Item No. 8.1	Classification: Open	Date: 4 Septem	ber 2017	Meeting Name: Planning Committee
Report title:	 Development Management planning application: Council's own development Application 17/AP/1234 for: Council's own development - Reg. 3 Address: REAR OF ALBION PRIMARY SCHOOL, (SOUTHERN END) ALBION STREET, LONDON SE16 7JD Proposal: Construction of a 6-storey building to provide 50 residential units (25 x social rented, 12 x intermediate and 13 x private), with associated car and cycle parking, landscaping and highway works. 			
Ward(s) or groups affected:	Rotherhithe			
From:	Director of Planning			
Application S	Application Start Date 03/04/2017 Application Expiry Date 03/07/2017			
Earliest Decis	Earliest Decision Date 16/08/2017			

RECOMMENDATIONS

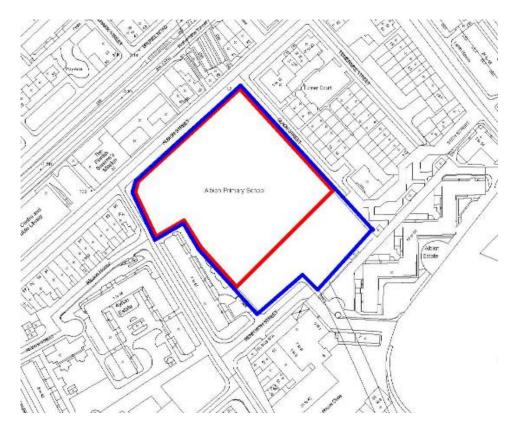
- 1. That planning permission be granted subject to conditions and the applicant entering into an appropriate legal agreement.
- 2. That in the event that the requirements of (a) are not met by 29 December 2017, the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 164.

BACKGROUND INFORMATION

3. This proposal forms part of Southwark Council's home building programme where the ambition is to deliver 11,000 new council homes by 2043 and the first 1,500 by 2018. The programme is seeking to deliver homes through a combination of in-fill development and development on land owned by the council as well as making use of under-used or vacant sites. There will be a mix of social rent, intermediate and private sale homes across the whole project.

Site location and description

4. The application site forms the southern part of the Albion Primary School site, facing onto Renforth Street to the south and Clack Street to the east. This part of the school site has an area of 0.23 hectares and includes two-storey school buildings, temporary school buildings, playground area, several mature trees and landscaped play area. All of these buildings will be redundant following the completion of the new school building which is currently under construction across the northern and central parts of the wider site.



Site plan for the Albion Primary School planning application in 2015, showing the whole school site within the blue line, and area of the new school within the red line. It is the south-eastern part outside the red line that is now the application site for this current planning application.



Ground floor layout of the new school building under construction, with the current application site below (outside the red line shown at the bottom).



Remaining school building to be demolished



View from the west along Renforth Street – application site includes the trees and the wall in the centre of the photo. The former pumping station is on the right hand side.

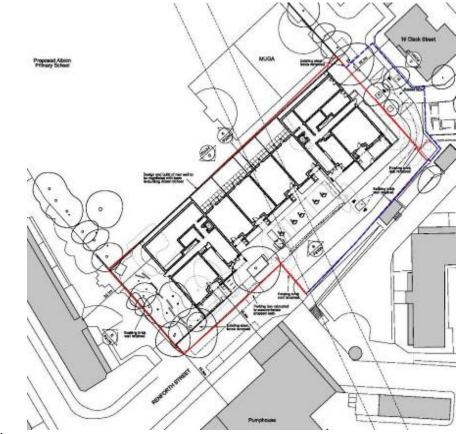
- 5. The immediate and wider context of the site is predominately residential in nature, with a more diverse mix of uses along Albion Street. To the east are two-storey houses on Clack Street, to the west are four-storey blocks of flats which make up the Aylton Estate on Renforth Street. To the south at a raised ground level (approximately 2m higher than the site) are the four-storey buildings of the Albion Estate.
- 6. The London Hydraulic Power Company former pumping station also lies to the south of application site on the southern side of Renforth Street. It is a grade II listed building that has been converted into flats known as The Pump House, with an octagonal chimney, brickwork arches and red-painted cast iron settling tanks that has been converted to residential use.
- 7. The Finnish Church (no. 33 Albion Street) is a grade II listed building 80m to the north-

west of the school site. The nearest conservation area is the St Mary's Rotherhithe Conservation Area, 185m to the north-west.

- 8. The London Overground lines pass under the centre of the site. Rotherhithe station is 130m to the north, and the Canada Water Overground, Underground and bus stations are 130m-180m to the south.
- The site is within the core area designated in the Canada Water Area Action Plan (CWAAP) wherein the whole Albion Primary School site is identified as proposal site CWAAP4.
- 10. The site is within flood zone 3, a controlled parking zone, air quality management area and has a PTAL rating of 6a, which indicates excellent access to public transport. It is not within a conservation area, nor an archaeological priority area. There are trees within the site, none of which are protected by tree preservation orders.

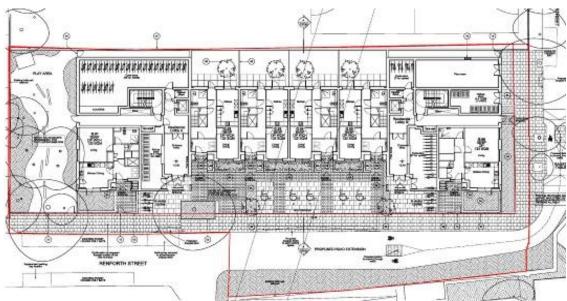
Details of proposal

11. This application seeks to develop the southern part of the school site with a six-storey building (20.0m high) to provide 50 residential units.



Site plan

12. The 50 units are in a mix of flats and maisonettes, 25 of which would be social rent, 12 intermediate, and 13 private units.



Proposed ground floor

13. Six maisonettes are proposed with their own ground floor entrances and each with a garden to the front or rear, and a first floor balcony. The 44 flats on the first floor and above would be accessed through two entrance cores and would have cycle parking and refuse stores on the ground floor. The existing landscaped area at the west of the site would be used as an amenity and play area for the development. A green roof and PV panels are proposed.

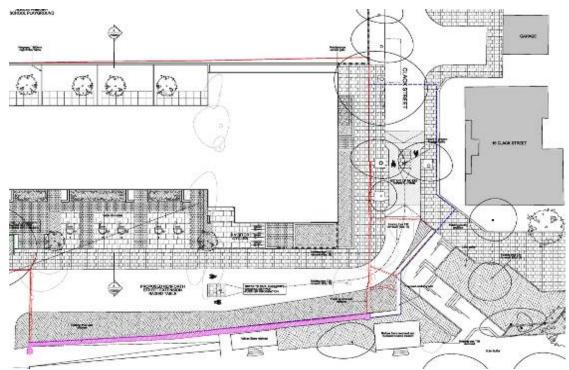


Proposed south elevation

14. The scheme has been designed by Bell Phillips Architects. The design intends to reference the industrial character and materials of the former pumping station. The building would be constructed in a warm grey brick, with "hit and miss" textured brickwork to parts of the ground floor level on the front elevation. The large steel lintels, balcony reveals, balustrades, cut metal panels, and corner columns would be in powder-coated steel, and with the anodised aluminium window frames are intended to act as a contextual link to the architecture of the pumping station and the area's industrial heritage.



- 15. Visitor cycle stands and five disabled parking spaces are proposed within the front of the site, accessed from the extended Renforth Street highway. Refuse stores, cycle stores and a plant room are proposed within the ground floor.
- 16. The application drawings show highway works to be undertaken both inside the application site and outside to the east. The highway works within the site are a raised table roadway to provide access to the disabled car parking spaces on the site would extend Renforth Street to the north-east, alongside the retaining wall for the Albion Estate. A pavement on the northern side and tapering pavement on the southern side would also be created. This would lead into highway works outside the application site to extend Clack Street to the south-east for pedestrians and cyclists (with a bollard preventing cars from using the route), linking Clack Street and Renforth Street at ground level.



Proposed highway works on- and off-site

17. This application is part of the Southwark Regeneration in Partnership Programme which together with other programmes within the council seeks to deliver more affordable housing in the borough. A concurrent planning application (17/AP/1255) has been submitted for the Rotherhithe Civic Centre site, located on the north side Albion Street, for the construction of part 4-storey, part 5-storey development consisting of commercial space (Class A1/A3/A5/B1/D1) at ground floor and 26 residential units above (7 x1 bed, 11 x 2 bed, 8 x 3 bed) including 14 social rented tenure and 12 intermediate units, and re-landscaping of the public square to the east of the site.

Amendments

- 18. The application was amended from its original form in the following ways:
 - The proposed fifth floor originally had the same footprint and dimensions as the floors below, but was amended to be set 2m back from the front and side elevations.
 - As a consequence, the original housing mix was amended to replace 4 x 3bedroom flats with 2 x 1-bedroom and 2 x 2-bedroom flats.
 - The originally proposed highway works included creating a 10m long and 5.5m wide turning head for the refuse vehicles serving the site which would have removed the existing steps, ramps and landscaping that link Clack Street and the Albion Estate. The highway works have been changed to remove this turning head from the proposal so that more of the landscaping and the stepped link can remain.

Planning history

19.

12/AP/1164 Application type: Council's Own Development - Reg. 3 (REG3) Erection of a single storey prefabricated extension to provide additional classroom, staff prep. room and storage.

Decision date 30/05/2012 Decision: Granted (GRA)

13/AP/0998 Application type: Full Planning Application (FUL) Installation of a modular classroom as temporary expansion accommodation for a period of 2 years from September 2013. Decision date 06/06/2013 Decision: Granted (GRA)

14/AP/1564 Application type: Council's Own Development - Reg. 3 (REG3) New temporary classroom block with toilets, hall and ramped and stepped access Decision date 07/07/2014 Decision: Granted (GRA)

14/EQ/0308 Application type: Pre-Application Enquiry (ENQ) The proposal revolves around 2 key elements of work. 1) Construction of new school facilities to allow for the expansion from 1FE to 2FE. 2) Construction of external play areas to provide additional teaching and stimulating play environments. Decision date 16/03/2015 Decision: Pre-application enquiry closed (EQC)

15/AP/0647 Application type: Council's Own Development - Reg. 3 (REG3) Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north.

Decision date 06/05/2015 Decision: Granted (GRA)

Conditions have been discharged on this permission in subsequent approval of

details applications, and the construction is underway.

15/AP/1561 Application type: Full Planning Application (FUL) Erection of a two-storey temporary cabin with four classrooms, male & female toilets and storage, and the erection of a temporary single-storey toilet block, all to be used during the demolition and new build development of Albion Primary School. Decision date 10/08/2015 Decision: Granted for Limited Period (GFLP)

15/AP/2973 Application type: Approval of Details - Article 30 DMPO (AOD) Partial discharge of Condition 3 - Site Contamination (parts (a) and (b)) as required by planning permission 15/AP/0647 for the demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 11/09/2015 Decision: Granted (GRA)

15/AP/3260 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a surface water drainage scheme pursuant to Condition 4 of planning permission 15-AP-0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 23/09/2015 Decision: Refused (REF) Reason(s) for refusal:

15/AP/3661 Application type: Full Planning Application (FUL) Installation and erection of new sprinkler tank and pump house. Decision date 30/10/2015 Decision: Granted (GRA)

15/AP/4740 Application type: Approval of Details - Article 30 DMPO (AOD) Details of a surface water drainage scheme pursuant to Condition 4 of planning permission 15-AP-0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 23/12/2015 Decision: Granted (GRA)

15/EQ/0390 Application type: Pre-Application Enquiry (ENQ) Redevelopment of site for residential use. Demolition of existing buildings and the erection of a 6 storey block with partial set back to upper floor, to provide 49 units (14x1 bed, 13x2 bed, 21x3 bed and 1x4 bed) at 100% social rent and associated road/highway works connecting Crack Street and Renforth Street. Decision date 25/01/2016 Decision: Pre-application enquiry closed (EQC)

16/AP/4716 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Condition 5 - External Facing Materials, pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 02/03/2017 Decision: Granted (GRA)

17/AP/2565 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Condition 9 'Cycle Parking' pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north.

