Item No. 7.2	Classification: Open	Date: 11 Septe	mber 2017	Meeting Name Planning Sub-C	
Report title:	<ul> <li>Development Management planning application: Council's own development Application 17/AP/1255 for: Council's Own Development - Reg. 3</li> <li>Address: ROTHERHITHE CIVIC CENTRE, ALBION STREET, LONDON, SE16 7BS</li> <li>Proposal: 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). Re-landscaping of the public square to the east of the site.</li> </ul>				
Ward(s) or groups affected:	Rotherhithe				
From:	Director of Planning				
Application Start Date31/03/2017Application Expiry Date30/06/2017				30/06/2017	
Earliest Decision Date 03/06/2017					

## RECOMMENDATION

1. Grant planning permission subject to a unilateral undertaking being provided. In the event that a unilateral undertaking is not given by 29 December 2017, the Director of Planning be authorised to refuse planning permission for the reason detailed in paragraph 53 of this report.

## **BACKGROUND INFORMATION**

## Site location and description

- 2. The site is bounded by Brunel Road and the Rotherhithe Tunnel to the north and Albion Street to the south. St Olav's Church is south west of the site and the Finnish Seaman's Mission building is to the north east. Both of these buildings are Grade II listed. The row of shops on the opposite the site on Albion Street is a Protected Shopping Frontage.
- 3. The site formally comprised a large red brick building which previously accommodated the Rotherhithe Library and associated community facilities such as a crèche and an adult learning centre (use class D1). A public space was also situated to the eastern side of the building between the existing main entrance and the Finnish Seamen's Mission building. This space has a frontage onto Albion Street and features a number of mature trees. The site has pedestrian access from Albion Street to the south. Vehicular access to the basement is to the west of the building from Albion Street.
- 4. The site is in the urban density zone, an air quality management area, the Canada Water Area action plan core area, and flood risk zone 3. The site has a public transport accessibility level (PTAL) of 6a which indicates good access to public transport.

5. Whilst the site itself is located within the urban density zone, Brunel Road forms the boundary to the 'suburban density zone' as set out within the Canada Water Area Action Plan (CWAAP).

## Details of proposal

- 6. The proposal is for the construction of part 4-storey, part 5-storey development consisting of commercial space (A1/A3/A5/B1/D1) at ground floor and 26 affordable dwellings 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). Re-landscaping of the public square to the east of the site.
- 7. The proposed building would be read in two parts with a four storey element adjacent to the Finnish Church and public square; it would be constructed out of a white mineral painted brick to tie through with the tone of the Finnish Church. The square elevation features a scalloped brick elevation and would be clad in a white mineral painted brickwork. The building then steps up to a four storey with set back top floor which would be constructed in a red brick to tie through with the red brick of the Norwegian Church. A white aluminium frame would also project forward from the main facade of the building to provide balcony spaces.
- 8. An outdoor public square would be re-provided as part of the scheme between the proposed building and the Finnish Church to the east. Some of the documents that were initially submitted referenced that private housing would be provided on the site, however this was submitted in error. Revised documents were received and reconsultation undertaken confirming the scheme would be 100% affordable housing.

## **Planning history**

9.

11/EQ/0139 Application type: Pre-Application Enquiry (ENQ) - Our intention is to make the premises an art and media centre for businesses that are similar to ours: i.e music & TV. Our aim is to make it a hub for businesses involved locally in a creative area, guiding young entreneurs to develop new business and create employment locally. We do not intend to change anything structurally, internally or externally. We simply require change of usage to office premises.

Decision date 07/07/2011 Decision: Pre-application enquiry closed (EQ)

11/EQ/0126 Application type: Pre-Application Enquiry (ENQ) - 72 flats private sale affordable rent and shared ownership in addition to community facility at ground floor level and public market square plus improvements to Albion street generally. Decision date 07/09/2011 Decision: Pre-application enquiry closed (EQ)

11/EQ/0150 Application type: Pre-Application Enquiry (ENQ) New multi purpose building Decision date 08/09/2011 Decision: Pre-application enquiry closed (EQ)

11/EQ/0206 Application type: Pre-Application Enquiry (ENQ) 5 storey residential apartment building with retail food stores and police help desk at the ground floor fronting albion street

Decision date 06/01/2012 Decision: Pre-application enquiry closed (EQ). The general advise within this pre-app was that the massing of the building should be broken up to provide a four storey building plus set back fifth floor.

12/EQ/0236 Application type: Pre-Application Enquiry (ENQ) Redevelopment of the site for a mixed use scheme comprising ground floor retail/health uses and use of the upper floors to accommodate 43 residential dwellings (including one, two and three bed units) within five storey building. Decision date 22/01/2013 Decision: Pre-application enquiry closed (EQ) The general advise within this pre-app was that the massing of the building should be broken up to provide a four storey building plus set back fifth floor.

13/AP/4332 Application type: Prior Approval (PRAP) Demolition of the existing library building Decision date 16/01/2014 Decision: Prior Approval Required - Approved (PARA)

15/EQ/0389 Application type: Pre-Application Enquiry (ENQ) 5 storey block, re-located Albion Street Health Centre on ground floor and residential above. 100% rent development. Demolition of existing Civic Centre required Decision date 22/01/2016 Decision: Pre-application enquiry closed (EQ)

## Planning history of adjoining sites

10. 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. This application is on the agenda for the meeting of the Planning Committee on 4 September.

