

Item No. 7.1	Classification: Open	Date: 13 December 2017	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Application 16/AP/2051 for: Full Planning Application Address: 38-44 RYE LANE, LONDON, SE15 5BY Proposal: Refurbishment and extension of existing building, including additional floors above ground floor, ranging in height from three to six storeys, to provide 716 SqM of retail space (use class A1) and 27 residential dwelling (use class C3) (2 x studios, 4 x one bed flats, 17 x 2 bed flats, and 4 x three bed flats), landscaping, associated servicing, refuse storage and bicycle storage		
Ward(s) or groups affected:	The Lane		
From:	Director of Planning		
Application Start Date	20/05/2016	Application Expiry Date	19/08/2016
Earliest Decision Date 07/07/2016			

RECOMMENDATION

1. That planning permission be granted subject to the completion of a S106 legal agreement.
2. That in the event that a legal agreement is not signed by 31 January 2018, the director of planning be authorised to refuse planning permission for the reasons set out under paragraph 64.

BACKGROUND INFORMATION

3. This item is referred to the planning sub-committee because it is a major application and has received more than five objections.

Site location and description

4. The application site is located on the eastern side of Rye Lane at the junction with Highshore Road. The site is within the Rye Lane Conservation, although the application site itself is a modern 1960s block comprising two separate commercial units on the ground floor plus two storeys above, (lowering to ground plus one on the Highshore Road elevation).
5. The site has a Public Transport Accessibility Level (PTAL) of 6B reflecting its high level of access to a range of public transport networks. The site is also within the Peckham and Nunhead Action Area Plan and the Peckham Core Action Area.

Details of proposal

6. Permission is sought to extend and refurbish the existing building with additional floors ranging in height from three to six floors to provide 716 sq metres of retail floorspace and 27 residential units above comprising;

2x studio units
 4 x 1 bedroom units
 17 x 2 bedroom units
 4 x 3 bedroom units

7. The existing entrance on Highshore Road would be increased both on the street frontage and internally the flats would be served by two stair cores and two lifts. Residential waste storage and cycle storage would be located on the ground level, both would have access from the internal core and the rear yard. There are currently 11 flats over the existing first and second floors, the proposal would reconfigure these units and increase the overall level of accommodation by an additional 16 flats.
8. It is proposed demolish the upper floors and build over the open yard space behind the commercial units at first and second floor levels, adjoining the property at 1 Highshore Road. The proposal would consist of the following unit types.

Unit Type	Floor	Tenure Type	Floor area Sq. m	National Standards Sq. m	Amenity Space Sq. m
2B3P	1	Shared ownership	61	61	
2B3P	1	Private	61	61	
2B3P	1	Private	62	61	
3B5P	1	Private	112	86	
W/C					
3B5P	1	Private	93	86	10
3B5P	1	Private	103	86	28
W/C					
2B4P	1		76	70	26
2B3P	2	Shared ownership	61	61	
2B3P	2	Shared Ownership	61	61	
2B3P	2	Private	62	61	
2B4P	2	Private	76	70	12
Studio	2	Private	40	39	
3B5P	2	Private	93	86	10
1B2P	2	Private	50	50	
1B2P	2	Private	50	50	
2B4P	2	Private	77	70	
2B3P	3	Shared ownership	61	61	
2B3P	3	Shared ownership	61	61	
2B3P	3	Private	62	61	
2B4P	3	Private	75	70	
Studio	3	Private	40	39	
1B2P	3	Private	50	50	
1B2P	3	Private	50	50	
2B4P	3	Private	77	70	
2B3P	4	Private	62	61	
2B3P	4	Private	62	61	
2B4P	5	Private	83	70	40

9. Two communal areas are proposed on the first floor, (85 and 160 sq metres) and a third area measuring 70 sq metres is located on the fourth floor.
10. The extension and existing fenestration would be clad in brick. Photovoltaic panels will be installed on the top floor roof.

Planning history

11.

