

<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 14 December 2016	<b>Meeting Name:</b> Planning Sub-Committee B
<b>Report title:</b>	<b>Development Management planning application:</b> Application 16/AP/2173 for: Full Planning Permission  <b>Address:</b> 1 HAVEN WAY, LONDON, SE1 3DT  <b>Proposal:</b> Construction of a roof-top extension to existing building to provide 3no. 3-bed residential units.		
<b>Ward(s) or groups affected:</b>	Grange		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 15/06/2016		<b>Application Expiry Date</b> 10/08/2016	
<b>Earliest Decision Date</b> 22/07/2016		<b>Target Decision Date</b> 21/12/2016	

## RECOMMENDATION

1. Grant planning permission, subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The subject building, 1 Haven Way (formerly known as Block A), is a 6-storey pavilion building which fronts onto Grange Walk. It now sits between two new developments; one complete, to the east of the site on land formerly referred to as Bermondsey Spa Site C5 by Notting Hill Home Ownership Ltd. (planning ref. 10/AP/3010), and one currently under construction to the west of the site by Linden Homes, (planning ref. 14/AP/2102).
3. The site is situated to the south side of Grange Walk. It was formerly known as 'Larnaca Works' which, following permission in 2007 (ref. 06/AP/2272), has been redeveloped into a residential-led (90 units) scheme known as 'Grange Gardens' arranged in 3 blocks. The Grange Gardens development originally accommodated 90 residential units and 1100sqm of commercial space (flexible Use Class A1, A2, A3, B1 and D1 floorspace) to the ground floor in 3 blocks between 5 and 7 storeys in height. The development includes a basement car park with direct ramped access from Grange Walk.
4. The immediate context surrounding the site is predominantly residential, however there are a number of commercial uses to the south and west of the site. The built form surrounding the site is varied at between 2 and 7 storeys in height.
5. The site is not in a conservation area and there are no statutorily listed buildings on or adjacent to the site. It is within an Archaeology Priority Zone, the Urban Density Zone, an Air Quality Management Area and Flood Zone 2.

## **Details of proposal**

6. The proposal seeks to add another floor to the existing building which would provide an additional three 3-bed flats. The additional floor would be smaller in scale and be set in from the building's existing elevations by 1.57m from the front Grange Walk façade (north elevation), approx. 2m from the east elevation, approx. 1m from the rear façade (south elevation), the set-back on its west side would vary from 1.7m at the south-west corner to almost 3m at the north west corner.
7. The new flats would be centred around the building's existing stair/lift core which means the core would simply be extended upwards. The existing top floor comprises three 2-bed units, two 1-bed units and one 3-bed unit. All of the proposed new 3-bed units would be dual-aspect.
8. The existing elevations are finished using a black brick, a glazed green brick and black framed aluminium windows. The green glazed brick has been used as a lighter visual accent to off-set the predominant black brick that covers the bulk of the building and has been applied to the ground floor, the top floor and is incorporated in the detailing of the window bays in the front elevation. The proposed new floor would be clad in the same green glazed brick as the existing top floor and so will appear as a seamless enlargement of the existing top floor.
9. The existing building is approximately 20.55m high. The building as extended would be 24.07m to the parapet. The extended lift shaft over-run would project above this by a further 450mm.

## **Planning history**

10. 15/EQ/0375  
Pre-Application Enquiry: Extension to 1 Haven Way to accommodate x4 residential units  
ADVICE ISSUED: 20/04/2016
11. 14/EN/0149  
Enforcement Investigation:  
Breach of condition, non-compliance with approved plans, ground floor layout/entrance door.  
Decision: No breach involved as the alteration does not amount to development.  
Case closed on 15/03/2016.
12. 13/EN/0093  
Enforcement Investigation:  
Building works not in accordance with the plans approved under 11/AP/2136, specifically in relation to the failure to construct the balconies granted as part of this variation of condition / minor material amendment application.  
DECISION: No breach involved as there is no requirement for any of the amendments granted by this application to be implemented. Case closed on 27/06/2016.
13. 13/AP/3174  
Full Planning Permission: Provide new glazing to the existing and consented commercial unit in Block A. (Permission under LBS Reg. Number 06-AP-2272)  
GRANTED: 21/11/2013
14. 13/AP/2695  
S.73 Vary/remove conds/minor alterations: Variation of condition 8 (Approved drawings) of planning permission ref:12/AP/3987 for "Change of use of 454sqm of vacant ground floor commercial floorspace (flexible Use Class A1, A2, A3, B1 & D1

floorspace) to residential (Use Class C3) and associated elevational changes. The proposed residential use comprises 7 residential units (4 x 1 Bed, 2 x 2 Bed & 1 x 3 Bed)". This current application relates to amended window openings and types and seeks to replace Drawings: A(PL)300/P2 with A(PL)300/P3 A(PL)301/P3 with A(PL)301/P4 B(PL)301/P4 with B(PL)301/P5 B(PL)302/P4 with B(PL)302/P5 C(PL)300/P1 with C(PL)300/P2.