## **KEY ISSUES FOR CONSIDERATION**

## Summary of main issues

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

a) the principle of the land use.

b) the impact on the character and appearance of the streetscene and conservation area setting.

- c) the impact on the amenity of neighbouring occupiers
- d) the quality of accommodation for future occupiers.
- e) the impact on the transport network.
- f) Impact on trees.
- g) Sustainability implications.
- h) Archaeology.
- i) Flood risk.
- j) Contamination.

## Planning policy

12. National Planning Policy Framework (the Framework)

Section 1 – Building a strong, competitive economy Section 4 – Promoting sustainable transport Section 6 – Delivering a wide choice of high quality homes Section 7 – Requiring good design Section 8 – Promoting healthy communities Section 11 – Conserving and enhancing the natural environment Section 12 – Conserving and enhancing the historic environment

## 13. The London Plan 2016

2.9 Inner London

3.1 Equal life chances for all

3.2 Improving health and assessing health opportunities for all

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.6 Children and young peoples play and informal recreation facilities

3.8 Housing choice

3.9 Mixed and balanced communities

3.10 Definition of affordable housing

3.11 Affordable housing targets

3.13 Affordable housing thresholds

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emission

5.3 Sustainable design and construction

5.7 Renewable energy

5.10 Urban greening

5.11 Green roofs and development site environs

5.13 Sustainable drainage

5.14 Water quality and waste water infrastructure

5.15 Water use and supplies

5.17 Waste capacity

5.18 Construction, excavation and demolition waste

5.21 Contaminated land

6.3 Assessing effects of development on transport capacity

6.5 Funding Crossrail and other transport initiative

6.9 Cycling

6.10 Walking

6.13 Parking

7.1 Building London's neighbourhoods and communities

7.2 An inclusive environment

7.3 Designing out crime

7.4 Local Character

7.5 Public Realm

7.6 Architecture

7.14 Improving air quality

7.15 Reducing noise and enhancing soundscapes

8.1 Implementation

8.2 Planning obligations

8.3 Community Infrastructure Levy

14. Core Strategy 2011

Strategic Policy 1 - Sustainable development Strategic Policy 2 - Sustainable transport Strategic Policy 11 - Open spaces and wildlife Strategic Policy 12 - Design and conservation Strategic Policy 13 - High environmental standards

## Southwark Plan 2007 (July) - saved policies

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

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 of accommodation

Policy 3.13 Urban design

Policy 3.14 Designing out crime

Policy 3.18 Setting of Listed Buildings, conservation areas and world heritage sites

Policy 3.27 Other open space

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 5.2 Transport impacts

Policy 5.3 Walking and cycling

Policy 5.6 Car parking

Policy 5.7 Parking standards for disabled people

2015 Technical Update to the Residential Design Standards [SPD] 2011 Draft Affordable Housing SPD 2011 Development Viability SPD 2016

16. Canada Water Action Area Plan Policies (2015)

Policy 4: Small scale shops, restaurants and cafes outside the town centre Policy 6: Walking and cycling

Policy 14: Streets and public spaces

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 25: Jobs and business space

Policy 31: Albion Street

### Summary of consultation responses

17. A total of 17 responses have been received to the application, three in support and 14

with comments and in objection. The objections raise the following concerns:

- Materials should reflect the surrounding context more appropriately.
- Concerns about the viability of the commercial units.
- A5 use should be excluded.
- The square should help provide market stalls.
- The scheme should help pay for the run down playground nearby.
- Concerns with the white brick becoming stained.
- Building height.
- Cycle parking should be removed from the street.
- Density is excessive.
- No need for the public square to be any larger than the existing. The building could provide more homes.
- Piecemeal approach to applications within the Albion Street area one application for all developments should be submitted.
- All housing should be social rent.
- Concerns about whether the square will be used.
- Retail units should only be used for community use.
- The building could be larger to provide more homes.
- The proposal does not reflect the wider context of the site.
- The building could damage the setting of the listed Finnish Church.
- Dwelling mix should be changed to reduce 3-bed units.
- Communal roof terrace would result in noise and anti-social behaviour.
- The building does not maximise the potential for the site.
- The square should provide more child playspace.
- Three bed units do not have separate kitchens.
- Bin stores should be relocated away from the street.
- Issues regarding the pre-planning consultation done by the applicants did not include all representatives within the area.
- PTAL scores are not accurate.
- The proposal does not provide sufficient affordable housing.
- 18. Other responses:

Environment Agency - Requested that the finished floor levels were provided. Met Police - No objection subject to designing out crime condition.

London Fire Brigade - No objections.

Historic England - No comments.

TfL - No objections as they are happy that the proposal would not interfere with the Rotherhithe Tunnel. They did request that a pre-construction inspection with the developer. They also noted that any planting within the exclusion zone should be within moveable containers.

Thames Water - No objections.

19. Internal responses:

Environmental Protection team - No objections subject to conditions. Flood and Drainage team - Requested additional information. This was subsequently provided.