<p>13/EQ/0088 Application type: Pre-Application Enquiry (ENQ) Redevelopment of site providing a part four, part five storey building. Decision date 21/08/2015 Decision: Pre-application enquiry closed (EQC)</p>
<p>15/AP/3241 Application type: Full Planning Application (FUL) New entrance doors and glazing in lobby Decision date 07/10/2015 Decision: Granted (GRA)</p>
<p>12/EN/0630 Enforcement type: Unauthorised building works (UBW) Unauthorised sub division of Flat 3. Sign-off date 20/03/2017 Sign-off reason: Final closure - breach immune (FCBI)</p>

Planning history of adjoining sites

4A Highshore Road

12. 16/AP/0934 - Planning permission granted 10/08/2016 for the demolition of the existing single storey warehouse building and construction of 2 x 2 storey townhouses.

32 - 36 Highshore Road

13. 15/AP/1744 Prior Approval granted 22/06/2015 for change of use of floors 1-3 from offices B1a to 21 residential units, 12x studio flats and 9 x 1 bed flats.
14. 15/AP/5175 Planning permission granted 15/4/2016 with a legal agreement for the erection of a 4th floor extension to provide 2 x 3 bed flats and a side and rear extension.
15. 16/AP/1239 Planning permission granted 15/05/2016 for a 3 storey extension onto Highshore Road above commercial units and service yard to provide 4 x 2 bed flats and 3 x 3 bed flats.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

16. The main issues to be considered in respect of this application are:
 - a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) Tenure split, affordable housing and financial viability
 - c) Impact of proposed extension upon the amenity of adjoining residents and businesses

- d) Transport impacts
- e) Design, including the impact on the Rye Lane Conservation Area and setting of nearby listed buildings
- f) Impacts on infrastructure and consideration of planning obligations (S.106 undertaking or agreement)
- g) Mayoral and Southwark Community Infrastructure levy
- h) Sustainable development implications

Summary of consultation responses

17. A total of 54 letters have been received over two separate consultations, 50 of those were in objection to the scheme and 4 of which were in support. The main objection to the scheme is that of height, with many expressing that the overall height should be reduced by three storeys. Letters in favour of the development express support for the overall design of the scheme.

Planning policy

18. National Planning Policy Framework (the Framework)

Part 4 Promoting sustainable transport
 Part 6 Delivering a wide choice of high quality homes
 Part 7 Requiring good design
 Part 11 Conserving and enhancing the natural environment
 Part 12 Conserving and enhancing the historic environment
 Para 173 – 177 – Ensuring viability and deliverability
 Para 203-206 Planning obligations and conditions

19. The London Plan 2016

Policy 3.1 Ensuring equal life chances for all
 Policy 3.3 Increasing housing supply
 Policy 3.4 Optimising housing potential
 Policy 3.5 Quality and design of housing developments
 Policy 3.8 Housing choice
 Policy 3.9 Mixed and balanced communities
 Policy 3.10 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 5.1 Climate change mitigation
 Policy 5.2 Minimising carbon dioxide emissions
 Policy 5.3 Sustainable design and construction
 Policy 6.3 Assessing effects of development on transport capacity
 Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
 Policy 6.9 Cycling
 Policy 6.10 Walking
 Policy 6.11 Smoothing traffic flow and tackling congestion
 Policy 6.13 Parking
 Policy 7.1 Building London's neighbourhoods and communities
 Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.14 Improving air quality

20. Core Strategy 2011

Strategic Targets Policy 1 - Achieving growth
Strategic Targets Policy 2 - Improving places
Strategic Policy 1 - Sustainable development
Strategic Policy 2 - Sustainable transport
Strategic Policy 5 - Providing new homes
Strategic Policy 6 - Homes for people on different incomes
Strategic Policy 7 - Family homes
Strategic Policy 10 - Jobs and businesses
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards
Strategic Policy 14 - Implementation

Southwark Plan 2007 (July) - saved policies

21. 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 3.6: 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 3.16: Conservation areas
Policy 3.18: Setting of listed buildings, conservation areas and World Heritage Sites
Policy 4.1: Density
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

Peckham and Nunhead Action Area Plan (PNAAP)
Rye Lane Conservation Area Appraisal

22. Summary of consultation responses

The comments raised in objection to the scheme are as follows

Too large out of scale
Lack of social housing
Visual impact upon the conservation area
Exceeds planning densities
Loss of natural light to the street
Overlooking of gardens
Strain on local parking
Impact upon adjoining development
Offers nothing to the community

Principle of development

23. The principle of residential is accepted provided the proposal provides new homes within this mixed use area making more efficient use of the existing site.