Decision date 02/08/2017 Decision: Granted (GRA)

17/AP/2563 Application type: Approval of Details - Article 30 DMPO (AOD) Details of Condition 7 'Bird and Bat Boxes' pursuant to planning permission 15/AP/0647 for: Demolition of existing school buildings and the redevelopment of the site with the erection of a new two storey, two form entry primary school with associated MUGA, landscaping and parking area on a reduced school site involving relocation of south east boundary of school site 15m to the north. Decision date 02/08/2017 Decision: Granted (GRA)

Planning history of nearby sites

20. <u>Civic Centre, Albion Street</u>

Concurrent planning application ref. 17/AP/1255 for - Construction of part 4-storey, part 5-storey development consisting of commercial space (A1/A3/A5/B1/D1) at ground floor and 26 affordable residential units above (14 x Social Rented Flats and 12 x Intermediate flats with the following mix: 7 x1 bed, 11 x 2 bed, 8 x 3 bed). Relandscaping of the public square to the east of the site.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

21. The main issues to be considered in respect of this application are:

a) Principle of the proposed development in terms of land use and conformity with planning policies and designations

b) Environmental Impact Assessment

c) Design including layout, height and massing

- d) Impact on local views and the setting of nearby listed buildings
- e) Density
- f) Affordable housing

g) Housing mix and quality

h) Impact on the amenities of occupiers of neighbouring properties

i) Transportation, highways and pedestrian movement

j) Trees and Ecology

k) Sustainability (including energy, flood risk, site contamination, air quality and archaeological matters)

I) Planning obligations and Community Infrastructure Levy (CIL)

Planning policy

22. National Planning Policy Framework (the Framework)

Section 4: Promoting sustainable transport

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 8: Promoting healthy communities

Section 10: Meeting the challenge of climate change, flooding and coastal change

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment.

23. 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 3.6 Children and young people's play and informal recreation facilities

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

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

Policy 3.13 Affordable housing thresholds

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.18 Education facilities

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and waste water infrastructure

Policy 5.15 Water use and supplies

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

Policy 7.1 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 7.9 Heritage-led regeneration

Policy 7.14 Improving air quality

Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

Policy 8.2 Planning obligations

Policy 8.3 Community Infrastructure Levy.

24. <u>Greater London Authority Supplementary Guidance</u>

Housing SPG (March 2016) Play and Informal Recreation SPG (September 2012) Sustainable Design and Construction SPG (April 2014)

25. Core Strategy 2011

Strategic policy 2 – Sustainable transport Strategic policy 4 – Places for learning, enjoyment and healthy lifestyles Strategic policy 5 – Providing new homes Strategic policy 6 – Homes for people on different incomes Strategic policy 7 – Family homes Strategic policy 11 – Open spaces and wildlife Strategic policy 12 – Design and conservation Strategic policy 13 – High environmental standards Strategic policy 14 – Implementation and delivery.

26. <u>Southwark Plan 2007 (July) - saved policies</u>

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

Policy 2.1 Enhancement of Community Facilities

- Policy 2.3 Enhancement of Educational Establishments
- Policy 2.5 Planning Obligations
- Policy 3.1 Environmental Effects
- Policy 3.2 Protection of Amenity
- Policy 3.3 Sustainability Assessment
- Policy 3.4 Energy Efficiency
- Policy 3.6 Air Quality
- Policy 3.7 Waste Reduction
- Policy 3.9 Water
- Policy 3.11 Efficient Use of Land
- Policy 3.12 Quality in Design
- Policy 3.13 Urban Design
- Policy 3.14 Designing Out Crime
- Policy 3.15 Conservation of the Historic Environment
- Policy 3.18 Setting of Listed Buildings, Conservation Areas and World Heritage Sites
- Policy 3.28 Biodiversity
- Policy 4.2 Quality of residential accommodation
- Policy 4.3 Mix of Dwellings
- Policy 4.4 Affordable Housing
- Policy 4.5 Wheelchair Affordable Housing
- Policy 5.1 Locating Developments
- Policy 5.2 Transport Impacts
- Policy 5.3 Walking and Cycling
- Policy 5.6 Car Parking

Policy 5.7 Parking Standards for Disabled People and the Mobility Impaired.

27. <u>Canada Water Area Action Plan (CWAAP - November 2015)</u>

The CWAAP was adopted in November 2015 and sets out the planning framework for delivering development in the area over the period up to 2026, and the measures needed to help the area fulfil its redevelopment potential. The site is within the Action Area Core and the whole Albion Primary School site is designated proposal site CWAAP4. The site specific designated includes education use (Class D1) as its required use in order to expand the school to two forms of entry, with community and residential uses as other acceptable land uses. No estimated capacity is stated as the amount of homes would depend on the amount of non-residential floorspace provided on site.

Policy 6: Walking and cycling

- Policy 8: Vehicular traffic
- Policy 10: Parking for residential development in the Core Area
- Policy 14: Streets and public spaces
- Policy 15: Building blocks
- Policy 17: Building heights in the core area
- Policy 18: Open spaces and biodiversity
- Policy 19: Children's play space
- Policy 20: Energy
- Policy 21: New homes
- Policy 22: Affordable homes
- Policy 23: Family homes
- Policy 24: Density of developments
- Policy 26: Schools
- Policy 31: Albion Street
- Policy 33: Proposals sites
- Policy 24: S106 planning obligations and the community infrastructure levy.

28. Southwark Supplementary Planning Documents

2015 Technical Update to the Council's Residential Design Standards (SPD, 2011) Draft Affordable Housing (SPD, 2011) Design and Access Statements (SPD, 2007) Development Viability (SPD, 2016) Section 106 Planning Obligations and CIL (SPD, 2015) Sustainability Assessment (SPD, 2009) Sustainable Design and Construction (SPD, 2009) Sustainable Transport (SPD, 2010).

Principle of the proposed development in terms of land use and conformity with planning policies and designations

- 29. The application site forms the southern part of the wider Albion Primary School site and is in education use (Class D1). The application proposes to change the use of this part of the school site from education to residential (Class C3). The policies relating to school use and residential use are summarised below.
- 30. London Plan policy 3.16 "Protection and enhancement of social infrastructure" states that additional and enhanced social infrastructure provision is required to meet the needs of London's growing and diverse population. London Plan policy 3.18 "Education facilities" supports proposals which enhance education facilities through new build, expansion or change of use schemes, and resists proposals which result in the net loss of education facilities.
- 31. At the borough level, Core Strategy policy 4 "Places for learning, enjoyment and healthy lifestyles" protects schools where there is a long-term local need, and encourages new schools and improvements to existing schools to provide improved education opportunities. Policies 2.1 "Enhancement of community facilities" and 2.3 "Enhancement of educational establishments" of the Southwark Plan seek to retain Class D community facilities and educational establishments, unless it can be demonstrated that it is surplus to requirement and that similar or enhanced provision within the catchment area is secured.
- 32. Policies 3.3, 3.4 and 3.11 of the London Plan, 5 and 6 Core Strategy, and 3.11 and 4.2 Southwark Plan seek to provide new housing, affordable housing, and make efficient use of land.

- 33. The whole Albion Primary School site is within the core area of the Canada Water Area Action Plan (CWAAP, November 2015) and is an identified proposal site. Policies within the CWAAP are therefore a material consideration in the determination of this planning application.
- 34. Policy 26 "Schools" of the CWAAP states that the anticipated demand for additional school places will be met by keeping the need to expand existing primary schools under review, and the potential provision of new schools. At the northern part of the Albion Primary School site, the new two-storey school is currently under construction (as approved by planning permission ref. 15/AP/0647). This will be a two form entry primary school, with a MUGA, landscaping and parking area. The temporary buildings and old school building on the southern part of the school site will no longer be required once the new school building is opened.
- 35. Policy 21 "New homes" of the CWAAP states that a minimum of 4,500 new homes will be provided between 2011 and 2026, and that across the AAP area most of these homes will be delivered on proposal sites.
- 36. The CWAAP sets area policies and specific detail for particular sites within the wider Canada Water area. Policy 31 "Albion Street" states that the regeneration of Albion Street will be promoted through:
 - Improving pedestrian and cycle links between Albion Street and the town centre, St Mary's Conservation Area and Rotherhithe Station.
 - Reinforcing the viability of the shopping parade by making sure that no more than two units are used as hot-food takeaways.
 - Working with leaseholders to improve the appearance of shop fronts.
 - Continuing to investigate the potential for a market on Albion Street.
 - Seeking funding to provide public realm improvements.
 - Working with local stakeholders to create a pocket park on St Olav's Square in front of the Norwegian Church.
 - Using the library site as an opportunity to help improve the street.
 - Working with governors and staff to explore the potential to provide mixed use development on a part of Albion Primary school.
- 37. It is the last bullet point that is relevant to the current proposal as it identifies the potential for introducing new uses onto the school site, and this wording is replicated in Figure 14 in the CWAAP for the Albion Street area.
- 38. In terms of site-specific policy, policy 33 "Proposals sites" of the CWAAP states that planning permission will be granted for proposals in accordance with the adopted policies map and schedule of proposals sites (contained within appendix 4 of the CWAAP). The Albion Primary School is a designated proposal site, named "CWAAP4", and is designated with education use as the "required land use", with community use (Class D) and residential use (Class C3) as "other acceptable land uses". No estimated approximate capacity is given as it states "The amount of homes would depend on the amount of non-residential floorspace provided on the site."
- 39. The CWAAP therefore establishes that the Albion Primary School should be redeveloped to provide a new school facility, and that other uses could be accommodated on the site, with the suggested other uses being community and/or residential use.
- 40. The "required land use" for the proposal site is being provided through the construction of the new school building. In designing the new Albion Primary School building which expands the school from a single form entry to a two-form entry school (a total of 420 pupils) for nursery through to year 6, the council as the applicant had

regard to the current demand for school places and future growth. The application documents submitted with the application in 2015 (ref. 15/AP/0647) are explicit that the expanded school could be properly accommodated on the northern part of the site, and since this could be achieved the southern part of the site could then be released for residential development. In considering the 2015 planning application, the Planning Committee was satisfied that the retained school site would provide the expanded school with suitable amenity space provision and a good design quality in the new building. It is therefore concluded that the use of the southern portion of the site for residential has not compromised the quality of the expanded school.

- 41. As residential is one of the "other acceptable land uses" under CWAAP4, the proposal is in accordance with the designation for this site. The residential units proposed would contribute towards the borough housing targets, the minimum target of 4,500 new homes in the Canada Water core area between 2011 and 2026, and the affordable housing target of CWAAP policies 21 and 22.
- 42. Objections have been received which refer to the need for the Secretary of State to approve the subdivision of the site and the planning application. This application does not require consultation with Sport England under the Town and Country Planning (Development Management Procedure)(England) Order 2010, as the application site does not include a "playing field" which encompasses at least one "playing pitch" (defined as a delineated area of 0.2 hectares of more and which is used for a list of certain sports). Therefore, Sport England is not a statutory consultee on the application, and the application does not require referral to the Secretary of State. The legislation regarding the disposal of school land (section 77 of the Schools Standards and Framework Act 1998) is separate to the planning system, however officers note that the Secretary of State approved the release of the Albion School land in August 2016 for the change of use of the site from education to residential.
- 43. The redevelopment of the wider Albion Primary School site for a mixed use scheme was anticipated by the CWAAP. The earlier planning application for the new school did not utilise the whole school site and excluded the southern part which now forms the current application site. The current application proposes a residential development, and Class C3 (residential) is identified in the AAP as an "other acceptable land use". The proposal is therefore in conformity with the adopted planning policies for the area there is no objection in principle to its redevelopment for residential use.