## **Principle of development**

20. The site is in the Canada Water Area Action Plan (CWAAP) core area and is approximately 250m from the boundary of the designated Canada Water Major Town Centre. Policy 30 'Albion Street' within the CWAAP specifically relates to Albion Street and states that the Rotherhithe Library site is identified as a key opportunity to improve the street. Further aims of policy 30 are to reinforce the viability of the

shopping parade and improve pedestrian and cycle links between Albion Street and the Town Centre, Rotherhithe station and St Mary's Conservation Area to the north. The CWAAP specifically identifies Albion Street for public realm improvements and the proposal would help provide an improved highway as well as new public square and thus accords with this policy.

- 21. The previous use was as a Class D1 community use. Saved policy 2.1 in the Southwark Plan 2007 seeks to protect community uses, unless the applicant can demonstrate that the facility is surplus to requirements and the proposed replacement use meets an identified need or that alternative facilities are easily accessible within the area. As identified within the CWAAP, the council had acknowledged that the library facility would be surplus to requirements once the new library at Canada Water is open. As such, the loss of a library is justified on the basis that it would be no longer required having been re-provided within the vicinity of the site.
- 22. The provision of a mixed use development with commercial/community use on the ground floor and residential above is supported in principle, as it would help provide new affordable residential units as well as provide an active ground floor frontage to help increase activity along Albion Street.
- 23. For the above reasons the application is acceptable in principle subject to other planning considerations including, quality of accommodation, amenity and transport impacts of the development being acceptable, these considerations are addressed later in the report.

Density

24. The application lies within the urban density zone and has a PTAL level of 6a, reflective of its highly accessible location. The proposal would have a density of 779 habitable rooms per hectare (HA/HR), which is marginally above the urban density range of 200 – 700 HA/HR. However, Strategic Policy 5 states that maximum densities may be exceeded when developments are of an exemplary standard of design. The site is in an accessible location with good access to public transport, provides a well designed scheme which is of a very high quality architecturally and in terms of the quality of accommodation. It would also provide a well designed public amenity space and brings a vacant site back into beneficial use.

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

## Daylight/Sunlight impacts

- 25. The applicants have provided a daylight and sunlight assessment with the application which looks at the potential impacts of the development on the surrounding properties at 26-52 Albion Street, Finnish Church, St Olav's Church, The Albion Public House, 17 Rupack Street and 1-23 Brunel Road.
- 26. The report notes that of the 104 windows assessed, all windows would pass the vertical sky component test and that all rooms tested would also pass the daylight distribution tests as outlined within the BRE guidance for there to be no noticeable reduction in daylight.
- 27. In terms of the sunlight analysis, the rooms in 26-52 Albion Street are largely within 90 degrees of due north and thus, in accordance with the BRE guidance, do not need to be assessed. There would be no noticeable reduction in sunlight for any of the windows tested.

28. In terms of overshadowing of amenity areas, all areas for existing properties would continue to have two hours or more of sun on 21 March, complying with the BRE guidance.

## Overlooking

- 29. In terms of the overlooking impacts of the development, to the north of the site is the Rotherhithe Tunnel and Brunel Road the residential windows north of this point would be a significantly greater distance (36m) than the required 12m as outlined within the council's 2015 Technical Update to the Residential Design Standards SPD.
- 30. To the southern end of the site lies Albion Street and the properties opposite would be approximately 14m away from the windows within the proposed development and would again comply with the requirements of the Residential Design Standards SPD.
- 31. No windows are proposed to the western elevation of the site and as such no impacts would be had here. To the eastern end of the site a new public square would be created which would sit between the proposal site and the Finnish Church, the distance between windows here would be approximately 23m and again would comply with the required standards of 21m between habitable windows as outlined within the Residential Design Standards SPD.
- 32. In terms of noise, activity associated with new dwellings would not cause significant impacts on neighbours. However, as a mix of commercial and community uses are sought, there are potential impacts that could result from this unit on existing neighbours and future residents. Conditions are proposed to limit hours of operation, hours of servicing and to require suitable levels of insulation between units in order to ensure these impacts are limited.
- 33. Notwithstanding this, there are some potential D1 uses (place of worship) that could cause noise impacts. Given the nature of the site being surrounded by residential properties, it is recommended that a place of worship D1 use be excluded from any permission.
- 34. Overall, subject to conditions the proposal is not considered to result in unacceptable amenity impacts on the surrounding properties and would thus accord with saved policy 3.2 'Protection of Amenity'.

## Quality of accommodation

- 35. All of the proposed units would meet or exceed the required overall unit and individual room sizes as outlined within the Nationally prescribed housing standards and thus would provide good quality sized affordable units. The proposal would also provide good quality private amenity space for all units, a communal roof terrace as well as the provision of the adjacent public square which would exceed the required levels of amenity space as outlined within the Residential Design Standards SPD.
- 36. The overall mix of dwellings is also considered appropriate with 7 x1 bed, 11 x 2 bed, 8 x 3 beds being proposed as this would result in more than 70% of units being two beds or more and would also provide in excess of 20% three beds which would accord with the Canada Water action area plan and core strategy. The three bedrooms units would not contain separate kitchen areas, but would provide very generous sized living accommodation and on balance the provision of open plan living/kitchen/dining rooms is acceptable.
- 37. All windows within the proposed rooms would have access to good light levels and all windows would have good access to outlook. The majority of units are all at least dual

aspect and thus would provide a good quality of accommodation for the future occupiers of the site. The single aspect dwellings would have a southerly aspect.