GRANTED: 30/10/2013

15. 12/AP/3987

Full Planning Permission: Change of use of 454sqm of vacant ground floor commercial floorspace (flexible Use Class A1, A2, A3, B1 & D1 floorspace) to residential (Use Class C3) and associated elevational changes. The proposed residential use comprises 7 residential units (4 x 1 Bed, 2 x 2 Bed & 1 x 3 Bed). The application also proposes additional door openings to the ground floor commercial unit located in block C (adjacent to Grange Yard).

GRANTED: 21/05/2013

16. 12/AP/1626

Full Planning Permission: Retrospective planning permission for an additional door on the west elevation of Block B and planning permission for a new shop front on the east elevation

GRANTED: 09/08/2012

17. 11/EN/0255

Enforcement Investigation:

Departure from parent planning permission 06/AP/2272 and the shopfront details approved under application ref. 07/AP/2610 in respect of a door being inserted into the west elevation in the single storey element between blocks B and C on elevation drawing 00 23 C.

DECISION: Breach regularised by the subsequent submission and approval of planning application ref. 12/AP/1626. Case closed on 11/07/2011.

18. 11/AP/2136

S.73 Vary/remove conds/minor alterations: Variation of condition 19 (Approved drawings) to allow for minor material amendments to the existing planning permission 06/AP/2272. Amendments consist of:

Within Block B:

- Introduction of 14 balconies to the south and east elevations
- Reduction in the number of residential units from 38 to 35.
- Amended housing mix from 15x1 bed, 22x2 bed, 1x3 bed to 8x1 bed, 25x2 bed, 2x3bed.

All amendments relate to planning permission 06/AP/2272 for the demolition of existing buildings and canopy structure and redevelopment to provide three buildings of between five (18m) and seven (24m) storeys in height comprising 1105m<sup>2</sup> of floorspace for either A1, A2, A3, B1 or D1 Use Class and 90 flats (comprising 31 x 1 bed; 49 x 2 bed; 9 x 3 bed; 1 x 4 bed), plus car and cycle parking, amenity and public open space.

GRANTED: 29/03/2012

19. 11/EN/0485

Enforcement Investigation:

Alterations to parent planning permission 06/AP/2272 including alteration to the internal layout of Blocks A and B and external alterations including additional balconies and alterations to the shop fronts of the commercial units at ground floor.

DECISION: Breach regularised by the subsequent submission and approval of planning application ref. 11/AP/2136. Case closed on 16/05/2012.

20. 06/AP/2272

Demolition of existing buildings and canopy structure and redevelopment to provide three buildings of between five (18m) and seven (24m) storeys in height comprising 1105m<sup>2</sup> of floorspace for either A1, A2, A3, B1 or D1 Use Class and 90 flats (comprising 31 x 1 bed; 49 x 2 bed; 9 x 3 bed; 1 x 4 bed), plus car and cycle parking, amenity and public open space.

GRANTED WITH A LEGAL AGREEMENT: 25/06/2007

**Planning history of adjoining sites**

21. 10/AP/3010

'The Exchange'

Bermondsey Spa Site C5, Grange Walk (Site bounded by Spa Road, Neckinger and Grange Walk)

Full Planning Permission: Demolition of existing buildings and erection of 4 buildings ranging from 4 to 7 storeys in height (4 storeys fronting Grange Walk, rising to 5, 6 and 7 storeys at the centre of the site and 4 to 5 storeys fronting Spa Road) to provide 205 residential units (Use Class C3). The proposal includes 796sqm of flexible commercial space either for retail (Use Class A1), office (Use Class B1) or community use (Use Class D1). Within the site, the proposal includes the construction of new roads, pedestrian and cycle routes and new access to the public highway; together with associated works including the provision of 39 car parking spaces, 252 cycle parking spaces, 12 motorcycle parking spaces, servicing, landscaping and plant areas.

GRANTED WITH A LEGAL AGREEMENT: 25/01/2011

22. 14/AP/2102

'Corio'

Site bounded by Grange Walk, Grange Yard and The Grange

Full Planning Permission: Demolition of existing buildings and redevelopment to provide 167 residential units with basement car and cycle parking, amenity space, plant and associated works. The proposed height will be part-4, part-6 and part-7 storeys.

GRANTED WITH A LEGAL AGREEMENT: 06/10/2014

**KEY ISSUES FOR CONSIDERATION**

**Summary of main issues**

23. The main issues in this case are considered to be:

- a) The principle of development (in terms of land use and conformity with strategic policies)
- b) The impact of the development on the amenity of neighbouring residential occupiers.
- c) Design issues
- d) Quality of accommodation
- e) Car / cycle parking, servicing and refuse arrangements.
- f) Sustainable development implications
- g) Other matters - Affordable Housing
- h) Other matters - Community Infrastructure Liability
- i) All other relevant material planning considerations.