Environmental impact assessment

44. The scale of development does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2015 that would trigger the need for an environmental impact assessment. The proposal's location and nature do not give rise to significant environmental impacts in this urban setting, nor does the cumulative development with the new school under construction exceed the indicative threshold for an urban development project.

Design including layout, height and massing

45. Core Strategy policy 12 "Design and conservation" requires development to achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in. Policies 3.12 "Quality in design" and 3.13 "Urban design" of the Southwark Plan seek a high quality of architectural and urban design, and policy 3.14 "Designing out crime" states that development should be designed to improve community safety and crime prevention.

Site layout

- 46. The orientation of the proposed block to address an extended Renforth Street is a logical layout, and would be the only building on the northern side to face onto the extended road. Its siting enables the retention of the area of landscaping and trees on the western side and some of the trees on the Clack Street side. The building would be set back from the pavement behind the proposed wheelchair parking spaces and landscaping and set behind a retained tree at the front.
- 47. Policy 14 in the CWAAP "Streets and public spaces" requires development in the core area to create clearly defined streets and spaces which make connections into the surrounding street network, provide convenient, direct, safe and attractive pedestrian and cycle links etc.
- 48. The highway works proposed would provide a new at grade link between the southern end of Clack Street and north-eastern end Renforth Street for pedestrians and cyclists. This has been amended during the application to remove the turning head which was originally proposed to accommodate the weekly refuse vehicle servicing the site and would have required seven additional trees to be removed in the landscaped area at the end of Clack Street and the stepped and ramped path up to the Albion Estate. The revisions to the scheme to link Renforth Street and Clack Street would improve connectivity for pedestrians and cyclists by providing a shorter, at grade route (compared with the longer route up to the Albion Estate and back down), and retain the existing link to the Albion Estate.
- 49. This element of the proposal through the highway works within the application site and the off-site works would comply with policy 14 by providing an attractive pedestrian and cycle link at grade, and would be secured by a planning obligation.

Scale, height and massing

- 50. The CWAAP at policy 17 states that "Prevailing building heights in the core area should be between 4 and 8 storeys. Heights will generally be at the lower end of the range on sites on the periphery of the core area. Developments should contain variations in height to add interest and variety to the development, help signify places which are more important and help them relate more effectively to surrounding development." This site is within the core area of the CWAAP (with the boundary of the core area some 115m to the north of the application site) and therefore a height of between 4- and 8-storeys is anticipated by the policy for this site.
- 51. The proposal is designed as a linear block with bookend-type projections at either end. These give the block a strong urban form which addresses Renforth Street. Existing trees would be retained at the eastern and western edges (and one tree to the southern side) to provide some screening of the block from its immediate residential neighbours.
- 52. The scheme proposes a building of six storeys, although the changes to the top-most storey mean it would be set back substantially at the front and flanks of the bookend wings of the block which gives it a "shoulder" height of five floors where it abuts the existing townscape, and have resulted in a more varied roof line when viewed from ground level. It would be taller than the four-storeys of the Albion Estate to the south, although the 2m change in ground levels and the pitched roof of the Albion Estate reduce the real height difference to the south to 3.8m. In urban design terms, the proposal responds appropriately to the existing four-storey buildings on Renforth Street The new building would be similar in scale to the recently completed 6-storey

residential buildings on Albatross Way (Brampton House and Ottawa House) which are 60m to the south of the application site, on the other side of the Albion Estate. A six-storey building is considered acceptable in this location and could make a positive contribution to the street scene, and reflects its location within the CWAAP core area.

- 53. More could be achieved at the two parapets which are currently simply extruded brickwork to provide protection for the roof terraces of the fifth floor and roof-top space above the fifth floor. This simple extrusion increases the perceived bulk and scale of the block and could benefit from further refinement; a reduction in the height of the brick and instead using railing where necessary could add visual interest and slightly reduce the massing at these upper levels of the building. It is recommended that this detail should be reserved by condition.
- 54. The northern elevation facing onto the playground would be visible in longer views from Albion Street and would be particularly prominent in the approach from Clack Street. The scheme has been revised to introduce a greater variety in the fenestration and design, providing greater interest on this prominent facade. The southern elevation creates interest by the use larger windows and decorative screens. Careful consideration has been given to the legibility of entrances.

Detailed design

- 55. The proposed design is intended to take industrial references from the former pumping station and historic warehouse buildings by being primarily in brick with the use of metal lintels and columns to the windows and balconies. The warm colours of the proposed brick and powder-coated steel are intended to tie in with surrounding brick colours and the red metalwork on the pumping station. Detailing such as the patterned brickwork next to the two communal entrances, and the patterning to the panels on the front would help in lifting the design quality of the block. It is noted that one single brick type has been proposed; the scheme would benefit from a contrasting brick at ground floor level to define the base or the greater use of textured or ribbed brickwork.
- 56. The quality of design would rely to a large degree on the quality of materials chosen, the brick cladding, windows frames and railings and therefore these should be reserved by condition. In addition to requiring samples of the external materials and sample panels of brickwork, detailed drawings of the windows, screening patternation, railings, and lintels would be secured by condition to ensure a high quality finish to these elements of the building.
- 57. The design has been informed by comments from a crime prevention officer for the Metropolitan Police, and a condition is recommended to ensure the "Secured by Design" certification is achieved.

Landscaping and public realm

- 58. The application proposes to retain the category A (high quality) tree within the site and all but two of the category B (moderate quality) trees on site and in the adjoining highway area. Category C trees of lower quality within and adjacent to the site for the highway works are to be removed, and there would be an overall reduction in tree cover (see the later assessment paragraph 146 for further information). The retention of the better quality trees is welcomed as part of the development.
- 59. The proposed landscaping has been designed by Anna French Associates. The scheme shows planted beds along the eastern side of the building and in front of the maisonettes, sett paving for the entrance paths, flag paving to demarcate the parking, and another planter around the retained tree at the front. The rear gardens for the

central maisonettes would have lawn and tree planting.

- 60. The landscaped area of trees at the western end of the site around the retained trees would be remodelled with bark surfacing, wildflower planting, seating, small play house and play equipment to provide a 220sqm communal garden including play space for the residents.
- 61. Further detail on the materials and planting would be required by a proposed condition to ensure the quality demonstrated in the application documents is continued through the construction.

Conclusion on design

62. At five storeys plus a recessed sixth storey, this block would be taller than the immediate neighbours. However, the amendments to the scheme to set back the top floor have reduced the massing and result in a varied roof line in views from ground level across the front of the site, and the height reflects the expectations for the CWAAP core area, and the Canada Water Opportunity Area. The quality of the detailed design would be secured (and improved by) recommended conditions requiring detailed drawings and samples. The height, massing and design of the proposal are considered to be acceptable and accord with policies in the CWAAP, Core Strategy and London Plan.

Impact on local views and the setting of nearby listed buildings

- 63. The site is not in a conservation area but is within the setting of a grade II listed building.
- In considering the impact of a proposal on a heritage asset such as a listed building, 64. the local planning authority must have regard to planning legislation in its determination of a planning application. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses. In this context, "preserving", means doing no harm. Court cases have confirmed that, in order to give effect to the statutory duty under section 66(1), a decision-maker should accord "considerable importance and weight" to the desirability of preserving the listed building or its setting when weighing this factor in the balance with other material considerations which have not been given this special statutory status. This gives rise to a strong presumption against granting planning permission where harm to a listed building or its setting is identified, although the presumption can be rebutted by material considerations powerful enough to do so.
- 65. The National Planning Policy Framework states at paragraph 131 that in determining a planning application, the local planning authority should take account of:
 - the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - the desirability of new development making a positive contribution to local character and distinctiveness.
- 66. Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

- 67. Southwark Plan policy 3.15 "Conservation of the historic environment" requires development to preserve or enhance the special interest or historic character or appearance of buildings and areas of historical or architectural significance, and this is repeated in Core Strategy policy 12 "Design and conservation". Saved policy 3.18 "Setting of listed buildings, conservation areas and world heritage sites" states that permission will not be granted for developments that would not preserve or enhance the immediate or wider setting of a listed building, and important view of a listed building or the setting of a conservation area.
- 68. The site is opposite the converted London Hydraulic Power Company former pumping station which is a grade II listed building on the southern side of Renforth Street. It has a tall octagonal chimney, red-painted cast-iron tanks set above parts of the retained brick buildings, and large arched windows. The different elements of the former pumping station have varying heights and floor levels but the overall appearance is of a three- to four-storey building with a strong industrial character. The impact of the proposal on the setting of this listed building is a statutory planning consideration.
- 69. The immediate setting of this listed building within the complex called The Pump House currently comprises to the south a car park and the four storey terrace of Pump House Close, a detached 2-storey house to the east, and grassed area on the western side. Around the pumping station complex are the 4-storey terraced block on Renforth Street and the current application site (with the school playground, trees, and the two-storey school buildings) to the north; the 4-storey Albion Estate to the east; the recent 4-, 5- and 6-storey development on Albatross Way and Canada Water station to the south; and the 4-storey blocks in the Canada Estate and its parking area to the west. The setting of the listed pumping station comprises a variety of building ages, heights and open grassed or tarmacked areas.
- 70. The Design and Access Statement and Heritage Statement include visuals to show the resulting views from the east of the site, and west along Renforth Street with the proposed roadway and building. The warm colours of the proposed brick and use of powder-coated steel for elements of the proposed building are intended to tie in with surrounding brick colours and the red metal tanks on the pumping station.
- 71. In terms of height, the impact on the setting of the listed building has been considered carefully. The proposal would complete the urban enclosure of Renforth Street and provide a fitting backdrop to this important heritage asset, particularly when viewed from the west. At five storeys with a set-back sixth, the proposal would relate appropriately to the buildings on Renforth Street. It would enhance the setting of the listed building and with a well-detailed and constructed block that utilises high quality, carefully chosen materials.
- 72. It is important that the quality of design carries through to construction and these aspects of the scheme should be reserved by conditions for sample panels and detailed section drawings, as set out in the recommendation.
- 73. The site is not within the London Plan viewing corridors or assessment areas. Due to the distance of the application site from the St Mary's Rotherhithe Conservation Area (185m away), and the grade II listed Finnish Church (80m away), the proposal would not affect the setting of these heritage assets.
- 74. The proposal would preserve the setting of the listed buildings and conservation areas in accordance with sections 66 of the Planning (Listed Building and Conservation Areas) Act, the NPPF and saved policies 3.15 and 3.18 of the Southwark Plan.