38. The proposal would provide three wheelchair units at first, second and third floors, one unit is proposed to be a wheelchair-adaptable unit providing more than the 10% wheelchair accessible units required.

## Transport issues

- 39. A Transport statement has been submitted providing sufficient information to support a car free development with on street servicing which given the good access to public transport and site constraints is considered appropriate here.
- 40. Servicing and deliveries associated with the development are on street, as per the previous use of the site which is acceptable because trip generation is not likely to increase. Single yellow line space is provided on the northern kerbside of Albion Street, adjacent to the application site, allowing refuse vehicles and other servicing vehicles to stop in close proximity to the building to serve the site. Appropriate levels of refuse storage for both the residential and commercial elements have been provided, a compliance condition is thus recommended.
- 41. A total of 46 cycle parking spaces are proposed, complying with the London Plan minimum standards; they would all be secure, accessible and weatherproof. Cycle spaces are also provided for the commercial unit with visitor cycle parking provided adjacent to the public highway.
- 42. It has been agreed that all the new residential units should be made permit free for any new controlled parking zone introduced into the area to encourage the new residents to be car free it is also recommended that 3 year car club memberships are provided through obligation. There are car club vehicles in the vicinity.

# Design issues and Impact on character and setting of a listed building and/or conservation area

- 43. The site is located on Albion Street, a local shopping parade and between the Norwegian Church (St Olav's) and the Finnish Church (grade II); the development would be in the setting of these heritage assets. The proposals seek to create a new public square to the north west and a four to five storey building fronting Albion Street with retail/commercial and GP surgery on the ground floor. The previous building was an unattractive bulky large brick building, fronting Albion Street which is predominately two to two and half storeys in height. The general materials in use in the area are brick, with some stone/render detailing, with the exception of the Finnish Church, which is stone cladding and slate to the tower which can be glimpsed from Albion Street.
- 44. Turning to the proposals, the landscaped public space to the north of the site, bounded by trees would better reveal the vistas of the Finnish church tower, connecting it visually with Albion Street; the scalloped north elevation of the proposed development addresses the square in a positive manner and the cotemporary details of the elevations are good. The ground floor details, with commercial street frontage and prominent residential entrance is welcoming and active, responding positively to the street.
- 45. The materiality of the building has been revised to reduce the levels of the white mineral paint of the proposed brick façade with the provision of a strong red brick to the main five storey element of the building. The proposal now blends appropriately with the majority of the buildings in the vicinity which are a red brick, with the white

mineral paint responding well to the Portland stone cladding of the Finnish church playing a subtle contrast to these elements.

- 46. The pre-application advice (see appendix 3) concentrated on the scale and bulk of the proposals, advising that a 4 storey building with a fifth floor set back would likely be appropriate. This approach has been followed appropriately with a four storey element relating well with the adjacent listed Finnish Church before stepping up to provide a recessed fifth floor. The scale and massing, whilst slightly taller than immediately adjacent buildings is appropriate and responds well with the surrounding streetscene; it would not visually dominate the surrounding area.
- 47. As the building is adjacent to two designate heritage assets, the impact of the development of the significance of these buildings by affecting their setting is also a material consideration. As noted, whilst the building is larger than its immediate neighbours, the scale and materiality of the building would respond appropriately to these adjacent listed buildings and would not visually dominate them when viewed from the streetscene. The development would not harm the setting of the heritage assets (the listed churches), preserving the setting of St Olav's and enhancing the setting of the Finnish church.
- 48. In conclusion, the proposal helps reveal the significance of the Finnish Church and are there are significant positive aspects to the scheme (the north façade details, the re landscaped square and general redevelopment of the site). The materiality of the building has been revised to help relate well with the materiality of the surrounding building and as such officers are satisfied that the proposal would result in a high quality building that would meet the requirements of 3.12 Quality in Design, 3.13 Urban Design and 3.18 The Setting of Listed Buildings, Conservation Areas and World Heritage Sites.

### Impact on trees

49. The applicants have submitted an arboricultural assessment which has successfully responded to pre-app comments regarding retention of the two good quality Plane trees. Removal of category C and U is acceptable given the proposed replacement planting which will mitigate their loss, as well as providing suitable buffering against adjacent tunnel traffic. Elsewhere, a welcome amount of private and communal amenity space is proposed via balconies and roof terrace, together with a brown roof. Conditions are recommended to ensure appropriate landscape specifications and protection measures.

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

- 50. The required obligations and contributions would be secured through a unilateral undertaking agreement within the Council.
- 51. In accordance with the Section 106 Planning Obligations SPD, the following contributions have been agreed with the applicant, in order to mitigate the impacts of the development;

Energy from scheme - 24.5 tonnes CO2 output and Energy savings - 8.7 tonnes CO2 = 15.8 tonnes CO2 required to be off-set so  $15.8 \times \pounds1,800 = \pounds28,440$ .

Playspace - Child yield =  $14.52 \times \pounds 151 = \pounds 2,192.52$ 

3 year car club contribution for future occupiers.