## **Planning policy**

24. National Planning Policy Framework (Published 27 March 2012)  
Of specific relevance are the following sections:

Section 1: Building a strong, competitive economy\_  
Section 4: Promoting sustainable transport  
Section 6: Delivering a wide choice of high quality homes  
Section 7: Requiring good design.  
Section 12: Conserving and enhancing the historic environment

25. The London Plan (2016)  
Policy 3.3 Increasing housing supply  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing Choice  
Policy 5.3 Sustainable Design And Construction  
Policy 5.13 Sustainable Drainage  
Policy 5.17 Waste Capacity  
Policy 6.3 Assessing the impacts 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 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.14 Improving Air Quality  
Policy 7.15 Reducing Noise And Enhancing Soundscapes

Mayor of London: Housing SPG (March, 2016)

26. Southwark Core Strategy (Adopted 6 April 2011)  
Strategic Policy 1 - Sustainable development  
Strategic Policy 2 - Sustainable transport  
Strategic Policy 5 - Providing new homes  
Strategic Policy 12 - Design and conservation  
Strategic Policy 13 - High environmental standards

27. Southwark Unitary Development Plan (Adopted 28 July 2007) (Saved Policies)  
The Council's cabinet on 19th March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (Location of retail outside town centres) 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.

3.1 - Environmental Effects  
3.2 - Protection of Amenity  
3.6 - Air Quality  
3.7 - Waste Reduction  
3.8 - Waste Management  
3.11 - Efficient use of land  
3.12 - Quality in Design

- 3.13 - Urban Design
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 4.1 - Density of residential development
- 4.2 - Quality of residential accommodation
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking

Supplementary Planning Document: Sustainable Design and Construction (2009)  
 Supplementary Planning Document: Residential Design Standards (2015)  
 Supplementary Planning Document: Sustainable Transport (2008)

### Summary of consultation responses

28.	Total number of representations:	44			
	In favour:	0	Against:	44	Neutral: 0
	Petitions in favour:	0	Petitions against:	0	

### Details of responses

29. Against:
- It will be necessary to infill the rooflights on the existing roof – this will cause an unbearable level of discomfort.
  - The development is contrary to Protocol 1, Article 1 of the Human Rights Act (1998)
  - Loss of evening sunlight
  - Additional overshadowing to the courtyard areas.
  - Further pressures on already inadequate public amenities in the locality
  - Impact on views
  - Overlooking
  - Design quality
  - Not in keeping with the existing building and the whole Grange Gardens development.
  - Over-development
  - The site is already over-developed
  - Nuisance from construction
  - No justification to add an additional floor having regard to the height of the Linden Homes 'Corio' development which is approximately the same height as the current building.
  - Poor public transport in the area
  - Will cause on-street overspill car parking
  - Contributes to the claustrophobic feel of the area
  - Loss of daylight due to the loss of the rooflights to the existing top floor flats.
  - The existing services in the building are already near breaking-point. The additional ground floor flats have already caused numerous issues to the central boiler and it was designed to serve so many flats.
30. Transport Planning Team:  
 No objection – The surround area has a limited number of available CPZ parking bays and therefore the new units should be exempt from eligibility from for parking permits within the CPZ.
31. Environmental Protection Team:  
 No objection – subject to applying the standard residential internal noise levels condition.

### **The principle of the proposed development in terms of land use**

32. The provision of additional residential units to an existing pre-dominantly residential building in a pre-dominantly residential neighbourhood does not conflict with any strategic policies or proposals in the current Development Plan for the borough and therefore is acceptable.

### **Environmental impact assessment**

33. The likely impacts of the proposed development are not so significant that the application falls within the scope of the Town and Country Planning (Environmental Impact Assessment Regulations) 2011 and as such there is no requirement for an EIA.

### **The impact of the development on the amenity of neighbouring residential occupiers.**

#### *Privacy – Relationship to 2 Haven Way (aka Block B) to the south*

34. The nearest (and highest) neighbouring dwellings are two 2bed/4person flats on the top (7th storey) of Block B immediately to the rear (south) of the proposed extension. Both of these flats have their principal living areas on the north side, but these rooms benefit from being dual aspect with arguably better views also available to the east and west respectively.
35. It appears that the minor material amendment application, ref.11/AP/2136 gave consent for alterations to the rear elevation of the host building (Block A) namely, (i) the protrusion of the glazed stairwell out from the rear elevation (it was originally flush), (ii) the infilling/removal of small recessed balconies, two per floor, with the windows brought forward to be flush with the elevation and, (iii) the alteration of the projecting large square bay windows which were originally approved as being obscure-glazed, albeit with clear-glazed side returns, but which have been constructed as clear-glazed windows with solid side returns.
36. This same minor material amendment application, ref.11/AP/2136, also permitted a modest extension on the north side of the top floor of Block B, thereby allowing it to encroach closer, in part, to the rear elevation of Block A.
37. However, notwithstanding these consented alterations to both blocks, the rear (south) elevation of the proposed extension (which would be recessed behind the building's existing rear elevation by approximately 1m) would leave a window-to-window separation distance of 11.4m to the flat on the east side of Block B and a window-to-window separation distance of between 11.6m-13.1m to the flat on the west side of Block B.
38. The separation distances between the rear bedroom windows of the proposed development and the living/kitchen/dining rooms of the nearest existing top floor flats in Block B is therefore generally less than 12m which is the minimum separation between windows across a street advocated by the Residential Design Standards SPD. Although the gap between the two blocks is a private landscaped pedestrian courtyard or thoroughfare rather than a public highway, the existing gap (slightly wider on the western side due to their oblique alignment) was clearly considered to be generally acceptable from a privacy standpoint when the scheme was originally approved in 2007, particularly, it is surmised, bearing in mind the relatively modest size of the residential window openings between the 1<sup>st</sup> and 5<sup>th</sup> floors in the north elevation of Block B (they are approximately no more than a typical door's width) and the fact that the vast majority of these windows serve bedrooms rather than the

principal living area of these flats. It is therefore considered that it is more appropriate to gauge the privacy impacts of the extension against the 12m rather than the 21m separation distance standard.