Density

- 75. London Plan policies 3.3 and 3.4 seek to increase housing supply and optimise housing potential through intensification and mixed use redevelopment. The Canada Water Area Action Plan at policy 24 states that development within the core area should be in the urban density range of 200-700 habitable rooms, and that the only exception to this should be when the development has an exemplary design standard. Policy 3.11 "Efficient use of land" of the Southwark Plan requires developments to ensure they maximise efficient use of land while protecting amenity, positively responding to local context and have acceptable transport impacts. Emerging policy DM8 of the draft New Southwark Plan states that within the Canada Water Opportunity Area Core the permitted residential density range would be 650-1100 habitable rooms per hectare, further increasing the expected density in this area.
- 76. With a total application site area of 2330sqm and 158 habitable rooms proposed, the density is 678 habitable rooms per hectare, which is within the 200-700 habitable rooms per hectare for the Canada Water Core Area. However it is noted that several objectors have referred to the scheme as being over-dense. When a calculation of density is carried out omitting the Renforth Street road extension, cycle link and pavements (thereby reducing the site area by 25%) then the density would be 912 habitable rooms per hectare. In that case, the density would appear as higher than the range for the Canada Water Core Area. In these circumstances, consideration whether the scheme is of sufficient quality to justify this high density.
- 77. The Residential Design Standards SPD sets out 14 expected design elements to demonstrate it is of an exemplary standard. The proposal demonstrates an exemplary standard of design by its high percentage (96%) of dual aspect units, the 2.6m high ceiling heights, good levels of daylight and sunlight to the units, and storage provision. The cumulative internal area of the 50 units is 390sqm larger than the minimum internal space standards. The proposed private amenity space across the scheme in balconies, gardens and the communal garden totals over 800sqm and exceeds the minimum external amenity space standards.
- 78. Each core would serve a maximum of five units per floor, and 22 units in total. Five maisonettes would be wheelchair units built to Building Regulations M4(3) standard and all units on the upper floors would be accessible by lift. In terms of stacking, the ground and first floor are mainly covered by the maisonettes and the first floor flats being sited over the ground floor cycle, refuse and plant rooms. The second, third and fourth floors have the same repeated floor plan stacked above each other which should assist in reducing noise between the units.
- 79. For these reasons the high density proposed by the scheme is considered to be acceptable as an exceptional design quality has been demonstrated. The proposal is considered to accord with the aims of policies the Canada Water Area Action Plan and Residential Design Standards SPD.

Affordable housing

- 80. London Plan policy 3.8 states that the provision of affordable family housing should be a strategic priority for borough policies, and policy 3.9 promotes mixed and balanced communities (by tenure and household income). Further detail on the definition of affordable housing, targets, and requiring the maximum reasonable amount of affordable housing on major schemes are included in policies 3.10, 3.11, 3.12, and 3.13 of the London Plan.
- 81. Core Strategy policy 6 "Homes for people on different incomes" requires as much

affordable housing on developments of 10 or more units as is financially viable, of at least 35%. Saved policy 4.4 "Affordable housing" of the Southwark Plan seeks at least 35% of all new housing as affordable. The Canada Water Area Action Plan policy 22 "Affordable homes" requires in schemes of 10 or more homes at least 35% of homes to be affordable.

- 82. This scheme will be delivered through the Southwark Regeneration in Partnership Programme where a number of sites have been packaged together to be delivered by a development partner.
- 83. The proposal would provide 74% affordable housing of which 50% would be for social rent, 24.2% for intermediate and 25.8% for private market (when measured by habitable rooms). This accords with Core Strategy policy 6 by significantly exceeding the required 35% minimum affordable provision.

Tenure	Social rent habitable rooms (units)	Intermediate habitable rooms (units)	Private habitable rooms (units)	Total
1 bedroom	24 (10)	12 (5)	12 (5)	48 (20)
2 bedroom	15 (5)	6 (2)	9 (3)	30 (10)
3 bedroom	50 (10)	25 (5)	25 (5)	100 (20)
Total habitable rooms (units)	89 (25)	43 (12)	46 (13)	178 (50)

- 84. The scheme provides a total of 74% of the units in a form of affordable tenure, and 26% as private. The affordable provision would be a 68%-32% split between affordable rent and intermediate in terms of dwelling numbers or a 67%-33% split in terms of habitable rooms. This is close to the 70-30 split sought by policy 4.4 of the Southwark Plan, and in view of the overall 74% affordable provision is considered to be acceptable. The on-site affordable provision of social rent and intermediate units would be secured by the unilateral undertaking, with the associated eligibility criteria and income thresholds.
- 85. The executive summary of the viability statement shows that the residual land value is a negative value of £7.9m, far below the benchmark land value of £575,000. Therefore this scheme would not be viable for a developer, however it forms one of nine sites the council is developing with a development partner as part of the Southwark Regeneration in Partnership Programme (SRPP). In order to address the deficit, funding would be used by the council from the Housing Zone Grant for sites in the Canada Water Area, and Right to Buy funds, to make the scheme viable.
- 86. The proposal would create 37 affordable homes, 25 of which would be for social rent and is a positive aspect of the scheme which should be given weight in the determination of the application. The 25 social rent homes would be truly affordable by households in the greatest housing need and includes ten 3-bedroom social rent units. It would contribute towards the wider SRPP and council targets for affordable housing provision.

Housing mix and quality

87. London Plan policy 3.5 requires housing developments to be of the highest quality internally, externally and in relation to their context, and policy 3.8 encourages a choice of different sizes and types of dwellings. CWAAP policy 23 "Family homes" requires a minimum of 60% of units with two or more bedrooms, and a minimum of 20% of units with 3, 4 or 5 bedrooms with directly accessible amenity space in the core area.

88. Saved policy 4.2 of the Southwark Plan provides guidance on what constitutes good residential development and states that planning permission will be granted for mixed use schemes where they achieve good quality living conditions by including high standards of accessibility, privacy and outlook, natural daylight, ventilation, amenity space, safety and security and protection from pollution. The Residential Design Standards and Sustainable Design and Construction SPDs provide detailed guidance, and the amenity space requirements.

Mix and unit size

89. This application proposes the following unit size mix:

Unit size	Number of units	Percentage
One bedroom	20	40%
Two bedroom	10	20%
Three bedroom	20	40%
Total	50	100

90. The proposed mix therefore meets the minimum 60% 2-bedrooms or larger requirement, and the significantly exceeds the minimum 20% 3-bedrooms or larger policy requirement for the Canada Water core area. Each proposed flat and maisonette meets or exceeds the minimum internal size standard set out in the Residential Design Standards SPD.

Accessibility

- 91. London Plan policy 3.8 provides specific targets for inclusive accessibility requiring 90% of new housing to meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings and 10% should meet Building Regulation requirement M4(3) 'wheelchair user dwellings', that is designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.
- 92. Five of the 3-bedroom maisonettes are to be wheelchair accessible housing designed to meet the SELHP standards each with their own internal lift, representing 10% of the number of units, and complying with policy. This would be secured by a proposed condition. The detail of the marketing of the wheelchair units would be set out in the unilateral undertaking.

Aspect, orientation and privacy

- 93. Of the 50 units proposed, 48 would be dual aspect. The two single aspect units would be on the top floor, facing south-east. There are no proposed north-facing single aspect units. The very high proportion of dual aspect units is a positive aspect of the scheme.
- 94. There would be some mutual overlooking within the proposed development between the projecting and recessed balconies across the front elevation, and from the rear windows over the proposed private rear gardens of the maisonettes. This is typical on a residential development and would not result in a poor standard of amenity for future residents.

Daylight and sunlight

95. All rooms would exceed the minimum ADF value indicating a good level of daylighting to all of the proposed units. The submitted "no sky line" contours in the daylight

assessment show that the habitable rooms would receive a good distribution of daylight, except for one first floor kitchen due to its long, thin layout. All other rooms to this flat would have a good distribution of daylight. The daylight and sunlight provision to the proposed homes is considered acceptable.

Noise and vibration

96. The eastern part of the site lies over the London Overground rail lines, close to Rotherhithe station. Following comments from the Environmental Protection Team, additional information regarding the foundation design (and bearings to be included) has been provided by the applicant, which would form part of the approved documents on any permission. A condition is proposed requiring noise and vibration testing of the completed building prior to occupation to ensure sufficient mitigation is included in the construction.

Amenity space

- 97. Each dwelling would have a private amenity space of at least 6sqm. Each 3-bedroom flat would have a private amenity space of a 10sqm balcony. Each 3-bedroom maisonette would have a balcony and garden area totalling over 10sqm; the three proposed rear gardens would be 36sqm which is a good size, although it is acknowledged that these north-facing gardens would not receive direct sunlight. The front balconies and gardens to these maisonettes would receive good sunlight provision although they would have more limited privacy.
- 98. The 88sqm shortfall in amenity space for the one- and two-bedroom units plus the 50sqm minimum for a communal garden would be more than met by the size of the communal garden (223sqm) on the western side of the site.

<u>Playspace</u>

- 99. Policy 3.6 of the London Plan and Core Strategy policy 11 set out the requirement for children's play space. Using the GLA's child yield calculator, 130sqm of playspace would be required for 0-5 year olds, 110sqm for 5-11 year olds and 70sqm for 12 years and over.
- 100. There is not sufficient space on the site to provide the 310sqm total playspace for all age groups. Once the shortfall in private amenity space and 50sqm communal garden area is accounted for, the western landscaped area within the site can provide 85sqm of the 130sqm playspace for 0-5 year olds, with the inclusion of a play house, balance logs and wooden animals. The scheme would not provide 180sqm of playspace for 5-11 year olds, and those of 12 years and over. A contribution of 225sqm x £151 = £33,975 (indexed) is therefore required to mitigate this on-site shortfall for all age groups and improve play provision in the area.

Impact on the amenities of occupiers of neighbouring properties

- 101. Core Strategy policy 13 "High environmental standards" seeks to avoid amenity and environmental problems. Policy 3.1 "Environmental effects" of the Southwark Plan seeks to prevent development from causing material adverse effects on the environment and quality of life. Policy 3.2 "Impact on amenity" of the Southwark Plan states that planning permission for development will not be granted where it would cause a loss of amenity, to present and future occupiers in the surrounding area or on the application site.
- 102. The below sections assess the impact of the proposal in terms of the daylight and sunlight impacts, privacy and outlook, and pollution to surrounding properties.

Daylight and sunlight

- 103. A daylight and sunlight report has been submitted which assesses the impact on the daylight and sunlight to the windows and assumed habitable rooms of neighbouring properties in accordance with the Building Research Establishment's 2011 guidance. Non-habitable rooms to residential properties such as hallways and bathrooms have not been assessed. The calculations are based on computer models of the massing of existing and proposed buildings; they do not attempt to model the impact of trees and boundary walls/fences. The BRE guidance states that it is intended as advisory guidance for building designers and planners, but is not mandatory and should not be seen as an instrument of planning policy. Although it gives quantitative guidelines these should be interpreted flexibly as daylight and sunlight levels are only one aspect of site layout design. However the council's Residential Design Standards SPD does refer to the BRE methodology for daylight and sunlight tests as the appropriate means of assessing impacts on neighbouring properties.
- 104. The properties assessed for daylight and sunlight impacts are:
 - The western end of the Albion Estate block
 - 7-61 Renforth Street
 - 16 Clack Street
 - 6-14 Clack Street
 - The Pump House.
- 105. Three tests were applied to the windows and assumed room arrangements of the properties; the vertical sky component (VSC), the no sky line (NSL) and annual probable sunlight hours (APSH).
- 106. Overshadowing tracking diagrams have been provided for the surrounding area on the 21 March in the existing and proposed arrangements, including the new school to the north of the application site.