52. The highways team have also requested the following works by way of a s278

agreement:

- 1. Repave the footway fronting the development including new kerbing on Albion Street using materials in accordance with Southwark's streetscape design manual.
- 2. Road markings for the parking bays outside the development on Albion Street to be repainted.
- 3. Provide a dropped kerb access for refuse bins.
- 4. Repair any damages to the highway within the vicinity of the development resulting from construction vehicles.
- 53. Should the unilateral undertaking not be given, it is proposed that the development be refused for the following reason:

The development fails to provide affordable housing in the borough which would be necessary as it is on a site capable of delivering more than 10 residential units, it would also fail to meet provide other reasonable contributions and be contrary to the National Planning Policy Framework section 6 Delivering a wide choice of high quality homes; Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes of the London Plan 2015; Strategic Policy 6 Homes for people on different incomes of the Core Strategy, saved policies 2.5 Planning Obligations and 4.4 Affordable Housing of the Southwark Plan 2007 and the Section 106 Planning Obligations and Community Infrastructure Levy SPD 2015.

## Sustainable development implications

- 54. The London Plan target for major development prior to October 1st as outlined by the GLA requires a 35% improvement over Part L 2013 of the building regulations. Whilst from the 1 October, the London Plan requires all developments to be carbon neutral.
- 55. The submitted energy statement outlines that the regulated CO2 emissions are shown to achieve 35.43% lower than a Part L 2013 compliant development through the use of CHP as well as Photovoltaic Panels, which represents an annual saving of approximately 8.7 tonne's of CO2. This meets the previously required 35% saving with the remainder of the carbon savings to be provided as part of an off site contribution as per the above. As such, the application is considered policy compliant in sustainability and energy terms.

### Other matters

### Flood Risk

56. The proposals are for vulnerable residential development in Flood Zone 3. It is recommended that a climate change allowance of 40% should be incorporated within the drainage strategy. The applicants have provided micro drainage calculations showing that there is capacity within the proposed cellular storage and permeable paving for the 1 in 100 year return period event including a 40% increase in rainfall intensity, demonstrating that there is sufficient capacity within the system to manage the upper end allowance scenario which is acceptable. Brown and sedum roofs are also proposed in order to assist in drainage on site. In order to assess detailed calculations for drainage and the brown roofs, conditions outlining the drainage strategy and a detailed specification of the brown and sedum roofs are proposed.

57. The Environment Agency (EA) had initially objected to the proposal as the submitted FRA did not include details of the finished floor levels. These have subsequently been provided and meet the requirements of the EA.

<u>CIL</u>

- 58. Section 143 of the Localism Act states that any financial contribution received in terms of community infrastructure levy (CIL) is a material "local financial consideration" in planning decisions. The requirement for payment of the Mayoral or Southwark CIL is therefore a material consideration; however the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark's CIL will provide for infrastructure that supports growth in Southwark.
- 59. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development and in this instance would be £200 per sqm of residential floorspace, subject to the indexation. The CIL calculations are as follows:

CIL calculation as per CIL Reg.40: MCIL chargeable area= Gr - Kr - (Gr x E/G) =  $3014 - 0 - (3014 \times 0/3014) = 3014$ sqm MCIL (pre-relief) = 3014 sqm x £35/sqm x 286/223 = £135,292

SCIL (Retail Flexi A1/Ad/A5/B1/D1) chargeable area =Gr-Kr-(Gr x E/G)= 445 - 0 - (445x 0/3014) = 445sqm SCIL (Retail Zone2) = 445sqm x £125/sqm x 286/259 = £61,424

SCIE (Retail 20162) – 445sq11 x  $\pm 125/sq11 x 266/259 – <math>\pm 01,424$ 

SCIL (Resi Zone2) chargeable area = Gr - Kr - (Gr x E/G) = 2569 - 0 - (2569x 0/3014) = 2569sqm SCIL (Resi Zone2) = 2569sqm x £200/sqm x 286/259 = £567,362

TOTAL SCIL =  $\pounds 628,786$ 

## **Contamination**

60. A contamination assessment has been submitted and finds elevated concentrations of lead, chromium, TPH and zinc, and asbestos was also found in fragments of non-friable asbestos cement and loose insulation and free fibres. Ground gas was not found to be a significant risk for the end users of the site. Most areas of the site will be covered by the building or hardstanding which will remove contamination pathways however the report recommends that a minimum thickness of 600mm of imported clean topsoil will be required in soft landscaped areas with a high visibility marker layer installed at the base. There are also further requirements for water supply pipes and additional confirmatory ground gas monitoring expected. A condition is recommended to provide further investigation prior to commencement of development.

## Air Quality

61. The submitted air quality assessment has predicted that the Air Quality objectives are met in the location and that the development is in compliance with air quality neutral requirements. Consequently, a condition is recommended to ensure compliance with this assessment.

## Conclusion on planning issues

- 62. The application for a new residential building within this location is acceptable in principle. The proposed design and quality of accommodation is of a very high quality and the scheme contributes new social housing dwellings to the council's 11,000 homes targets and as such provides significant public benefit. The amenity impacts on the surrounding properties are also considered acceptable.
- 63. As such, subject to the imposition of conditions and a finalised planning obligations agreement, it is therefore recommended that outline permission be granted.