Density

24. Core Strategy Policy 5 sets out that in the urban zone densities should be within the range of 200 - 700 habitable rooms per hectare, (hrph). The density of 941hrph would be in excess of the maximum density levels. In accordance with the Core Strategy, the development must be considered to be of exemplary design quality in order to justify the higher density. Further guidance on the criteria that will be used to assess this are set out in the residential design standards SPD. This is also reflected within paragraph 4.5.8 of the PNAAP.
25. The SPD criteria require that the scheme makes a positive contribution to local context, character and communities, including contribution to the streetscape. In this case, as assessed in the design section of this report below, the scale, massing and detailed design of the scheme are considered to be appropriate to the local townscape and context. In addition the scheme would adequately address policies on mixed and balanced communities in relation to affordable housing.
26. The SPD also says that to be 'exemplary development', the scheme should significantly exceed minimum floor area standards, be predominantly dual aspect, exceed amenity space standards, minimise noise nuisance by having appropriate stacking, minimising corridor lengths by having an increased number of cores, have natural light and ventilation in bathrooms and kitchens and meet good sunlight and daylight standards and maximise the potential of the site.
27. The existing residential accommodation within the building is of poor quality with most units comprising undersized studio rooms, none of which benefit from any external space either private or communal. The proposal seeks to improve the quality of the existing accommodation as well as providing additional new homes making best use of the existing site. The proposed design would be striking and would result in a significant improvement to the streetscene and the wider conservation area.

Quality of accommodation

28. In terms of the quality of the units themselves, the majority (71%) would be dual aspect and whilst only 6 of the units would have access to private space, they would all have access to communal space, neither of which is available within the existing building. For a scheme of this size 50 sq metres of communal space is required. The proposal provides 315 sq metres of communal space which is excess of this

requirement. It is noted that the majority of units (21) would not have direct access to private space the SPD requires 10 sq metres per unit to be added to the communal space. This equates to an additional 210sq metres. The proposal would provide an additional 55 sq metres of communal space thus complying with the current standards. The amenity areas were tested for overshadowing and the results confirm that well over 50% of the amenity area would received 2 hours of sunlight on 21 March in compliance with the BRE standards.

29. Levels of daylight and sunlight to the proposed units would be good, all but 3 of the living rooms would be north facing and these would also benefit from a westerly outlook.

Affordable housing

30. The proposal would increase the number of dwellings on site from 11 to 27, but would improve the overall quality of the existing units which are largely undersized studios.
31. The application has been subject to a viability assessment as the applicants were not able to meet the minimum 35% level of affordable units. The council's viability consultants have assessed the viability of the scheme, which had to take account of the quality and value of the existing retail and residential units. Because the site is in commercial and residential use, the Existing Use Value of it is high, meaning that fewer affordable homes can viably be provided. The council's consultants conclude that the development could provide 20% affordable housing on the site. The applicant has agreed to provide 5 units of affordable housing, which equates to 19.5% in terms of habitable rooms. In addition to this an affordable housing contribution of £40,000 is offered to offset the 0.5%. This would comply with the development plan in that it would deliver as much affordable housing as is financially viable.
32. For a modest proposal of this size the introduction of two affordable tenure types for such a small number of units would be difficult to manage and would not be attractive to a registered provider. The provision of shared ownership units only is therefore considered acceptable in this instance.

Accommodation mix

33. The proposal would comprise the following mix of units;

Unit Type	Total	Percentage	Policy Requirement
Studio	2	7%	5%
1 bed	4	15%	40%
2 bed	17	63%	60%
3 bed	4	15%	20%

34. The proposal would not be strictly compliant with Core Strategy 7 in terms of dwelling mix, however it is noted that the proposal would improve the current unit mix and the overall quality of the proposed units in terms of their general amenity and size.
35. Saved Southwark Plan Policy 4.4 states that 10% of the homes should be provided as wheelchair accessible dwellings. The proposal would provide 2 x 3 bed wheelchair units, in terms of habitable rooms this would equate to 10% in compliance with policy.
36. The proposed wheelchair units would be designed to M4(3) and a condition is suggested to ensure that this is undertaken.

Dwelling sizes

37. The overall unit sizes achieve the Nationally described space standards. In addition room sizes are compliant with the individual room sizes set out in the Council's Residential Design Standards SPD.

Layouts

38. The existing entrance on the ground floor would be increased in width along Highshore Road, the block would be served by two cores, one which would provide access to units to the front of Rye Lane and the other would provide access to the units to the rear.