Assessment of daylight and sunlight impacts

107. Daylight impacts to windows (vertical sky component VSC)

Address	Number o windows assessed	f Passes VSC test	Fails VSC test with 20- 30% loss	Fails VSC test with 30+% loss
Albion Estate	31	25 (81%)	5 (16%)	1 (3%)
7-61 Renforth Street	34	16 (47%)	3 (9%)	15 (44%)
16 Clack Street	11	3 (27%)	5 (46%)	3 (27%)
6-14 Clack Street	10	10 (100%)	0	0
The Pump House	15	15 (100%)	0	0
Totals	101	69 (68%)	13 (13%)	19 (19%)

108. Daylight distribution test (no sky contour NSC)

Address	Number of rooms assessed	Pass NSL test	Fails NSC test by 20-30%	Fails NSC test by 30+%
	assessea	1631		

Albion Estate	31	31	0	0
7-61 Renforth	33	33	0	0
Street				
6-14 Clack	10	10	0	0
Street				
16 Clack Street	7	4	1	2
The Pump	0 (as internal	-	-	-
House	room layouts not			
	known)			
Totals	81	78	1	2

109. Sunlight impacts to windows (annual probable sunlight hours APSH)

Address	Number of windows assessed	Total retaining >25% APSH or more than 80% of existing value	Total retaining <25% APSH or less than 80% of existing
Albion Estate	31	26 (84%)	5 (16%)
7-61 Renforth Street (no windows facing onto the site face within 90 degrees of south)	-	-	-
16 Clack Street	11	11 (100%)	0
6-14 Clack Street	10	10 (100%)	0
The Pump House (no windows facing the site face within 90 degrees of south)	-	-	-
Total	52	47 (90%)	5 (10%)

Albion Estate

- 110. Six windows of the 31 assessed would experience a noticeable reduction in VSC (i.e. more than a 20% reduction where the resulting VSC is less than 27%). Four affected windows are on the ground floor and two on the first floor, and all six are set below the projecting walkway on the floor above which affects their existing daylight provision. The proposal does not affect the daylight distribution of the rooms that these windows serve (i.e. the rooms pass the NSL test). Overall, the impact of the proposal on the daylight to these rooms is considered not to cause significant harm to the amenity of these units, which have windows on the other side of the building that would not be affected by the current proposal.
- 111. The proposal would cause a significant loss of annual sunlight hours to five windows which are assumed to serve five rooms. These windows receive low annual probable sunlight levels (of between 14 and 20 hours of sunlight per year) as these windows face west. The reduction in annual probable sunlight hours to between 8 and 14 hours is considered not to be a material reason to refuse the application, particularly when these units have windows facing south-east on the other side of the building that would receive better sunlight levels.
- 112. Only the western arm of the Albion Estate block has been assessed in the submitted report, which is the closest part to the application site and faces on to it. The adjoining section of the Albion Estate block faces north onto the eastern-most corner of the application site; due to this orientation, the proposed block would have less daylight impacts to these windows than those described above and would not affect the sunlight levels. Carrying along the Albion Estate block, the next section (which is parallel to the western arm) is set far enough away from the proposed building so that

the proposed massing passes the initial BRE test and would not cause a significant loss of daylight nor sunlight.

16 Clack Street

- 113. Two ground floor windows serving two rooms within this care home would experience a noticeable reduction in VSC (one room would also experience a significant reduction in daylight distribution) however the remaining values of 22.6% and 24.1% VSC are relatively good daylight levels for an urban location.
- 114. Two other ground floor windows are recessed behind the overhanging eaves of the first floor and would experience a significant reduction in VSC from 29.8% and 30.3% VSC to 18.8% VSC and 19.0% VSC respectively, and the two rooms they serve would experience a 33% reduction in their NSC daylight distribution as well. Due to the overhanging eaves in front of these two windows, the existing VSC levels are some 5-6% VSC below those of the adjacent windows that are not recessed. The portion of sky providing daylight to these recessed rooms is at relatively low level, hence any building on the opposite side of the road in front of these windows would have a disproportionate impact on the VSC and NSC results.
- 115. Four first floor windows would experience a noticeable reduction in VSC, however the resulting values of 24.4% to 25.2% VSC are considered to be acceptable for an urban area. Two of the rooms served by these windows would experience a significant reduction in daylight distribution of up to 40%.
- 116. All rooms would retain APSH above the BRE suggested minimum.
- 117. The remaining VSC levels, daylight distribution and sunlight to these rooms, and the impact on these affected rooms and the amenity of this care home are considered on balance not to be so adverse as to warrant the refusal of the application.

6-14 Clack Street

118. The proposal would not cause a significant loss of daylight, daylight distribution nor sunlight to these properties.

7-61 Renforth Street

- 119. There would be a noticeable loss of daylight to nine ground floor windows and nine first floor windows. These 18 windows are set below the projecting walkway of the floor above which limits the existing daylight to between 9% and 12.3% VSC. The proposed VSC levels would be between 4.3% and 8.1%. The rooms served by these would retain good levels of daylight distribution however.
- 120. The properties in nos. 7 61 Renforth Street have a second aspect facing to the west, and these windows would not be affected by the proposed building. The proposal is considered to not cause significant harm to the overall amenity of these Renforth Street properties.
- 121. Only one of the windows assessed faces within 90 degrees of south and would not be affected by the proposal.

Pump House

122. All windows pass the VSC daylight test, and the sunlight provision would not be affected as the windows face north onto the application site.

New Albion Primary School building

123. The proposal would not cause a noticeable loss of daylight to the ground and first floor windows of the southern elevation of the new school building due to the distance of 30m between the buildings. The overshadowing drawing shows that the windows on the southern elevation would be overshadowed by the proposed building in the early morning until 10am, and would continue to receive sunlight until approximately 3pm. The school's windows across the southern elevation (serving classrooms and the hall) would receive good sunlight during most of the normal school hours. This is considered to be an acceptable relationship in daylight and sunlight terms.

Overshadowing of amenity spaces

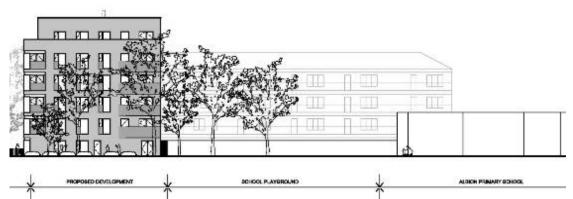
- 124. The overshadowing diagrams show the shadow cast by the proposed building at different hourly intervals on 21 March, which is the key date set by the BRE guidance. These diagrams model the massing of the surrounding buildings (and approved school under construction) but do not attempt to replicate the shading from low boundary walls or trees.
- 125. The proposal would not cause a significant loss of sunlight to the front gardens of the Clack Street properties, nor to the rear of nos. 7-61 Renforth Street. Being to the north of the converted Pump House and Albion Estate, the proposal would not cause a significant loss of sunlight to the outdoor areas of these developments.
- 126. The playground areas of the new primary school form an E shape around the wings of the new building and the proposal would overshadow parts of these playground areas in the morning and early afternoon on 21 March:
 - It would overshadow part of the play area for the nursery (which is to the west of the new school building) at the beginning of the day until 10am.
 - The shadow of the proposal during the morning would fall across most of the main playground area for Key Stage 1 and 2 pupils, which will be on the southern side of the new school building. As the sun moves around through the day the shadow would reduce so that parts of the main playground would receive sunlight from 11am onwards.
 - The closest part of the school site in the south-eastern corner would provide a new multi-use games area (MUGA); this would be overshadowed in the morning and early afternoon on 21 March, until approximately 3pm near the end of the school day.
 - It would not overshadow the play area for Key Stage 1 pupils on the eastern side of the new building.
 - The proposal would not overshadow the outdoor learning area on the roof of the Albion Street frontage during school hours.
- 127. The transient overshadowing by the proposed building of the main playground areas during the school day is considered not to cause demonstrable harm to the quality of the school's amenity space. The overshadowing of the MUGA in the corner closest to the proposed building would be longer and a significant proportion of the school day however, this overshadowing is considered not to undermine the usability of this games area.

Conclusion on daylight and sunlight

128. The proposed massing would impact on the daylight and sunlight provision to surrounding properties, however these adverse impacts are not severe and would not warrant the refusal of this application nor its significant redesign.

Privacy

- 129. The Residential Design Standards SPD requires developments to achieve a minimum of 12m at the front of the building and any elevation that fronts onto a highway, and a minimum of 21m at the rear of the building.
- 130. The proposed windows on the north-eastern elevation would be 16m from the facing windows of no. 16 Clack Street on the other side of the road; the proposed projecting balconies on this elevation would reduce the separation distance to 14m.
- 131. The proposed windows and balconies on the south-eastern elevation would be 16m from the windows of the converted Pump House, and further from the windows in the Albion Estate.
- 132. The proposed windows on the south-western elevation would be 22m from the rear balconies of nos. 7-61 Renforth Street; the proposed projecting balconies would reduce this separation distance to 20m. The retained trees within the western end of the application site would provide some screening.
- 133. The distances across Renforth Street and Clack Street exceed the 12m distance sought by the Residential Design Standards SPD for elevations fronting a highway. The 22m separation provided at the south-western side of the building for most of the elevation, and 20m separation where the balconies are located is close to the 21m distance sought by the SPD at the rear of buildings. It is considered to be an acceptable relationship that would not materially reduce the privacy of existing residential properties around the site.
- 134. In terms of the overlooking of the Albion Primary School, the council must have regard to its safeguarding duty of protecting children and vulnerable adults. The boundaries of the original school contained many trees which reduced the overlooking from the facing windows of properties on Clack Street, Albion Street and Renforth Street. The new school building is sited much closer to the Albion Street and Clack Street frontages so many of the trees were removed, and relocated the playground and games area to the southern part of the site. The proposed residential building includes windows, and external deck accesses across the rear elevation, set 1m-5.6m from the boundary that would face the school playground and new school building. Views over the school would be possible from the proposed side balconies and roof terraces.
- 135. The revised layout of the school once completed would not be completely private, with overlooking possible from the upper level windows of houses on Clack Street and the four-storey Renforth Street, particularly in winter when the trees screening reduces, and views from the Clack Street pavement. The proposed building would be adding to the overlooking currently possible, particularly by adding new views from the south of the school. The school has not provided an objection comment to the application. Overlooking of playgrounds is not unusual in urban areas, and many new schools are being delivered across London as part of mixed-use developments which integrate housing and school buildings. Playgrounds are often overlooked from the street, just as Albion Primary School's original playground was, and its future ground level playground will be. The overlooking from the proposed building is considered not to cause significant harm to the amenity of the school.



Eastern elevation of the proposal in relation to the new playground and new primary school building.

<u>Outlook</u>

- 136. The proposed building would be separated from neighbouring residential buildings by Renforth Street, Clack Street and the retained landscaped area on the western part of the application site. The massing of the proposed building with these separation distances is considered to have an acceptable impact on the outlook of these surrounding residential properties.
- 137. The proposed building would be 30-32m from the new school building under construction, which is sufficient distance to prevent the proposed building from being overbearing and intrusive to the rooms within the school. The proposal would be sited 1m from the boundary with the school and therefore very close to the new MUGA in the eastern corner of the school site, and the wider playground. The proposed building would extend across nearly all the southern boundary of the school and be highly visible from within the playground. With the dimensions of playground area (29m by 65m), the trees in the "forest school area" on the south-western side of the playground, and outlook from the playground in other directions, the proposal is considered not to be so overbearing to the outdoor areas of the school as to cause significant harm to its overall amenity.

Noise and pollution

- 138. The site is surrounded by residential uses and the primary school, and its redevelopment from school use (Class D1) to residential use (Class C3) is considered to be a neighbourly relationship. The proposal does not raise noise or disturbance concerns for neighbouring properties when compared with the existing uses of the application site. Future residents of the proposed units would be aware of the adjacent primary school when considering moving to/buying a unit at the site, and the associated potential noise during the school day from children using the playground and MUGA, and comings and goings at the start and end of the school day.
- 139. Conditions are recommended regarding land contamination, boiler NOx emissions, lighting, and a construction environmental management plan to protect future and neighbouring occupiers from pollution during the construction and operational phases. Subject to these conditions the proposal would comply with policies 7.14 and 7.15 of the London Plan, 13 of the Core Strategy, and 3.1, 3.2, and 3.6 of the Southwark Plan.

Transportation, highways and pedestrian movement

140. The London Plan policies in chapter 6 seek to ensure major developments are located in accessible locations, and support improvements to sustainable transport modes. Core Strategy policy 2 "Sustainable transport" encourages sustainable transport to reduce congestion, traffic and pollution. Policies 5.1 "Locating developments", 5.2 "Transport impacts", 5.3 "Walking and cycling", 5.6 "Car parking" and 5.7 "Parking standards for disabled people and the mobility impaired" seek to direct major developments towards transport nodes, provide adequate access, servicing, facilities for pedestrians and cyclists, and to minimise car parking provision while providing adequate parking for disabled people. Policy 31 "Albion Street" of the CWAAP sets out measures to improve the regeneration of Albion Street including the public realm, and improving pedestrian and cycle links between Albion Street, the town centre, St Mary's Conservation Area and Rotherhithe Station.