39. That said, the new extension on Block A would be at the same height as the existing top floor in Block B and therefore when combined with the larger size of the window openings both in the north elevation of the existing top floor flats in Block B (and the fact that these serve the primary habitable room of these two flats), and having regard to the roof terrace areas belonging to these flats it is considered that without some degree of obscure-glazing to the rear bedroom windows in the proposed development, both these nearest existing neighbours and any future occupiers of development would be left with an unacceptable loss of privacy.
40. It is considered that this matter could be successfully resolved by a planning condition but for clarity at this stage and to demonstrate that this could be achieved without compromising the quality of the proposed accommodation, it is envisaged that the four largest rear windows (two either side of the glazed stair core) would need to be obscure-glazed up to 1.5m above the internal finished floor level of the bedrooms they serve. Such a solution would therefore only affect 2 out of the 3 bedrooms in each of these two flats but would still in any event permit a reasonable outlook and views of the sky. This will be secured by way of condition.

*Privacy – Relationship to the Linden Homes development ('Corio') to the west*

41. There is a potential concern that the size and proximity of windows in the west elevation of the extension could have a detrimental impact on the privacy of the future occupiers of the nearest flats in the adjacent residential development by Linden Homes to the west of the site.
42. However, while these windows would be of a significant size and would have an elevated advantage of one floor over the highest flats in the nearest part of this adjacent development, the relationship would be an oblique one with an angle of at least 45 degrees. The window-to-window separation distances to the nearest flats in this neighbouring development to the west would range between 16.5m and 22m. With some partial obscure glazing being applied (e.g., obscuring the nearest rear third of the window nearest the south-west corner of the extension) and secured by a planning condition, together with the oblique relationship involved it is considered that sufficient mitigation would be in place to ensure that these future neighbours will not have an unacceptably poor standard of privacy imposed on them.

*Privacy – Relationship to the Notting Hill Home Ownership development ('The Exchange') to the east*

43. Currently there is a distance of 15.3m between the east elevation of the host building Block B and the west elevation of what was then referred to as Block D of the Bermondsey Spa Site C5 development approved in early 2011. The buildings are separated by a shared surface thoroughfare which has been named Park Way. This neighbouring Block D development is a four-storey C-shaped building arranged around an internal communal courtyard garden. It fronts onto Grange Walk to the north and Park Way to the west.
44. Having regard to the fact that all of the windows in the east elevation of the host building (there are four per floor between the 1<sup>st</sup> and 5<sup>th</sup> floors) are clear-glazed and serve habitable room windows (i.e., bedrooms and living/kitchen/dining rooms) it is considered that the two additional windows in the east elevation of the proposed extension (one serving a bedroom and another serving a living/kitchen/dining room) would not significantly worsen the existing situation particularly when one has regard to the fact that they would be set back by a further 2m and when one considers that there would be unlikely to be any direct line of sight due to the outlook from this side of



the extension looking over the top of the Block D given that it would form a 7<sup>th</sup> storey, while Block D is 4 storeys high. As such, it is considered that residents of this adjacent development to the east of the site would not suffer any unduly significant loss of privacy.

Daylight and sunlight impacts

45. The applicant has commissioned and submitted a technical daylight and sunlight report to accompany the application. This has been prepared by CHP Surveyors Ltd. with reference to the established industry guide from the Building Research Establishment (BRE) titled 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (Littlefair, P. 2nd Ed. 2011).
46. The report analyses the impact of the development on all of the immediately surrounding residential properties, in particular those already discussed above in relation to privacy. In undertaking the Vertical Sky Component (VSC), which simply measures the amount of daylight reaching the outside of any window at its centre, it found that only 6 neighbouring residential windows would be affected to a noticeable degree. These 6 windows are all in the north end wall of the block immediately to the rear of the application site (2 Haven Way) and are located on the fourth and fifth floors (the top floor in this development is the sixth floor).
47. However, 4 out of these 6 windows (4<sup>th</sup> floor: W3 and W6 and 5<sup>th</sup> floor: W3 and W4) are secondary windows serving dual-aspect living/kitchen/dining rooms meaning that these rooms also benefit from daylight received through glazed door/window openings in the west and east elevations. The other 2 windows both serve secondary double bedrooms on the fourth floor.
48. A Daylight Distribution test was also undertaken which compares the area of the affected room receiving direct skylight before and after the development. The BRE guide recommends that the area receiving direct skylight will be noticeable if it is reduced by more than 20%. Looking at the results of this test the area receiving direct skylight would be reduced by 20% in one of the bedrooms and by 30% in the other so therefore only one window would fail both the VSC test and the Daylight Distribution test. Having regard to the fact that only one out of many neighbouring residential windows tested would be so affected, that the window serves the second double bedroom in a 2-bed flat and that the room would only marginally be affected more than recommended, it is considered that the impact of the development on the current levels of daylight enjoyed by neighbouring dwellings is acceptable.
49. The report also examines the implications of the proposed development for the habitable rooms within the existing top floor flats in the building. The loss of daylight through the loss of these roof-lights is a recurring issue in several of the responses to the statutory neighbour consultation undertaken.
50. However, it should be noted that the existing top floor flats were considered to have been provided with sufficient daylight without roof-lights when the original planning permission for the Grange Gardens development was approved in 2007 as the roof of the building at that time showed no such roof-lights at all. In this vein, it is observed that the existing top floor layout together with the number and size of windows provided would still, by today's standards and guidance, (the Residential Design Standards SPD 2015 and the BRE guidance 'Site Layout Planning for Daylight and Sunlight: a guide to good practice' (Littlefair, P. 2nd Ed. 2011)) be considered to be well designed to achieve good levels of natural daylighting without any need of supplementary daylight via roof-lights.
51. In any case, the report details the results of an Average Daylight Factor (ADF) test of the existing top floor accommodation in the building. The ADF is the total amount of