Environmental impact assessment

39. The scale of development proposed does not reach the minimum thresholds established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) that would otherwise trigger the need for an EIA.

Impact of proposed development on amenity of adjoining residents, businesses and the surrounding area

1 and 3 Highshore Road

40. No.1 Highshore Road property adjoins the existing service yard of the site and has a blank flank wall onto the site. Whilst the proposal would physically adjoin this property it is noted that there is already a high brick built wall along the boundary, the impact to this property and the adjoining property is therefore limited. The daylight, sunlight results demonstrate that the proposal would not breach the BRE guidelines.
41. The proposal plans indicate screening proposed to the outdoor amenity areas on the first floor, these will mitigate against any potential overlooking to the rear of the site. No details have been provided it is therefore considered that this should be made a condition of any planning permission.

4A Highshore Road

42. This is the site of the former warehouse building which lies to the rear of nos. 1 -3 and shares a boundary wall with the existing access yard. As part of the consideration of this application officers took account of this planning application. The approved scheme demonstrates two houses with outlook onto the existing boundary wall. The proposal would retain this wall as this would now form the boundary for one of the amenity areas on the first floor together with screening mentioned above.

32-36 Rye Lane

43. This property lies to the north of the application site and has similarly been granted permissions to allow its extension to the front and rear over the existing service yard. Highshore Road separates the two sites and the applicant has assessed the impact of the proposal in respect of daylight and sunlight against the upper floors of the former office building. The report demonstrates that the Average Daylight Factor would meet the requirements of the BRE guidelines.

46 Rye Lane

44. This property adjoins the site to the south and has a commercial use over all floors.

The application site extends up to the rear boundary of this property, which demonstrates one high level window on the first floor and two blocked up windows on the second floor. The proposed scheme would not build across the flat roof area beneath these windows, but does propose to use the space as part of one of its amenity areas. The design of the amenity area along this boundary is key to ensure that this site is not compromised should the owner wish to install windows on the first floor. It is considered that within the landscaping condition specific details of this boundary are provided.

48 and 50 Rye Lane

45. The majority of properties are in commercial use with few windows looking onto the site. The daylight report has tested some of these windows and confirms that they are well above the vertical sky component (VSC) benchmark figure within the BRE of 27%.

Oliver Mews

46. Oliver Mews is a block of flats to the west of the site, the closest windows with a view have been tested, the daylight to these windows demonstrate that the proposal would either meet the 27% VSC level or be above 0.8 times its former value. It is not envisaged that there would be any harmful impacts to these properties.
47. The area is mixed commercial and residential, the impacts of the scheme in terms of use are considered to be minimal. It is acknowledged that there would be the temporary impact resulting from construction and the requirement for a construction management plan is suggested as a condition.

Transport issues

Car Parking

48. The site is located within a CPZ benefits from a high PTAL (6B) and is located within the town centre. The applicant has proposed a car free development this is welcomed, and a condition will be imposed to ensure that all occupiers of the new units within the development will be ineligible from obtaining on street parking permits.

Cycle parking

Cycle parking for the scheme would be provided on the ground floor, a total of 48 cycle parking spaces are provided in two groups of 24. In accordance with the London Plan Standards there is a requirement for 46 spaces, the proposal would therefore meet the required quantum.

Servicing

49. Servicing for the existing retail units will continue to be undertaken from the service yard to the rear of the shops. The yard space in terms of width would be largely the same, the main difference would be that the yard space would be covered rather than open. Sufficient headroom has been provided to allow service vehicles to pass under, it is suggested however that a condition is added to require vehicles exiting the site to do so using a forward gear.

Refuse

50. Separate refuse storage is provided for the commercial and residential elements of the scheme. Currently there is no formal enclosure for the commercial refuse. The

proposal would provide an allocated area within the loading bay to serve the commercial units. Residential waste would also be stored in an area adjoining the service yard and this would also be accessed from the internal cores. It is considered that the storage areas and the proposed collection method would be satisfactory.