## Community impact statement

- 64. In line with the council's community impact statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.
  - a) The impact on local people is set out above.
  - b) The issues relevant to particular communities/groups likely to be affected by the proposal have been identified above.
  - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

### Consultations

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

### Consultation replies

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

## Human rights implications

- 67. 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.
- 68. This application has the legitimate aim of providing new affordable homes and commercial/community space at ground floor. 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/250-31	Chief Executive's	Planning enquiries telephone:	
	Department	020 7525 5403	
Application file: 17/AP/1255	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 5416	
Plan Documents		Council website:	
		www.southwark.gov.uk	

## APPENDICES

No.	Title		
Appendix 1	Consultation undertaken		
Appendix 2	Consultation responses received		
Appendix 3	Pre-application letter 15/EQ/0390		
Appendix 4	Recommendation		

## AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning					
Report Author	Alex Cameron, Team Leader					
Version	Final					
Dated	25 August 2017					
Key Decision	No					
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER						
Officer Title		<b>Comments Sought</b>	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 se	30 August 2017					

## **APPENDIX 1**

## **Consultation undertaken**

Site notice date: 11/05/2017

Press notice date: 06/04/2017

Case officer site visit date: n/a

Neighbour consultation letters sent: 06/04/2017

#### Internal services consulted:

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

## Statutory and non-statutory organisations consulted:

Environment Agency Historic England London Fire & Emergency Planning Authority 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:

54 Irwell Estate Neptune Street SE16 7JS 55 Irwell Estate Neptune Street SE16 7JS 56 Irwell Estate Neptune Street SE16 7JS 51 Irwell Estate Neptune Street SE16 7JS 52 Irwell Estate Neptune Street SE16 7JS 53 Irwell Estate Neptune Street SE16 7JS 60 Irwell Estate Neptune Street SE16 7JS 61 Irwell Estate Neptune Street SE16 7JS 62 Irwell Estate Neptune Street SE16 7JS 57 Irwell Estate Neptune Street SE16 7JS 58 Irwell Estate Neptune Street SE16 7JS 59 Irwell Estate Neptune Street SE16 7JS 50 Irwell Estate Neptune Street SE16 7JS 61 Aylton Estate Renforth Street SE16 7JN 62 Aylton Estate Renforth Street SE16 7JN 63 Aylton Estate Renforth Street SE16 7JN 58 Aylton Estate Renforth Street SE16 7JN 59 Aylton Estate Renforth Street SE16 7JN 60 Aylton Estate Renforth Street SE16 7JN 47 Irwell Estate Neptune Street SE16 7JS 48 Irwell Estate Neptune Street SE16 7JS 49 Irwell Estate Neptune Street SE16 7JS 64 Aylton Estate Renforth Street SE16 7JN 45 Irwell Estate Neptune Street SE16 7JS 46 Irwell Estate Neptune Street SE16 7JS 34 Aylton Estate Renforth Street SE16 7JW 35 Aylton Estate Renforth Street SE16 7JW 36 Aylton Estate Renforth Street SE16 7JW 31 Aylton Estate Renforth Street SE16 7JW 32 Aylton Estate Renforth Street SE16 7JW 33 Aylton Estate Renforth Street SE16 7JW 40 Aylton Estate Renforth Street SE16 7JW 41 Aylton Estate Renforth Street SE16 7JW

Flat 23 Laburnum Court SE16 7LN 27 Brunel Road London SE16 4LA 29 Brunel Road London SE16 4LA 31 Brunel Road London SE16 4LA 21 Brunel Road London SE16 4LA 23 Brunel Road London SE16 4LA 25 Brunel Road London SE16 4LA 44 Adams Gardens Estate London SE16 4JG 45 Adams Gardens Estate London SE16 4JG 46 Adams Gardens Estate London SE16 4JG 5 Brunel Road London SE16 4LA 7 Brunel Road London SE16 4LA 9 Brunel Road London SE16 4LA 19 Brunel Road London SE16 4LA Unit 12a City Business Centre SE16 2XB Unit 15 City Business Centre SE16 2XB Unit 14a City Business Centre SE16 2XB Unit 14 City Business Centre SE16 2XB Unit 11a City Business Centre SE16 2XB Unit 12 City Business Centre SE16 2XB 13 Brunel Road London SE16 4LA 15 Brunel Road London SE16 4LA 17 Brunel Road London SE16 4LA 3 Brunel Road London SE16 4LA 1 Brunel Road London SE16 4LA 11 Brunel Road London SE16 4LA 63 Adams Gardens Estate London SE16 4JG 64 Adams Gardens Estate London SE16 4JG 65 Adams Gardens Estate London SE16 4JG 60 Adams Gardens Estate London SE16 4JG 61 Adams Gardens Estate London SE16 4JG 62 Adams Gardens Estate London SE16 4JG 69 Adams Gardens Estate London SE16 4JG