daylight in a space. Although usually reserved for assessing the amount of daylight available in proposed new dwellings as it can be affected by variables such as the reflectivity of interior surfaces, the type of window glass used, the distance between the window head and the finished floor level and of course the size and layout of the various rooms, it is equally acknowledged that much of this information is known to the applicant.

52. The BRE guide advises that an ADF score of 2% should be achieved for kitchens, 1.5% for living rooms and 1% for bedrooms. The analysis shows that the six open plan living/kitchen/dining rooms of the existing top floor flats will still achieve ADF scores ranging from 2.1-5.2% in the absence of the roof-lights. The results of this test are therefore accepted as demonstrating conclusively that the existing top floor flats would continue to enjoy good levels of natural daylight via their windows without the additional daylight received through the roof-lights.
53. The report also found that no neighbouring residential property would suffer any significant loss of sunlight.
54. Issues of a history of construction programmes on the 'Grange Gardens' development running over and having to endure construction noise and disturbance on both sides of Grange Gardens for a significant period of time (due to the construction of the 'Corio' development to the west, 'The Exchange' development to the east as well as ongoing works to the subject building itself), have been raised in the responses to the statutory neighbour consultation undertaken.
55. With an awareness of these issues the application has been accompanied by a Construction Management Plan (CMP). The CMP covers the issues of construction hours and travel, a noise minimization strategy, vehicular access and arrangements, a waste management and refuse strategy, accommodation of scaffolding and storage of building materials, extension of lift, site facilities and accommodation, accident and emergency and neighbourly consultation and relationships. The CMP is considered to be generally acceptable and it is recommended that it be included in the list of approved plans and documents. There are some queries in regard to whether it is absolutely necessary for the scaffolding to wrap around all four sides of the building and whether it might not rather be possible to for it just to wrap around one or two sides and thereby not be as intrusive to the existing residents in the building in terms of loss of light, loss of privacy and noise and disturbance and also how long the works are envisaged to last. At the time of writing no answers to these queries have yet been provided, however any responses can be reported via an Addendum on the day of the committee meeting and/or via an additional planning condition.
56. In summary, officers consider that the proposed development would have an acceptable impact on the amenity of neighbouring residential occupiers and so would comply with saved policy 3.2 (Protection of amenity) of the Southwark Plan (2007).

## **Design issues**

### Density

57. When originally approved the density of the entire Grange Gardens development (1, 2 and 3 Haven Way) was estimated to be 805hr/h, thus above the 200-700hr/h Urban Density Zone range. The single-storey roof-top extension now proposed would provide an additional 12 habitable rooms and as such it would only marginally increase this figure.
58. However, as the Mayor's Housing SPG (2016) advises that density is only one measure of the appropriateness of a development and needs to be considered alongside other issues such as the need to secure residential quality, the need to

avoid harmful amenity impacts, the need to ensure that the transport impacts can be absorbed and/or mitigated and the need to take due account of local context and character.

59. In terms of the impact of the proposal on the local context and character, having had regard to the heights of the neighbouring 7-storey Woodville and Valois Houses on the north side of Grange Walk and the height of the 7-storey Linden Homes 'Corio' residential development nearing completion immediately to the west of the site it is considered that an additional floor in the form and scale proposed would not be unduly out of step with the prevailing height and scale of buildings in this location. It would only be marginally higher than the now substantially complete 7-storey Linden Homes 'Corio' development to the west which is approximately 22.5m high.
60. Aesthetically, through its reduced size and being set in from the building's existing elevations on all sides by reasonable margins, it is considered to be an appropriate means of extending the building without creating an over-dominant mass. The success of the extension in this regard is aided by the intention to continue the green glazed tile cladding used for the existing top floor and to simply extrude it upwards following the recessed building lines of the north-west corner of the existing top floor. As such it is considered to be a logical extension that will integrate well with the building's established architecture and materials. The green glazed tiles and generally larger full height window openings proposed would combine to give the extension a suitable visually 'lighter' appearance but elsewhere other window openings in the front and rear elevations demonstrate good visual continuity with the established fenestration on the floors below.
61. It is proposed for the 'margins' between the smaller footprint of the proposed extension and the larger footprint of the roof upon which it would sit, to form accessible roof terraces. This is acceptable in principle, however it is recommended that the details of the design and materials to form the balustrades are submitted for approval as these have not been shown in any meaningful detail on the submitted plans and elevations.
62. It is also considered reasonable and appropriate to apply a condition to ensure that the existing sedum roof on host building would not be lost but would be replicated on the roof of the proposed extension. The condition would seek for detailed construction drawings and planting specifications to be submitted for approval, should the application be granted.