Design issues and Impact on the Rye Lane Conservation Area and setting of nearby listed buildings

51. The main concerns raised as a consequence of the application have centred around the proposed massing and height, and whilst this has been reduced during the course of the application these concerns have continued to be the focus of the objections.
52. The chair of the Peckham heritage regeneration partnership, The Peckham society and historic England have responded to both the original submission and the revision, whilst they accept that the reduction in mass of the 6th floor has improved streetscape views they remain concerned that the proposed development would not respond to the prevailing building heights within the area, in the interests of the Rye Lane Conservation Area. Historic England have however stated that the application should be determined on the basis of the council's specialist conservation advice.
53. The building at the prominent junction of Rye Lane and Highshore Road. The site does not include a listed building but it is within the setting of a number of listed buildings including the Baptist Chapel on Rye Lane, Nos 7,9 and 11 and the Sorting Office on Holly Grove, all of which are Listed Grade II. The site abuts the Holly Grove Conservation Area to the west.
54. The proposed scheme has been carefully arranged to respond to the prevailing height and rhythm of the two conservation areas. On Highshore Road it is set at 3-storeys in height to reflect the residential character and narrow plot-width of Holly Grove Conservation Area. Beyond that and as it enters into the Rye Lane Conservation Area the proposal steps up to 4-storeys in height. This height establishes a strong parapet and a consistent block height that reflects the more substantial town centre scale of Rye Lane. On the Rye Lane frontage is a set-back fifth storey. This picks up on the more civic character of Rye Lane. Finally, and set-back further on the corner, is a roof-top pavilion structure (6th floor).
55. The council's Design and Conservation team advise that this carefully articulated and sculpted architectural mass ensures that the proposal not only respects the historic setting of the two Conservation Areas but also avoids any harm to the setting of the nearby Listed Buildings. The design retains the established building lines both on Rye Lane and Highshore Road. The views submitted with the application demonstrate that the upper floors are well set back and do not detract from the listed buildings. In particular the view of, the Baptist Chapel.
56. The proposal is generally clad in brick to reflect the materiality and tones of the conservation areas. In contrast, the 6th floor roof-top pavilion is designed to be clad in glass and aluminium in a simple pavilion-like design. The aluminium cladding is appropriate to give the roof-top structure a lightness that contrasts appropriately with the more solid brick base. The proposed choice of fabric is appropriate and this is reserved by condition.

57. The proportions of the building generally reflect the scale and character of the conservation areas. On Highshore Road, the more modest proportions have been reflected in the lower-scaled block at this western end of the site. the remainder of the development is defined by a stronger and deep-set double order at the top and civic order of the shopping parade at the ground floor. The base seeks to maximise active frontages on Rye Lane and Highshore Road. The quality of this design will rely to a large degree on the quality of detailing and this is reserved by condition.
58. The design and access statement suggests that the inclusion of the roof-top pavilion was inspired by the bank building at the corner of Hanover Park. This is an appropriate contextual reference and the design is appropriate. Communal amenity has been incorporated at roof-top level on Highshore Road and is appropriate given the constrained nature of the site.
59. The existing building is of limited architectural merit and the proposal would improve and enhance it. The scale and mass respects the two street elevations with the greatest mass being suitably set back as to avoid harm. The scheme would not cause harm to heritage assets, indeed it would enhance the Rye Lane Conservation Area, whilst providing new homes including 5 new affordable homes.

Impact on trees

60. There are no trees within the site, however there are three street trees on the Highshore Road frontage, it is considered that these are at a sufficient distance from the building that they will not be impacted, nonetheless a condition is added to ensure that should they be damaged as a result of the proposed works, they should be replaced.

Planning obligations (S.106 undertaking or agreement)

61. Both the Southwark Plan and the London Plan advise that planning obligations can be secured to overcome the negative impacts of a generally acceptable proposal. Policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations. The NPPF advises that planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Strategic Policy 14 – Implementation and delivery of the Core Strategy states that planning obligations will be sought to reduce or mitigate the impact of developments. The proposal is liable for Southwark and Mayoral CIL on the private housing the calculations given below do not take account of the relief from the affordable element.
62. Based on measurements above, CIL as per CIL Reg.40:

MCIL Chargeable Area = $Gr - Kr - (Gr \times E/G) = 3147 - 484 - (3147 \times 1056/3147) = 1607\text{sqm}$

MCIL (pre-relief) = 1607 sqm x £35/sqm x 286/223 = £72,135

SCIL Retail chargeable area = $Gr - Kr - (Gr \times E/G) = 858 - 484 - (858 \times 1056/3147) = 86.09\text{ sqm}$

SCIL (Zone 3 Retail) = $86.09\text{ sqm} \times £125/\text{sqm} \times 286/259 = £11,883$

SCIL Resi chargeable area = $Gr - Kr - (Gr \times E/G) = 2289 - 0 - (2289 \times 1056/3147) = 1520.9\text{ sqm}$

SCIL (Zone 3 Resi) = $1520.9\text{ sqm} \times £50/\text{sqm} \times 286/259 = £83,973$

SCIL (pre relief) = £95,856

63. In addition to the CIL contributions given above the proposal is required to provide the following additional contributions by way of mitigation.