141. The connectivity improvement with the proposed pedestrian and cycle link between Clack Street and Renforth Street is set out in paragraph 47 above. In doing so, the proposal is considered to comply with policy 14 of the CWAAP by providing a convenient, direct, safe and attractive link at ground level. These works are to be secured by a planning obligation associated with any permission.

Car parking

- 142. Policy 10 of the CWAAP "Parking for residential development in the Core Area" sets a maximum parking provision of 0.3 spaces per home, and promotes car free development for a site within a CPZ.
- 143. The site is located within a CPZ and benefits from being within a high PTAL (6a). Therefore a car free development with the exception of disabled parking would be expected. The submitted scheme includes five off-street disabled parking spaces for the five wheelchair units proposed. This is welcomed and the detail of the cross-over and surfacing material(s) would be secured by a recommended condition. A further condition would prevent future residents from obtaining on street parking permits unless a blue badge space is required. A planning obligation would require the scheme to provide three years free car club membership for each eligible adult within the residential scheme.

Cycle parking

144. The proposal includes 84 cycle spaces in three ground floor stores, as well as the four central maisonettes having their own cycle store each, and 12 visitor cycle spaces. This provision exceeds the requirements of the London Plan and is acceptable.

Servicing

- 145. Policy 8 "Vehicular traffic" of the CWAAP requires developments to make sure they can be adequately and safely serviced.
- 146. Due to the site constraints on-site servicing can not be accommodated, and the proposed on-street servicing arrangement is considered to be acceptable in this case. The original proposal included highway works to create a turning space for servicing vehicles, and for the proposed on-site parking spaces; this has now been removed from the proposal, and the site would need to be serviced from Renforth Street for one core and Clack Street for the other refuse store. The applicant has proposed to relocate an on-street parking bay to accommodate a dropped kerb to access the proposed bin storage which is acceptable.

Trees and Ecology

147. Policies 5.10 and 5.11 of the London Plan encourage urban greening, and green walls and roofs, and policy 7.19 seeks positive contributions to biodiversity. Core Strategy policy 11 "Open spaces and wildlife" requires new developments to avoid harming protected species and to improve habitat. Policy 3.28 "Biodiversity" of the Southwark Plan encourages the inclusion of features which enhance biodiversity, and does not permit developments that would damage habitats or populations of protected species.

- 148. None of the trees on the site are the subject of tree preservation orders. The development requires the removal of semi-mature trees of moderate value to screening and amenity for the proposed building, access road and highway works to the east. The submitted arboricultural report shows these to be 2 x B category and 17 x C category Maple, Hornbeam, Lime, Cherry and Cedar trees, including a number of street and other council-owned trees, totalling 2,318cm stem girth. Some replacement tree planting is proposed in the gardens and one on the Renforth Street side of the building but this is insufficient to replace the canopy cover of the existing trees, and so additional mitigation would be required off-site.
- 149. A sum of £31,218 (indexed) would provide sufficient replacement planting to off-set the net loss of canopy cover as a result of the proposed development. Payment of this contribution would be secured through a planning obligation.
- 150. There are trees in the Pump House site that are subject to a TPO, however these are located towards the centre and southern part of the pumping station site and so would not be affected by the proposed development.
- 151. The ecological assessment has been assessed by the ecology officer and is considered acceptable, with no further surveys required. Conditions are recommended requiring a biodiverse brown roof across the whole building, bat bricks and bird boxes to ensure ecological habitat enhancements are included in the constructed scheme.

Sustainability (including energy, flood risk, site contamination, air quality and archaeological matters)

152. Core Strategy policy 13 "High environmental standards" requires developments to meet the highest possible environmental standards, to minimise greenhouse gas emissions, increase recycling, minimise water use, mitigate flood risk and reduce air and land pollution. Southwark Plan policies 3.3 "sustainability assessment", 3.4 "energy efficiency", 3.6 "air quality", 3.7 "waste reduction" and 3.9 "water" similarly relate to sustainability measures in developments, and the London Plan policies in chapter 5 address the same topics. The Sustainability Assessments SPD, and Sustainable Design and Construction SPD provide further information.

Energy

- 153. An Energy and Sustainability Statement has been provided with the application which details how through the use of energy efficiency measures, centralised boilers, gas-fired combined heating and power, and photovoltaic panels to the roof, the carbon emissions of the building would be reduced by 35.5% over Building Regulations Part L 2013. In order to achieve the zero carbon target of the London Plan, a contribution to the Carbon Off-set Fund (of £53,820 for the 29.9 tonnes of carbon emissions per year from the development) would be secured by a planning obligation.
- 154. The site is within the strategic district heating area identified in the CWAAP (policy 20), therefore the proposal should be future proofed and designed for connection to any future district heating network, to assist in reducing carbon emissions. This would be secured through the unilateral undertaking.

Flooding

155. A flood risk assessment was included in the application as the site is within flood zone

3, and benefits from flood defences. The assessment sets out the flood mitigation measures (flood warning, and flood resistance and resilience) and surface water drainage. It was updated to include detail on the finished floor level following the objection from the Environment Agency and is now acceptable. The proposed development would not be at significant risk of flooding, nor would it increase flooding risk elsewhere.

156. A condition for a surface water drainage strategy has been recommended by the flood and drainage team. Thames Water raises no objection in terms of sewerage infrastructure capacity nor water infrastructure capacity, and the suggested condition regarding the piling method is included in the recommendation.

Site contamination

157. The submitted contamination assessment considers the hazard risk of the site to be low, unlikely to require remediation, and not to have unacceptable risks from pollution and land instability. To address the comments from statutory consultees, conditions regarding further contamination investigation (and any necessary mitigation and validation), unexpected contamination, drainage, and piling method statement are included in the recommendation.

Air quality

158. The submitted air quality assessment finds that air quality objectives are met and that the development is in compliance with air quality neutral requirements. A condition regarding the NOx emissions from the domestic gas boilers is proposed, and the construction management plan would need to include dust control measures to eliminate or mitigate the environmental impacts from the construction phase.

<u>Archaeology</u>

159. The site is not within an archaeological priority zone. The Heritage Statement provided with the application displays the historic maps to show the development of the site, and the nearby heritage assets. No further survey work is to be required by condition, and the proposal would comply with Core Strategy policy 12 "Design and conservation" and 3.19 "Archaeology" of the Southwark Plan.

Planning obligations (S.106 undertaking or agreement) and community infrastructure levy

- 160. Section 143 of the Localism Act states that any financial contribution received as 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. In this instance it is estimated that a Mayoral CIL payment and Southwark CIL payment would be payable in the event planning permission is granted and payment of the Mayoral CIL would accord with policy 8.3 of the London Plan and policy 34 of the CWAAP.
- 161. The development would be delivered by a private developer pursuant to a development agreement with the council. As the council owns the land, it is necessary for the council to enter into a unilateral undertaking confirming that the planning obligations will be paid and/or provided. A unilateral undertaking is a type of planning agreement that will bind the land in the same way that a section 106 agreement does. It is considered appropriate here because the council cannot covenant with itself,

which would be necessary if a section 106 agreement was required. Should the land be disposed of in the future, the unilateral undertaking to be provided would require any successor in title to enter into a section 106 agreement in the usual way. This is the approach the council has adopted on all Hidden Home, Direct Delivery and SRPP schemes.

162. The following table sets out the required site specific mitigation and the applicant's position with regard to each point:

Planning obligation	Mitigation	Applicant's position
Affordable housing	Provision of 37 affordable units to be provided on site:	Agreed
	 25 social rent tenure units as 10 x 1- bedroom, 5 x 2-bedroom and 10 x 3- bedroom 12 intermediate tenure units as 5 x 1- bedroom, 2 x 2-bedroom and 5 x 3- bedroom. 	
	Income thresholds and eligibility criteria would be included.	
Carbon offset Green Fund	Payment of £53,820 (indexed) based on the shortfall of 29.9 tones of carbon per year over a 30 year period.	Agreed
Car club	Provision of three years membership for each eligible resident	Agreed
Car parking	A car parking management plan detailing the management and allocation of the proposed off-street wheelchair parking bays	Agreed
Children's play space	Payment of £33,975 (indexed) to address the 225sqm shortfall of play space for children.	Agreed
District heat network	To make provision for connection to a future district heating network.	Agreed
Employment and enterprise	Target jobs (11 jobs), training (11 people) and 3 apprenticeships during construction period (or the equivalent contribution in line with the S106 SPD). Local procurement and supply chain measures during the construction phase.	Agreed
Public realm/highway works	A combined section 38/278 agreement for the s38 adoptable highway works to create the route through the site to link Clack Street and Renforth Street, with the new pavements, surfacing, kerb lines, bollard(s), signage and lining and s278 works to tie in to the adopted Renforth Street and Clack Street	Agreed
Tree planting	Payment of £31,218 (indexed) to provide replacement tree planting off-site.	Agreed
Wheelchair housing	Provision of 5 wheelchair units and marketing period for the market and affordable units.	Agreed
Administration charge (2%)	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum £119,013 = £2,380.26	Agreed

163. These obligations are necessary in order to make the development acceptable in

planning terms, and to ensure the proposal accords with policies 2.5 of the Southwark Plan, Core Strategy policy 14 and London Plan policy 8.2, and the Section 106 Planning Obligations and CIL SPD.

164. In the event that a satisfactory legal agreement has not been entered into by 29 December 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)."

Other matters

165. None

Conclusion on planning issues

- 166. The Canada Water Area Action Plan designates the Albion Primary School site for redevelopment with a new expanded school (currently under construction) and the southern part of the site for redevelopment with a community and/or residential use. The principle of a proposed residential development is supported by the planning policy for this site.
- 167. The scheme proposes a very high percentage of affordable housing (at 74%) including ten family sized units (3-bedroom) for social rent which would be of benefit to households in the greatest housing need. This is a significant positive element of the scheme which should be given weight in the determination.
- 168. The siting, layout, height and detailed design of the proposal and its resulting high density are acceptable for a site within the core area of the CWAAP. Taking the whole site area into the calculation, the proposed density is within the expected habitable room range for a site within the core area of the CWAAP. However in recognition of the area of public realm and highway to be created within the site, the density was also calculated on a reduced area resulting in a habitable room density in excess of the range; the quality of architecture and living accommodation demonstrated in the application is considered to be exceptional. The proposal would preserve the setting of the former pumping station listed building.
- 169. The proposed building would cause a noticeable loss of daylight to some rooms in neighbouring residential properties, but is considered not to be overbearing, nor to result in a material loss of privacy due to the separation distances. The loss of daylight to neighbouring residential properties is not considered to significantly harm the overall amenity of these properties. The proposal would cause overshadowing of the school's future multi use games area to be constructed for the school during most of the school day but the wider school playground areas and building would retain good levels of daylight and sunlight.
- 170. Subject to the proposed conditions and planning contributions (to be secured in a unilateral undertaking), the proposal is acceptable in terms of sustainability, trees and ecology, archaeology, flooding risk and drainage, contamination, and transport and highway impacts. The proposed residential development makes efficient use of land of an identified AAP proposal site within an Opportunity Area, with good access to public

transport and an excellent quality of design.

Community impact statement

- 171. 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.