### **Quality of accommodation**

#### *Unit, room size, aspect, head heights, etc*

63. All of the proposed 3bed/6person dwellings would exceed the 95sqm minimum unit size standard.
64. The principal living areas in each flat (the open plan kitchen/living/dining rooms) would also all comply with the 30sqm minimum size as set out in the Residential Design Standards SPD.
65. The smallest of the three double bedrooms in Flat 6.1 measures approximately 9.5sqm and so would fall short of the 12sqm double-bed room minimum standard. However, the double bed furniture shown on the plans is only indicative and it is acceptable to simply treat this room as a well-proportioned single-bed room exceeding the requisite 8sqm single-bed room minimum standard.
66. The units would also have good floor to ceiling heights and would all be dual aspect and all habitable rooms would be served by a conventional vertical window allowing

direct natural light and an outlook.

Outdoor amenity space

67. The new flats would all benefit from private outdoor roof terraces of the following sizes:

Flat 6.1 – 12.4sqm

Flat 6.2 – 8.9sqm

Flat 6.3 – 34.6sqm

68. The Residential Design Standards SPD advises that at least 10sqm of private outdoor amenity space should be provided for dwellings containing 3 or more bedrooms. Two out of the three flats would exceed this standard while one would marginally fall short. However, this provision is considered to be acceptable having regard to the design of the existing building and the proximity of flats to the rear within Block B (2 Haven Way) both of which preclude the provision of a larger roof terrace for Flat 6.2.

**Car / cycle parking, servicing and refuse arrangements**

69. Car Parking

Although the existing building benefits from on site car parking in the basement, no additional car parking spaces are proposed to serve the additional residential units now proposed. The proposal is therefore effectively a 'car-free' scheme, which is acceptable in principle as the site is located within a Controlled Parking Zone (CPZ) and therefore the potential overspill impact on on-street parking can be addressed by the imposition of a planning condition prohibiting new residents from applying for parking permits.

70. Cycle Storage

The proposed units would form part of an existing development and will utilize the existing basement for the cycle storage area, where all other services are located. The application proposes to install an additional 7 cycle parking spaces within the existing basement, accessible from the communal main entrance. This provision would comply with the minimum cycle parking standards in the London Plan (2016).

71. Refuse Storage

It is proposed to increase the capacity of one general refuse bin and another one for recycling from 660L to 1000L to meet the additional refuse and recycling storage demand of the three additional units now proposed. These two larger bins would be accommodated within the existing residential bin store area in the north-east corner of the ground-floor. Officers are satisfied that this is an acceptable and practical solution noting that most of the additional storage capacity of the 1000L bins is derived from their additional height (60cm higher), although they would also be 26cm deeper.

**Sustainable development implications**

72. As mentioned above the proposed development should re-instate the existing sedum roof on the building. This can be secured through an appropriate condition.

**Other matters – Affordable Housing**

73. The matter of whether this development would trigger a requirement for affordable housing, when viewed cumulatively with planning permission ref. 12/AP/3987 (which granted permission for a change of use of commercial floorspace within the building to create an additional 7 residential units) has also been examined. However, the combination of the 7 residential units granted under this planning permission with the 3 additional units now proposed in this extension would amount to only 10 units and

therefore the affordable housing liability threshold, which currently stands at 11 or more units, would not be reached. As such there is no policy requirement for this development to contribute towards the provision of affordable housing in the borough.

#### **Other matters – CIL Liability**

74. 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.
75. The application is liable for both the Mayoral CIL and the Southwark CIL because it would create three new dwellings and as such constitutes a chargeable development under the CIL Regulations 2010 (as amended).

Mayoral CIL = 358sqm x £35/sqm x 275/223 = £15,452

Southwark CIL (Residential Zone 2) = 358sqm x £200/sqm x 275/260 = £75,731

#### **Conclusion on planning issues**

76. For the reasons set out above the application is recommended for a grant of planning permission, subject to conditions.

#### **Community impact statement**

77. 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.

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

#### **Consultations**

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

#### **Human rights implications**

79. 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.
80. It is noted that an objection/s to the proposed development has/have been raised on the grounds that it conflicts with Article 1 of Protocol 1 of the HRA, that is, that every natural or legal person is entitled to the peaceful enjoyment of his possessions. The

principle that planning proposals that impact upon a person's enjoyment of their home, health or privacy may engage rights under the HRA is accepted. However, case law has established that the impact must reach a minimum level of severity, i.e., the intensity, duration and the physical and mental effects are all important factors. However, the State may place lawful restrictions on this and any other right under the HRA providing that it has a legitimate aim which may involve the need to balance the interests of society with those of individuals and groups.