5 x 2-bed intermediate housing units
Affordable housing contribution £40,000
Carbon off-set contribution £45, 684

64. Should a Section 106 Agreement not be completed by 31 January 2018 there would be no mechanism in place to avoid or mitigate the impact of the proposed development in relation to the provision of the necessary infrastructure. In the absence of a completed s106 the proposal would be contrary to Saved policy 2.5 Planning obligations of the Southwark Plan 2007 and Strategic Policy 14 Implementation of the Core Strategy, and Policy 8.2 Planning obligations of the London Plan, and should be refused for this reason.

Viability

65. In line with the Viability SPD a viability assessment was undertaken as part of the assessment of the scheme to ensure a fair level of affordable housing would be delivered from the site.
66. The council's independent valuers advised that 20% of affordable units would still allow the scheme to be viable. The applicant has made an offer of 19.5% based on habitable rooms. This together with the offer of £40,000 towards affordable housing is considered to be acceptable given that the monetary contribution is only in respect of 0.5%.

Sustainable development implications

67. Policy 5.1 of the London Plan requires that major development schemes should provide an assessment of their energy demands and demonstrate how they have taken steps to apply the Mayor's energy hierarchy. Policies 5.2 and 5.7 require a demonstration that the scheme has applied the Mayor's energy hierarchy and that a reduction in carbon dioxide emissions targeting at least 35% can be gained from on-site renewable energy generation, with major developments now required to meet a zero carbon target, with contributions made to mitigate against any shortfalls in carbon offset.
68. The proposal would employ the use of passive and high energy efficiency standards to provide a combined reduction of a 35% reduction in CO2 emissions. This is achieved using passive design methods, low U- values, low air permeability, a high efficiency gas heating system and photovoltaic panels. To make up the shortfall a contribution will be made as set above.

Conclusion on planning issues

69. Planning permission is sought for the redevelopment of the existing site retaining the retail uses on the ground floor and reconfiguring and extending the first and second floors and increasing the overall height of the building to a maximum of 6 storeys.
70. The proposed works would provide a more efficient use of the land increasing both the quality and quantity of existing residential accommodation from 11 to 27. The proposed units would be in compliance with the National Standards and would have access to a number of communal amenity spaces. The mix of accommodation would not be in strict compliance with policy with 2% over the required level of studio units and 5% under the required level of 3+ units. Nonetheless it is acknowledged that the

overall mix is an improvement upon the existing situation which comprised of studio rooms and undersized 1 - bed room flats. The proposal also allows for the provision of wheelchair units which was not previously possible due to the flat layouts and the lack of lifts.

71. The level of affordable units provided together with the monetary contribution would equate to 20%. The level of affordable provision has been through a vigorous viability assessment and represents an acceptable resolution.
72. The overall design of the proposal in particular the massing and height have been raised as matters of concern. These have been taken into account, but with the changes made to the top floor it is considered that the proposal would be an improvement upon the existing building and would make a positive contribution within the Rye Lane Conservation Area.

Community impact statement

73. 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) No issues relevant to particular communities/groups likely to be affected by the proposal have been identified.
 - c) The likely adverse or less good implications for any particular communities/groups have been also been discussed above.