Consultations

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

Consultation replies

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

Summary of consultation responses

174. Following neighbour consultation and reconsultation on the amended scheme, objections were received from 24 households raising the following summarised issues:

The principle of development:

175. **Objection:** Adequate and necessary land for the school's needs has not been secured, and the site is not surplus to requirement. The proposal will prohibit the future expansion of the school in an area that will experience population increase and should not be allowed for financial gain. With population growth in the AAP area to at least 2026, and the council's legal duty to secure sufficient primary and secondary school places, the land should not be developed. The site is playground land, woodland playspace and open space for children. Impact on children's and local residents' health by removing the playground area and mature trees in an area of high pollution next to the Rotherhithe tunnel. Children would have to walk and cross busy roads to reach Southwark Park instead of being able to use the school playground. There is no need for housing to go on this playground, and plenty of other sites in the AAP area, such as the council owned gasometer site. The site should be relandscaped with soft surfacing, trees, and playspace to improve children's health and well-being, or for a community hall/healthcare instead. The proposal does not contribute to achieving sustainable development.

Response: The Albion Primary School site is identified in the CWAAP as a proposal site for a new two form entry school and development of community and/or residential development. The new school building under construction accommodates an expanded school, with its playground areas and external roof area considered sufficient play space without the southern part of the site being needed. The proposed residential development accords with the CWAAP for this designated proposal site.

Impact on the new school:

176. **Objection:** Overshadowing of the playground area (especially the MUGA) until the end of the school day, increased risk of injury from frost/ice on the playground without sunlight to melt it. The daylight and sunlight report does not consider the school. In an area of planned high density there is an increased expectation that a school and playgrounds will provide sufficient light for the duration of the school day. Loss of the

school's privacy from the windows and balconies. Dangers from its location opposite a half-way house for convicted criminals. The proposed building has balconies and windows looking directly into the playground, with a risk of child exploitation and safety from potential residents that may wish to harm children. Concern at the air quality and fire safety of the new school building and roof top play area, and the fire evacuation route for the school.

Response: The new school building would retain good levels of sunlight and daylight and being over 30m from the proposed block would retain its privacy. The future main playground area would be overshadowed by varying amounts through the school day, and be overlooked by the proposed block of flats. The relationship between proposed housing and a school playground is not unusual for an urban location. The overshadowing would not affect the usability of the MUGA. The new school building has been granted permission and is not proposed to be revised by this current application.

Density

177. Objection: Overdevelopment of the site. The proposal exceeds the urban density zone and policy 24 of the CWAAP without having an exemplary standard of design, amenity, and landscaping. PTAL for the site is between 4 and 6a, and links to Canada Water transport are not direct. Insufficient resources in the area to accommodate additional residential units.

Response: The proposed density is within the urban zone density range and CWAAP range for the core area when the whole application site area is used in the calculation. When the site area is reduced to take out the proposed highway and public realm works, the density exceeds that for the urban zone but for the reasons set out in the assessment section above the design is considered to be exemplary, and the proposed density does not cause harm. The scheme would be liable for the Southwark Community Infrastructure Levy (on the private element) to contribute towards borough infrastructure.

Height

178. **Objection:** Proposed 6-storeys would be higher than surrounding 4- and 2-storey buildings (even where the ground level is higher) in an already very densely populated area. The site is not within the Canada Water town centre (where tall buildings should be focused). The low-rise character of Albion Street should be retained. The building is too tall for the context and the tall building policy should apply as it is significantly higher than surrounding buildings. Four storeys should be the maximum. The applicant should not be allowed to flout its own planning policies.

Response: The sixth floor has been recessed from the front and sides in the amended scheme, although the building would remain taller than those immediately surrounding the site. The context of the site contains a variety of building styles, heights and ages, ranging from the 2-storey terrace houses on Clack Street and the new school building, the 4-storey blocks of the Aylton Estate and Albion Estate, to the taller developments next to Canada Water station and the 21-storey Regina Point further to the south. The height is considered acceptable for its context and for a site within the core area of the CWAAP. The two-storey height difference is considered not to result in a building significantly taller that would trigger the tall building assessment.

Scale, massing and detailed design

179. **Objection:** The area's character would be harmed by the scale, mass and bulk of the proposal. It would harm the Albion Street regeneration and the amenity of the new school. Design does not reflect the dock heritage of the area and harms the local cluster of heritage assets. It does not include an interesting and varied roofline.

Response: The proposal would be a substantial, detached block as the only building

on the northern side of this spur of Renforth Street. The context of the site contains a variety of building styles, heights and ages and the proposed detailed design and massing is considered appropriate. The roofline of the amended scheme would appear at ground level to be more varied than the original scheme due to the set back of the upper floor.

Harm to listed buildings

180. **Objection:** The setting of the listed pumphouse building will be harmed, deemphasising and obscuring the pump house and its chimney, and local views, failing to enhance the skyline. The views of the listed church from the Albion estate will be obscured and spoiled.

Response: The proposal is considered to preserve the setting of the former pumping station, which already has a range of building styles and heights within its setting. The public views from the Albion Estate of the Finnish Church are limited by the existing tree screening on the application site, and the loss of the views are considered not to cause such harm to the street scene nor historic value of the area as to require a redesign or refusal of the scheme.

Unit mix

181. **Objection:** The unit mix does not accord with policy. The scheme should be redesigned to meet housing need for small units (not 3-bed units) and provide at council rents.

Response: The unit mix of the revised scheme does comply with policy.

Quality of accommodation

182. **Objection:** Noise and vibration from the railway underneath can leave to disturbance, ill health and harmful psychological effects. Potentially high levels of contamination in the site.

Response: The design has included mitigation for the railway vibration and noise, and further details would be secured by a recommended condition. A condition relating to contamination and remediation is also proposed to ensure a suitable quality of accommodation.

Affordable housing

183. **Objection:** The scheme is not viable with a negative residual land value of £7m, and so contrary to planning policy. Cheaper to build elsewhere or by not building over the railway tunnel. Any new homes should be 100% affordable and social rent rates. Question the intermediate rent levels. Not all of the 3-bedroom affordable dwellings would have self-contained kitchens (separate to the living room) which is a requirement of the Residential Design Standards SPD.

Response: The scheme is not viable without the council adding funding from the Housing Zone grant and Right to Buy funds being used. The scheme proposes 74% affordable housing, far in excess of the 35% minimum, and includes social rent and intermediate tenure types. The income thresholds would be set out in the planning obligation. The SPD states that *"all affordable dwellings with three or more bedrooms should have a kitchen that is separate from the living room"*: of the 17 three-bedroom affordable units proposed, 5 would have separate kitchens, 6 would have a kitchen accessed off the living/dining room (with kitchen doors), and 6 would have shared kitchen/living/dining rooms. As all the affordable units have an excellent quality of accommodation, the lack of a separate kitchen to 6 of the 17 affordable 3-bedroom units is considered acceptable.

Neighbour amenity

- 184. Objection: Loss of privacy to the Pumphouse complex, Alyton Estate across Renforth Street, Temeraire Street and Clack Street from the proposed multiple balconies and windows providing direct views into neighbouring windows and gardens. Response: The separation distances across the roads meet those set out in the Residential Design Standards SPD elevations fronting a highway, and would be 20m from the rear of the Renforth Street block to the west which is close to the 21m separation sought by the SPD.
- 185. Objection: Loss of daylight and sunlight to residential properties on Albion Estate, Clack Street, Renforth Street, Pumphouse complex and Temeraire Street. Response: The proposal would not cause a significant loss of daylight nor sunlight to most neighbouring properties, and where there are noticeable impacts to particular windows or rooms, the overall amenity of that unit would remain acceptable. The site is to the north of the Albion Estate and so would not cause overshadowing to the balconies and gardens. The overshadowing by the block would not cause a significant loss of sunlight to gardens in Temeraire Street, which are 28m from the closest part of the site. The site is to the north of the Pumphouse complex so would not affect sunlight provision to this neighbouring complex.
- 186. **Objection:** Significant daylight loss to an NHS funded, residential care home for severely disabled people (no. 16 Clack Street). These vulnerable people should not be deprived of their right to daylight (and the associated health benefits). The loss of daylight would increase electricity costs. Object to the misleading way in which the results have been presented in the Calford Seadon report.

Response: Paragraph 106 onwards of the assessment above sets out the test results in terms of pass/fail of the BRE tests. There would be a noticeable daylight loss to 8 windows of this care home. Six rooms would retain VSC values of 22.6%-25.2% which is considered a good level of daylight for an urban location. Two ground floor windows are recessed behind the deep eaves of the first floor above; this means the upper portion of the sky is already restricted so that daylight reaching the windows comes from a relatively low level. Any proposed building on the opposite side of the road will have a larger impact on these two recessed windows. The proposal is on balance considered to have an acceptable impact upon the care home.

- 187. **Objection:** Quiet enjoyment of residents' homes is directly and severely threatened. **Response:** A construction environmental management plan would be required to minimise impacts during the construction phase on surrounding properties, and environmental health legislation would apply.
- 188. Objection: The noise, dust, pollution and disruption to a quiet cul de sac with the building will be unbearable, especially with the cumulative impact of the school building and other construction sites in the area that has been going on for years. Lorry damage, and blocking the roads has been stressful. Response: A construction environmental management plan would be required by a proposed condition to try to minimise impacts on surrounding properties. Environmental health controls would also apply.
- 189. **Objection:** Loss of views towards the Shard. **Response:** The planning system cannot protect specific views from private properties.

Transport – parking:

190. **Objection:** Parking spaces are already limited in the immediate area and plans for parking spaces would not be sufficient for 100-plus residents, visitors and servicing.

Additional noise and disruption from cars being parked in Renforth Street and traffic. Changing parking restrictions to be 24hr controls in order to prevent 'new' residents is not fair. The road design will need enlarging and redesigning to allow for additional traffic and emergency vehicle access. Car parking should be within buildings/basements; a playground should not be developed for parking.

Response: A condition is proposed to prevent the future residents from being able to apply for on-street parking permits in the CPZ; this does not affect the current parking controls in place. The only car parking proposed are the blue badge spaces. The amended scheme has removed the originally proposed turning area.

Transport – connectivity:

191. **Objection:** Public permeability from Canada Water Station to this site and other imminent sites in Albion Street to support the regeneration has not been addressed. Removing the pedestrianised area to create the turning head would not enhance pedestrian access. The application fails to provide convenient, direct, safe and attractive pedestrian and cycle links, especially to the Canada Water station and town centre, and no CCTV has been installed. Other applications have come forward and no progress has been made on the link.

Response: The amended scheme removes the proposed turning head and retains the existing link up to the Albion Estate. The proposal provides a pedestrian and cycle link at grade between Renforth Street and Clack Street. Further connectivity improvements are not necessary to make the scheme acceptable in planning terms. With the massing of the Albion Estate block to the south, gated access of The Pump House complex and change in levels, the application site alone would not be able to improve the link to Canada Water station.

Transport – fire access

192. Objection: Fire risk with restricted access for emergency services. Response: The proposed building would be accessible from the extended Renforth Street and existing Clack Street roads, and would be built in accordance with the relevant Building Regulations.

Transport – public transport

193. **Objection:** Public transport services are already overloaded with no capacity in peak times to cope with more residents

Response: The CWAAP states that the council will work with TfL to improve the frequency, quality and reliability of public transport as part of the redevelopment of the Canada Water action area. This planning application forms part of the development anticipated by the AAP, but no specific public transport mitigation has been identified as necessary to make the proposal acceptable.

Air quality

194. Objection: Air quality will worsen and has not been given sufficient consideration by the applicant across the whole school development.
Response: An air quality assessment was provided with the application which has

Response: An air quality assessment was provided with the application which has been reviewed by the council's Environmental Protection Team and found to be acceptable.

Loss of trees

195. **Objection:** Loss of a valued landscaped area and trees to create the road. No replacement landscaping proposed. Loss of trees can be prevented with a redesign of the scheme. Cumulative impact of other trees removed in the area.