81. Given that the proposed development is modest and therefore noise and disturbance arising from construction related activity will not be long-lasting, given that a construction management plan has been prepared, the aim of which is to minimize the noise and disruption visited upon neighbouring residents (particularly those living in the same building) and given that the long-term impacts of the proposed development have been given a thorough and balanced consideration in this report and that planning conditions have been recommended to appropriately control all residual impacts related to planning matters, it is considered that the proposed development does not conflict with the human rights of any of the affected residents as set out in the HRA.
82. This application has the legitimate aim of seeking to extend the existing building to create three additional residential 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/115-75  Application file: 16/AP/2173  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5405 Council website: <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	Recommendations

## AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Ciaran Regan, Senior Planning Officer		
Version	Final		
Dated	14 December 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		5 December 2016	

## APPENDIX 1

### Consultation undertaken

**Site notice date:** 15/06/2016

**Press notice date:** n/a

**Case officer site visit date:** 15/06/2016

**Neighbour consultation letters sent:** 17/06/2016

#### Internal services consulted:

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

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

n/a

#### Neighbour and local groups consulted:

Flat 535 1 Haven Way SE1 3FJ	Flat 633 2 Haven Way SE1 3FL
Flat 534 1 Haven Way SE1 3FJ	Flat 529 2 Haven Way SE1 3FL
Flat 533 1 Haven Way SE1 3FJ	Flat 425 2 Haven Way SE1 3FL
Unit 1 1 Haven Way SE1 3FJ	Flat 424 2 Haven Way SE1 3FL
Flat 537 1 Haven Way SE1 3FJ	Flat 426 2 Haven Way SE1 3FL
Flat 536 1 Haven Way SE1 3FJ	Flat 528 2 Haven Way SE1 3FL
Flat 532 1 Haven Way SE1 3FJ	Flat 527 2 Haven Way SE1 3FL
Flat 428 1 Haven Way SE1 3FJ	Flat 4 2 Haven Way SE1 3FL
Flat 427 1 Haven Way SE1 3FJ	Flat 3 2 Haven Way SE1 3FL
Flat 426 1 Haven Way SE1 3FJ	Flat 5 2 Haven Way SE1 3FL
Flat 431 1 Haven Way SE1 3FJ	Flat 8 2 Haven Way SE1 3FL
Flat 430 1 Haven Way SE1 3FJ	Flat 6 2 Haven Way SE1 3FL
Flat 429 1 Haven Way SE1 3FJ	Flat 2 2 Haven Way SE1 3FL
61a Grange Walk London SE1 3EL	Unit 4 2 Haven Way SE1 3FL
60b Grange Walk London SE1 3EL	Flat 635 2 Haven Way SE1 3FL
60a Grange Walk London SE1 3EL	Unit 5 2 Haven Way SE1 3FL
79b Maltby Street London SE1 3PB	Flat 1 2 Haven Way SE1 3FL
61c Grange Walk London SE1 3EL	Unit 6 2 Haven Way SE1 3FL
61b Grange Walk London SE1 3EL	Flat 208 2 Haven Way SE1 3FL
79a Maltby Street London SE1 3PB	Flat 107 2 Haven Way SE1 3FL
Flat 1 1 Haven Way SE1 3FJ	Flat 209 2 Haven Way SE1 3FL
Unit 3 1 Haven Way SE1 3FJ	Flat 211 2 Haven Way SE1 3FL
Unit 2 1 Haven Way SE1 3FJ	Flat 210 2 Haven Way SE1 3FL
Flat 4 1 Haven Way SE1 3FJ	Flat 106 2 Haven Way SE1 3FL
Flat 3 1 Haven Way SE1 3FJ	Flat 102 2 Haven Way SE1 3FL
Flat 2 1 Haven Way SE1 3FJ	Flat 101 2 Haven Way SE1 3FL
Flat 425 1 Haven Way SE1 3FJ	Flat 103 2 Haven Way SE1 3FL
Flat 208 1 Haven Way SE1 3FJ	Flat 105 2 Haven Way SE1 3FL
Flat 107 1 Haven Way SE1 3FJ	Flat 104 2 Haven Way SE1 3FL
Flat 106 1 Haven Way SE1 3FJ	Flat 319 2 Haven Way SE1 3FL
Flat 211 1 Haven Way SE1 3FJ	Flat 318 2 Haven Way SE1 3FL
Flat 210 1 Haven Way SE1 3FJ	Flat 420 2 Haven Way SE1 3FL
Flat 209 1 Haven Way SE1 3FJ	Flat 423 2 Haven Way SE1 3FL
Flat 105 1 Haven Way SE1 3FJ	Flat 421 2 Haven Way SE1 3FL
Flat 101 1 Haven Way SE1 3FJ	Flat 317 2 Haven Way SE1 3FL
Store Adjacent Woodville House SE1 3EQ	Flat 213 2 Haven Way SE1 3FL
Flat 104 1 Haven Way SE1 3FJ	Flat 212 2 Haven Way SE1 3FL
Flat 103 1 Haven Way SE1 3FJ	Flat 314 2 Haven Way SE1 3FL
Flat 102 1 Haven Way SE1 3FJ	Flat 316 2 Haven Way SE1 3FL
Flat 321 1 Haven Way SE1 3FJ	Flat 315 2 Haven Way SE1 3FL
Flat 320 1 Haven Way SE1 3FJ	Flat 317 1 Haven Way
Flat 319 1 Haven Way SE1 3FJ	Flat 532 1 Haven Way London SE1 3FJ
Flat 424 1 Haven Way SE1 3FJ	B422 2 Haven Way SE1 3FL