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SE16 2XB Unit 7 City Business Centre SE16 2XB 9 Mariner House 17 Rupack Street SE16 4JP 43 Renforth Street London SE16 7JJ 6 Mariner House 17 Rupack Street SE16 4JP 7 Mariner House 17 Rupack Street SE16 4JP 8 Mariner House 17 Rupack Street SE16 4JP Unit 23 City Business Centre SE16 2XB Unit 24 City Business Centre SE16 2XB Unit 6 City Business Centre SE16 2XB 26-28 Albion Street London SE16 7JQ 31 Renforth Street London SE16 7JJ 33 Renforth Street London SE16 7JJ 35 Renforth Street London SE16 7JJ 25 Renforth Street London SE16 7JJ 27 Renforth Street London SE16 7JJ 29 Renforth Street London SE16 7JJ 45 Renforth Street London SE16 7JJ 47 Renforth Street London SE16 7JJ 37 Renforth Street London SE16 7JJ 39 Renforth Street London SE16 7JJ 41 Renforth Street London SE16 7JJ 23 Renforth Street London SE16 7JJ 61 Albion Street London SE16 7JA 63 Albion Street London SE16 7JA 65 Albion Street London SE16 7JA 39-41 Brunel Road London SE16 4LD 13a St Marychurch Street London SE16 4HL 33 Albion Street London SE16 7HZ 17 Renforth Street London SE16 7JJ 19 Renforth Street London SE16 7JJ 21 Renforth Street London SE16 7JJ 11 Renforth Street London SE16 7JJ 13 Renforth Street London SE16 7JJ 15 Renforth Street London SE16 7JJ 27 Neptune Street London SE16 7JP

21 St Marys Estate St Marychurch Street SE16 4HY 12 St Marys Estate St Marychurch Street SE16 4HY 3 St Marys Estate St Marychurch Street SE16 4HY 4 St Marys Estate St Marychurch Street SE16 4HY 5 St Marys Estate St Marychurch Street SE16 4HY First Floor Flat 35-37 Brunel Road SE16 4LA 1 St Marys Estate St Marychurch Street SE16 4HY 2 St Marys Estate St Marychurch Street SE16 4HY 9 St Marys Estate St Marychurch Street SE16 4HY 10 St Marys Estate St Marychurch Street SE16 4HY 11 St Marys Estate St Marychurch Street SE16 4HY 6 St Marys Estate St Marychurch Street SE16 4HY 7 St Marvs Estate St Marvchurch Street SE16 4HY 8 St Marys Estate St Marychurch Street SE16 4HY Store Aylton Estate SE16 1JL The Old Mortuary St Marychurch Street SE16 4JE 38 St Marys Estate St Marychurch Street SE16 4HY Basement And Ground Floor 5-17 Albion Street SE16 1JA First Floor 5-17 Albion Street SE16 1JA 37 St Marys Estate St Marychurch Street SE16 4HY 28 St Marys Estate St Marychurch Street SE16 4HY 29 St Marys Estate St Marychurch Street SE16 4HY 30 St Marys Estate St Marychurch Street SE16 4HY 25 St Marys Estate St Marychurch Street SE16 4HY 26 St Marys Estate St Marychurch Street SE16 4HY 27 St Marys Estate St Marychurch Street SE16 4HY 34 St Marys Estate St Marychurch Street SE16 4HY 35 St Marys Estate St Marychurch Street SE16 4HY 36 St Marys Estate St Marychurch Street SE16 4HY 31 St Marys Estate St Marychurch Street SE16 4HY 32 St Marys Estate St Marychurch Street SE16 4HY 33 St Marys Estate St Marychurch Street SE16 4HY 25a Brunel Road London SE16 4LA Flat 6 Laburnum Court SE16 7LN Flat 7 Laburnum Court SE16 7LN Flat 8 Laburnum Court SE16 7LN Flat 3 Laburnum Court SE16 7LN Flat 4 Laburnum Court SE16 7LN Flat 5 Laburnum Court SE16 7LN Flat 12 Laburnum Court SE16 7LN Flat 13 Laburnum Court SE16 7LN Flat 14 Laburnum Court SE16 7LN Flat 9 Laburnum Court SE16 7LN Flat 10 Laburnum Court SE16 7LN Flat 11 Laburnum Court SE16 7LN Flat 2 Laburnum Court SE16 7LN 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 28a Albion Street London SE16 7JQ Little Crown 56 Albion Street SE16 7JQ Flat 1 Laburnum Court SE16 7LN 48 Albion Street London SE16 7JQ 50 Albion Street London SE16 7JQ The Albion 20 Albion Street SE16 7JQ Flat 31 Laburnum Court SE16 7LN Flat 32 Laburnum Court SE16 7LN Flat 33 Laburnum Court SE16 7LN Flat 28 Laburnum Court SE16 7LN Flat 29 Laburnum Court SE16 7LN Flat 30 Laburnum Court SE16 7LN Rotherhithe Civic Centre Albion Street SE16 7BS 35-37 Brunel Road London SE16 4LA Albion Primary School Albion Street SE16 7JD 23 Neptune Street London SE16 7JP School House Albion Street SE16 7JF Rotherhithe Library Rotherhithe Civic Centre SE16 7HY Flat 27 Laburnum Court SE16 7LN Flat 18 Laburnum Court SE16 7LN Flat 19 Laburnum Court SE16 7LN Flat 20 Laburnum Court SE16 7LN Flat 15 Laburnum Court SE16 7LN Flat 16 Laburnum Court SE16 7LN Flat 17 Laburnum Court SE16 7LN Flat 24 Laburnum Court SE16 7LN Flat 25 Laburnum Court SE16 7LN

