15 4TY
Flat 1 217 Rye Lane SE15 4TP
Flat 2 217 Rye Lane SE15 4TP
Flat 3 217 Rye Lane SE15 4TP
T And S Afro Cosmetics 213a Rye Lane SE15 4TP
First Floor Flat 213a Rye Lane SE15 4TP
First To Second Floors 225-229 Rye Lane SE15 4TP
Flat 26 Russell Court SE15 3NW
Flat 27 Russell Court SE15 3NW
Flat 28 Russell Court SE15 3NW
Flat 23 Russell Court SE15 3NW
Flat 24 Russell Court SE15 3NW
Flat 25 Russell Court SE15 3NW
Flat 31 Russell Court SE15 3NW
Flat 32 Russell Court SE15 3NW
Flat 33 Russell Court SE15 3NW
Flat 29 Russell Court SE15 3NW
Flat 3 Russell Court SE15 3NW
Flat 30 Russell Court SE15 3NW
Flat 15 Russell Court SE15 3NW
Flat 16 Russell Court SE15 3NW
Flat 17 Russell Court SE15 3NW

The Nags Head 231-235 Rye Lane SE15 4TP
237 Rye Lane London SE15 4TP
1 Hazel Close London SE15 4UF
5 Hazel Close London SE15 4UF
6 Hazel Close London SE15 4UF
7 Hazel Close London SE15 4UF
2 Hazel Close London SE15 4UF
3 Hazel Close London SE15 4UF
4 Hazel Close London SE15 4UF
Flat 34 Russell Court SE15 3NW
53 Copeland Road London SE15 3SL
55 Copeland Road London SE15 3SL
57 Copeland Road London SE15 3SL
Flat 4 217 Rye Lane SE15 4TP

Flat 12 Russell Court SE15 3NW
Flat 13 Russell Court SE15 3NW
Flat 14 Russell Court SE15 3NW
Flat 20 Russell Court SE15 3NW
Flat 21 Russell Court SE15 3NW
Flat 22 Russell Court SE15 3NW
Flat 18 Russell Court SE15 3NW
Flat 19 Russell Court SE15 3NW
Flat 2 Russell Court SE15 3NW
9, Russell Court, Heaton Road Peckham SE15 3NW
6 Almond Close London SE15 4UH
12b Therapia Road London SE220SE
97 Cooperative House 263 Rye Lane SE15 4UR
207 Bellenden Rd Peckham, London SE15 4DG
91 Leontine Close London SE15 1UH

Re-consultation: n/a

APPENDIX 2

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

Thames Water - Development Planning

Neighbours and local groups

12b Therapia Road London SE220SE
207 Bellenden Rd Peckham, London SE15 4DG
6 Almond Close London SE15 4UH
9, Russell Court, Heaton Road Peckham SE15 3NW
91 Leontine Close London SE15 1UH
97 Cooperative House 263 Rye Lane SE15 4UR