Flat 323 1 Haven Way SE1 3FJ  
Flat 322 1 Haven Way SE1 3FJ  
Flat 318 1 Haven Way SE1 3FJ  
Flat 214 1 Haven Way SE1 3FJ  
Flat 213 1 Haven Way SE1 3FJ  
Flat 212 1 Haven Way SE1 3FJ  
Flat 317 1 Haven Way SE1 3FJ  
Flat 316 1 Haven Way SE1 3FJ  
Flat 215 1 Haven Way SE1 3FJ  
2 Haven Way London SE1 3FL  
Flat 315 2 Haven Way Se1 3FL  
Flat 631 2 Haven Way SE1 3FL  
Flat 530 2 Haven Way SE1 3FL  
Flat 632 2 Haven Way SE1 3FL  
Flat 634 2 Haven Way SE1 3FL

2 Haven Way London SE1 3FL  
Flat 208 1 Haven Way SE1 3FJ  
Flat 533 1 Haven Way SE1 3FJ  
Flat 532, Block A 1 Haven Way SE13fj  
431 Grange Gardens 1 Haven Way SE1 5QB  
2 Haven Way London SE1 3FL  
10 Limasol Street Flat 45 SE16 3GE  
1, Haven Way London SE1 3FJ  
Flat 45 Ockham Building 10 Limasol Street SE16 3GE  
37 Whitmore 3 Arts Lane Se163gb  
48 Ockham Building 10 Limasol Street SE16 3GE  
33 Ockham Building 10 Limasol Street SE163GE  
27 Ockham Building 10 Limasol Street SE16 3GE  
Flat 535, 1 Haven Way London SE1 3FJ  
Flat 535, 1 Haven Way London SE1 3FJ  
Beechlawn Hurtmore Road GU7 2RA

**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

None

#### Neighbours and local groups

Beechlawn Hurtmore Road GU7 2RA  
B422 2 Haven Way SE1 3FL  
Flat 101 1 Haven Way SE1 3FJ  
Flat 101 1 Haven Way SE1 3FJ  
Flat 101 2 Haven Way SE1 3FL  
Flat 103 1 Haven Way SE1 3FJ  
Flat 104 2 Haven Way SE1 3FL  
Flat 107 1 Haven Way SE1 3FJ  
Flat 208 1 Haven Way SE1 3FJ  
Flat 212 1 Haven Way SE1 3FJ  
Flat 212 2 Haven Way SE1 3FL  
Flat 213 1 Haven Way SE1 3FJ  
Flat 315 2 Haven Way Se1 3FL  
Flat 316 1 Haven Way SE1 3FJ  
Flat 317 1 Haven Way  
Flat 317 1 Haven Way SE1 3FJ  
Flat 424 1 Haven Way SE1 3FJ  
Flat 428 1 Haven Way SE1 3FJ  
Flat 430 1 Haven Way SE1 3FJ  
Flat 431 1 Haven Way SE1 3FJ  
Flat 45 Ockham Building 10 Limasol Street SE16 3GE  
Flat 527 2 Haven Way SE1 3FL  
Flat 532, Block A 1 Haven Way SE13fj  
Flat 532, Block A 1 Haven Way SE13fj  
Flat 532, Block A 1 Haven Way SE13fj  
Flat 532 1 Haven Way London SE1 3FJ  
Flat 532 1 Haven Way SE1 3FJ  
Flat 533 1 Haven Way SE1 3FJ  
Flat 533 1 Haven Way SE1 3FJ  
Flat 535, 1 Haven Way London SE1 3FJ  
Flat 535, 1 Haven Way London SE1 3FJ  
Flat 535 1 Haven Way SE1 3FJ  
Flat 536 1 Haven Way SE1 3FJ  
Flat 537 1 Haven Way SE1 3FJ  
Flat 537 1 Haven Way SE1 3FJ  
Flat 631 2 Haven Way SE1 3FL  
Flat 632 2 Haven Way SE1 3FL  
1, Haven Way London SE1 3FJ  
10 Limasol Street Flat 45 SE16 3GE  
2 Haven Way London SE1 3FL  
2 Haven Way London SE1 3FL

2 Haven Way London SE1 3FL  
27 Ockham Building 10 Limasol Street SE16 3GE  
33 Ockham Building 10 Limasol Street SE16 3GE  
37 Whitmore 3 Arts Lane Se16 3GB  
431 Grange Gardens 1 Haven Way SE1 5QB  
48 Ockham Building 10 Limasol Street SE16 3GE  
48 Ockham Building 10 Limasol Street SE16 3GE