Response: The proposal would require the removal of category C (lower quality) trees, and two category B trees. There is not sufficient space on site to provide planting to replace the full amount to be lost, so a planning contribution for off-site provision will be required. The school redevelopment includes replacement tree planting to reflect the trees lost for that scheme.

Public space and play space:

196. **Objection:** The proposal does not provide high quality open space, nor a publicly accessible children's play area and actually takes away playground space. Does not comply with policy on public realm, and makes no contribution to environmental improvements in the area nor pedestrian movement. Shortfall of play space in the scheme in an area of poor provision, when the high density is likely to put pressure on the existing local facilities.

Response: The scheme does not provide sufficient playspace on site for all age groups and a planning contribution would be sought for off-site provision and improvements for the wider public. The proposed public realm provision with the new pavements and link between Renforth Street and Clack Street is proportionate for a 50 unit scheme.

Limited amendments

197. **Objection:** The amendments made during the application are insufficient to address the earlier reasons for objections. The applicant did not discuss the changes with the local community.

Response: The amendments made are considered to result in an acceptable scale and design of the building, and better arrangement of the highway and linking route through. There is no requirement for the applicant to discuss changes with the local community before submitting them to the planning division; reconsultation was undertaken by the planning division.

Missing information and ownership:

198. **Objection:** Insufficient detail in the application e.g. turning head area not included in the bat survey, further unexploded bomb survey work needed. The surveys undertaken do not include the land at Albion Estate, over which leaseholders have contractual rights. Questioning the applicant's ability to build the scheme as the applicant does not own the access in front of the Pump House entrance so the proposed highway works cannot link up. The pavement on the north side of the street is within the housing estates falling under the Mayflower Tenants Association (who were not properly involved in the pre-application consultation).

Response: Sufficient information has been provided with the application to enable it to be determined. Other legislation relating to wildlife protection, safe working practice etc would also apply to works carried out during the construction of any approved scheme. Ownership is not a material planning consideration: the council as applicant has completed certificate A to indicate it is the owner of the land. If this is found not to be the case, then the council/developer/future owner would need to go through the appropriate civil proceedings between any other freeholder/leaseholder, separate to the planning process.

Processes, conflict of interests, political decisions and pre-application engagement

199. **Objection:** The pre-application community engagement was very poor. Resident concerns were flagged to senior council officials, Members and steering panels but sensible mediation was rebuked. The choice of land parcel and subsequent progression was neither transparent nor consistent with the time line published on the council's website. The scale and density has been massively increased from that

shown in the school's redevelopment application. Leaflets to Pump House residents at pre-application stage were not received. The Statement of Community Involvement includes inaccuracies in how the pre-application consultation events and the feedback recorded. Residents and housing forum not invited to the events.

Response: Pre-application discussions with the local community are always encouraged by the planning department, and the applicant carried out pre-application consultation with public exhibitions in July 2015, February 2016, September 2016, November 2016 and February 2017. How the applicant invited residents and responded to the public feedback, the decisions made by other council departments in forming the proposed scheme do not affect the planning division's assessment of the submitted application. The consultation undertaken by the planning division for the planning application has exceeded the statutory requirements for an application of this scale.

200. **Objection:** Probably the most outrageous planning application in Rotherhithe's and Southwark's entire history by building on school playgrounds while at the same time selling off public land to the highest bidder. It is morally wrong. Politicians should hang their heads in shame for not only supporting this outrageous application but also pushing for the "deal" to happen. Abuse of role and remit: party political motivation greatly drove this proposal in a quite shameful manner, when the wider community is seeking to establish a clearer pre-application consultation process and a more transparent review of delivering the publicised 'Albion Street quarter' regeneration zone. Conflicts of interest within Southwark Council with investigations into a councillor and a chief officer. Question why the council is prepared to accept an £7m+ economic loss in connection with the development of the scheme if undue influence is not being used to move the scheme along. The Planning Committee must conduct a thorough, independent and unbiased evaluation of the scheme as a council own application.

Response: The decisions and behaviour of the council, members and officers in the background to this application are not material planning considerations for the determination of this planning application. The scheme has been assessed by the planning department in the same way that a proposal from any other applicant would have been. The council would be funding the scheme using money from the Housing Zone Grant for the Canada Water area and from Right to Buy funds in order to make the scheme viable.

Summary of responses from local groups

201. Mayflower Tenants Association - The association represents 489 properties and objects as the proposal does not comply with planning policies. The school playground must be retained for future growth and future generations of school children. The applicant did not discuss the amendments with the Association. Would prefer the application be withdrawn, and the applicant work with neighbours towards a better use of land than forcing through infill onto a playground against the wishes of neighbours and other residents in the area. Overshadowing of the playground from the proposal. It would not be possible to redevelop the council blocks to the west (otherwise playground would be in shade all day) so the proposal is short-sighted and the council could not optimise its own land holdings. The block should be 100% council homes at council rents using commuted sums from other sites. Welcome the amendments to the highway works, ground floor, top floor and rear elevation but fall short of anything that would change the Association's stance to one of support. The large roof terraces may lead to noise and other anti-social behaviour, so ask that conditions be made to control use, and controls written into leases. Concerns on whether the roof playspace on a cladded school building will be safe, in an area of high air pollution from the Rotherhithe Tunnel, it is not clear if the school can use Southwark Park.

202. <u>Rotherhithe Area Housing Forum</u> - Objects as the site is playground that needs to be retained for growth. The application does not comply with planning policies.

Summary of responses from statutory consultees

- 203. <u>Environment Agency</u> No objection subject to conditions regarding unexpected contamination, sustainable drainage and piling method.
- 204. <u>London Fire Brigade</u> Request an undertaking that access will be provided for fire appliances and adequate water supplies for fire fighting. The applicant has confirmed this will be provided.
- 205. <u>London Overground</u> Recommends conditions requiring further information in a demolition and construction environment plan, construction works, foundation methodology, cranes, heavy plant, and compaction machinery.
- 206. London Underground Has no comment
- 207. <u>Metropolitan Police</u> Recommend a condition to require the development to follow the principles and physical security requirements of Secured by Design.
- 208. <u>Thames Water</u> Has no objection in terms of water infrastructure capacity, nor sewerage infrastructure capacity. Recommends a condition requiring a piling method statement, and other comments as informatives on any permission (regarding surface water drainage, ownership of pipes, water pressure).

Human rights implications

- 209. 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.
- 210. This application has the legitimate aim of providing additional homes, including affordable homes. 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/250-58	Chief Executive's	Planning enquiries telephone:
	Department	020 7525 5403
Application file: 17/AP/1234	160 Tooley Street	Planning enquiries email:
	London	planning.enquiries@southwark.gov.uk
Southwark Local Development	SE1 2QH	Case officer telephone:
Framework and Development		020 7525 1412
Plan Documents		Council website:
		www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of	Simon Bevan, Director of Planning			
Report Author	Victoria Crosby, Senior Planner				
Version	Final				
Dated	21 August 2017				
Key Decision	No				
CONSULTATION W	ITH OTHER OFFICERS	DIRECTORATES / CAE	BINET MEMBER		
Officer Title	Comments Sought Comments included				
Strategic Director of Finance and Governance		No	No		
Strategic Director, E Regeneration	nvironment and Social	No	No		
Strategic Director of Housing and Modernisation		No	No		
Director of Regenera	ation	No	No		
Date final report sent to Constitutional Team21 August 2017					

APPENDIX 1

Consultation undertaken

Site notice dates: 13/04/2017 and 24/7/17

Press notice date: 13/04/2017

Case officer site visit date: 13/04/2017

Neighbour consultation letters sent: 11/04/2017 and 24/7/17

Internal services consulted:

Ecology Officer Environmental Protection Team Formal Consultation [Noise / Air Quality / Land Contamination / Ventilation] Flood and Drainage Team Highway Development Management Housing Regeneration Initiatives Waste Management

Statutory and non-statutory organisations consulted:

EDF Energy Environment Agency London Fire & Emergency Planning Authority London Underground Limited Metropolitan Police Service (Designing out Crime) Thames Water - Development Planning Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

14 Swan Road London SE16 7DT 16 Swan Road London SE16 7DT 34 Albion Street London SE16 7JQ 22 Turner Court Albion Street SE16 7JU 10 Swan Road London SE16 7DT 12 Swan Road London SE16 7DT 42 Albion Street London SE16 7JQ 44 Albion Street London SE16 7JQ 46 Albion Street London SE16 7JQ 36 Albion Street London SE16 7JQ 38 Albion Street London SE16 7JQ 40 Albion Street London SE16 7JQ 13 Turner Court Albion Street SE16 7JU 14 Turner Court Albion Street SE16 7JU 15 Turner Court Albion Street SE16 7JU 10 Turner Court Albion Street SE16 7JU 11 Turner Court Albion Street SE16 7JU 12 Turner Court Albion Street SE16 7JU 19 Turner Court Albion Street SE16 7JU 20 Turner Court Albion Street SE16 7JU 21 Turner Court Albion Street SE16 7JU 16 Turner Court Albion Street SE16 7JU 17 Turner Court Albion Street SE16 7JU 18 Turner Court Albion Street SE16 7JU 48 Albion Street London SE16 7JQ 61 Swan Road London SE16 7DY

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Re-consultation: 24/07/2017

- 44 Albion Estate Swan Road SE16 7DL 45 Albion Estate Swan Road SE16 7DL 46 Albion Estate Swan Road SE16 7DL 52 Albion Estate Swan Road SE16 7DL 53 Albion Estate Swan Road SE16 7DL 54 Albion Estate Swan Road SE16 7DL 5 Albion Estate Swan Road SE16 7DL 50 Albion Estate Swan Road SE16 7DL 51 Albion Estate Swan Road SE16 7DL Apartment 1, The Pumphouse 70 Renforth Street SE16 7JZ 56 Columbia Point Canada Est SE16 7BG 5 Somerford Way Rotherhithe SE166QN 10 Clack Street London SE16 7JT 70 Renforth Street London SE16 7JZ Pump House Close London SE16 7HS Flat 6 70 Renforth St SE16 7JZ 16 Pumphouse Close Rotherhithe SE16 7HS Mayflower Community Hall The Assembly Hall SE16 7JP 49 John Kennedy House Rotherhithe Old Road SE16 2QE 6 Lynton Road SE1 5QR
- 101 Adams Gardens Brunel Road SE16 4JQ

Consultation responses received

Internal services

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

Statutory and non-statutory organisations

Environment Agency London Fire & Emergency Planning Authority London Underground Limited Metropolitan Police Service (Designing out Crime) Thames Water - Development Planning Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

Mayflower Community Hall The Assembly Hall SE16 7JP Rotherhithe Area Housing Forum

Apartment 1, The Pumphouse 70 Renforth Street SE16 7JZ Flat 6 70 Renforth Street SE16 7JZ 10, 70 Renforth Street, SE16 7JZ 13 Pump House Close London SE16 7HS 10 Clack Street London SE16 7JT 11 Temeraire Street London SE16 7JE 13 Temeraire Street London SE16 7JE 14 Clack Street London SE16 7JT 16 Pump House Close London SE16 7HS 20 Pump House Close London SE16 7HS 35 Renforth Street London SE16 7JJ 49 John Kennedy House Rotherhithe Old Road SE16 2QE 5 Somerford Way Rotherhithe SE16 6QN 54 Albion Estate Swan Road SE16 7DL 56 Columbia Point Canada Estate SE16 7BG 6 Clack Street London SE16 7JT 6 Lynton Road SE1 5QR 61 Albion Street London SE16 7JA 70 Renforth Street London SE16 7JZ 43 Renforth Street London SE16 7JJ 49 Renforth Street London SE16 7JJ 53 Renforth Street London SE16 7JJ 57 Renforth Street London SE16 7JJ 101 Adams Gardens, Brunel Road, SE16 4SQ