29 Neptune Street London SE16 7JP 31 Neptune Street London SE16 7JP 19 Neptune Street London SE16 7JP 21 Neptune Street London SE16 7JP 25 Neptune Street London SE16 7JP 39 Neptune Street London SE16 7JP 41 Neptune Street London SE16 7JP 43 Neptune Street London SE16 7JP 33 Neptune Street London SE16 7JP 35 Neptune Street London SE16 7JP 37 Neptune Street London SE16 7JP 17 Neptune Street London SE16 7JP 55 Renforth Street London SE16 7JJ 57 Renforth Street London SE16 7JJ 59 Renforth Street London SE16 7JJ 49 Renforth Street London SE16 7JJ 51 Renforth Street London SE16 7JJ 53 Renforth Street London SE16 7JJ 11 Neptune Street London SE16 7JP 13 Neptune Street London SE16 7JP 15 Neptune Street London SE16 7JP 61 Renforth Street London SE16 7JJ 7 Renforth Street London SE16 7JJ 9 Renforth Street London SE16 7JJ Flat 35 Frank Wymark House SE16 4JA Flat 1 Frank Wymark House SE16 4JA Flat 2 Frank Wymark House SE16 4JA Flat 3 Frank Wymark House SE16 4JA 85 Adams Gardens Estate London SE16 4JG 86 Adams Gardens Estate London SE16 4JG 87 Adams Gardens Estate London SE16 4JG Flat 7 Frank Wymark House SE16 4JA Flat 8 Frank Wymark House SE16 4JA Flat 9 Frank Wymark House SE16 4JA Flat 4 Frank Wymark House SE16 4JA Flat 5 Frank Wymark House SE16 4JA Flat 6 Frank Wymark House SE16 4JA 84 Adams Gardens Estate London SE16 4JG 75 Adams Gardens Estate London SE16 4JG 76 Adams Gardens Estate London SE16 4JG 77 Adams Gardens Estate London SE16 4JG 72 Adams Gardens Estate London SE16 4JG 73 Adams Gardens Estate London SE16 4JG 74 Adams Gardens Estate London SE16 4JG 81 Adams Gardens Estate London SE16 4JG 82 Adams Gardens Estate London SE16 4JG 83 Adams Gardens Estate London SE16 4JG 78 Adams Gardens Estate London SE16 4JG 79 Adams Gardens Estate London SE16 4JG 80 Adams Gardens Estate London SE16 4JG Flat 26 Frank Wymark House SE16 4JA Flat 27 Frank Wymark House SE16 4JA Flat 28 Frank Wymark House SE16 4JA Flat 23 Frank Wymark House SE16 4JA Flat 24 Frank Wymark House SE16 4JA Flat 25 Frank Wymark House SE16 4JA Flat 32 Frank Wymark House SE16 4JA Flat 33 Frank Wymark House SE16 4JA Flat 34 Frank Wymark House SE16 4JA Flat 29 Frank Wymark House SE16 4JA Flat 30 Frank Wymark House SE16 4JA Flat 31 Frank Wymark House SE16 4JA Flat 22 Frank Wymark House SE16 4JA Flat 13 Frank Wymark House SE16 4JA Flat 14 Frank Wymark House SE16 4JA Flat 15 Frank Wymark House SE16 4JA Flat 10 Frank Wymark House SE16 4JA Flat 11 Frank Wymark House SE16 4JA Flat 12 Frank Wymark House SE16 4JA Flat 19 Frank Wymark House SE16 4JA Flat 20 Frank Wymark House SE16 4JA Flat 21 Frank Wymark House SE16 4JA Flat 16 Frank Wymark House SE16 4JA Flat 17 Frank Wymark House SE16 4JA Flat 18 Frank Wymark House SE16 4JA 7 Niagara Court Canada Estate SE167BA 16 Pumphouse Close Rotherhithe SE16 7HS 7 Niagara Court Canada Estate SE167BA 68 Lower Road London SE16 2TU

Flat 26 Laburnum Court SE16 7LN Flat 21 Laburnum Court SE16 7LN Flat 22 Laburnum Court SE16 7LN 44 Albion Street Rotherhithe se16 7jq
49 John Kennedy House Rotherhithe Old Road SE16 2QE
The Assembly Hall 1 Neptune Street SE16 7JP
6 Lynton Road SE1 5QR

Re-consultation: 22/05/2017

## **APPENDIX 2**

## **Consultation responses received**

#### Internal services

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

### Statutory and non-statutory organisations

Environment Agency Historic England London Fire & Emergency Planning Authority 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**

The Assembly Hall 1 Neptune Street SE16 7JP 1 St Olavs Square Albion Street SE16 7JB 16 Pumphouse Close Rotherhithe SE16 7HS 33 Albion Street London SE16 7HZ 40 Albion Street London SE16 7JQ 43 Avlton Estate Renforth Street SE16 7JN 43 Renforth Street London SE16 7JJ 44 Albion Street London SE16 7JQ 44 Albion Street Rotherhithe se16 7jg 48 Albion Street London SE16 7JQ 48 Albion Street London SE16 7JQ 49 John Kennedy House Rotherhithe Old Road SE16 2QE 49 John Kennedy House Rotherhithe Old Road SE16 2QE 49 Renforth Street London SE16 7JJ 57 Renforth Street London SE16 7JJ 6 Lynton Road SE1 5QR 68 Lower Road London SE16 2TU 7 Niagara Court Canada Estate SE167BA 7 Niagara Court Canada Estate SE167BA