Consultations

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

Consultation replies

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

Human rights implications

76. 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.
77. This application has the legitimate aim of providing new residential flats. 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/2732-44 Application file: 16/AP/2051 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5434 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 Planning	
Report Author	Sonia Watson, Team Leader	
Version	Final	
Dated	30 November 2017	
Key Decision	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of Finance and Governance	No	No
Strategic Director of Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	1 December 2017	

APPENDIX 1

Consultation undertaken

Site notice date: 10/06/2016

Press notice date: 02/06/2016

Case officer site visit date: n/a

Neighbour consultation letters sent: 07/06/2016

Internal services consulted:

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

Statutory and non-statutory organisations consulted:

EDF Energy
Environment Agency
Greater London Authority
Historic England
London Fire & Emergency Planning Authority
London Underground Limited
Metropolitan Police Service (Designing out Crime)
Natural England - London Region & South East Region
Network Rail (Planning)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbour and local groups consulted:

5 Constance Court 47 Blenheim Grove SE15 4QR
Flat 16, Churchill Court, 3a Blenheim Grove SE15 4QW
6 Quantock Mews London SE15 4RG
Flat 3, 76-8 Montpelier Road London SE15 2HE
13 Highshore Road London SE15 5AA
14 Highshore Road London SE15 5AA
15 Highshore Road London SE15 5AA
12 Highshore Road London SE15 5AA
51-57 Rye Lane London SE15 5EY
10 Highshore Road London SE15 5AA
11 Highshore Road London SE15 5AA
16 Highshore Road London SE15 5AA
21 Highshore Road London SE15 5AA
23 Highshore Road London SE15 5AA
25 Highshore Road London SE15 5AA
20 Highshore Road London SE15 5AA

Unit 44 Rye Lane Market SE15 5BY
Unit 40 Rye Lane Market SE15 5BY
Unit 34 Rye Lane Market SE15 5BY
Unit 42 Rye Lane Market SE15 5BY
Unit 35 Rye Lane Market SE15 5BY
Unit 30 Rye Lane Market SE15 5BY
Unit 29 Rye Lane Market SE15 5BY
Unit 36 Rye Lane Market SE15 5BY
Unit 31 Rye Lane Market SE15 5BY
Unit 49 Rye Lane Market SE15 5BY
Unit 33 Rye Lane Market SE15 5BY
Unit 32 Rye Lane Market SE15 5BY
Units 6 And 8 Rye Lane Market SE15 5BY
Flat 3 38-44 Rye Lane SE15 5BY
Flat 4 38-44 Rye Lane SE15 5BY
Flat 5 38-44 Rye Lane SE15 5BY

17 Highshore Road London SE15 5AA
 18 Highshore Road London SE15 5AA
 19 Highshore Road London SE15 5AA
 Peckham Delivery Office 2-4 Highshore Road SE15 5AU
 Rye Lane Baptist Chapel Rye Lane SE15 5BY
 Room 1 5 Highshore Road SE15 5AA
 Room 2 5 Highshore Road SE15 5AA
 Unit 2 Adjacent To 4a SE15 5AA
 Market Office Rye Lane Market SE15 5BY
 Unit 1 Adjacent To 4a SE15 5AA
 Room 3 5 Highshore Road SE15 5AA
 Unit 37 Rye Lane Market SE15 5BY
 Unit 38 Rye Lane Market SE15 5BY
 38-40 Rye Lane London SE15 5BY
 Room 7 5 Highshore Road SE15 5AA
 Room 4 5 Highshore Road SE15 5AA
 Room 5 5 Highshore Road SE15 5AA
 Room 6 5 Highshore Road SE15 5AA
 3 Highshore Road London SE15 5AA
 71-73 Rye Lane London SE15 5EX
 65 Rye Lane London SE15 5EX
 36 Rye Lane London SE15 5BS
 30 Rye Lane London SE15 5BS
 Flat A 71-73 Rye Lane SE15 5EX
 Flat B 71-73 Rye Lane SE15 5EX
 34-34a Rye Lane London SE15 5BS
 Flat B 1 Highshore Road SE15 5AA
 First Floor 36a Rye Lane SE15 5BS
 42 Rye Lane London SE15 5BY
 Flat A 1 Highshore Road SE15 5AA
 75a Rye Lane London SE15 5EX
 First Floor And Second Floor Flat 52 Rye Lane SE15 5BY
 67-69 Rye Lane London SE15 5EX
 32 Rye Lane London SE15 5BS
 38-44 Rye Lane London SE15 5BY
 46 Rye Lane London SE15 5BY
 9 Highshore Road London SE15 5AA
 4 Highshore Road London SE15 5AA
 7 Highshore Road London SE15 5AA
 8 Highshore Road London SE15 5AA
 50 Rye Lane London SE15 5BY
 59a Rye Lane London SE15 5EX
 Third Floor 36a Rye Lane SE15 5BS
 61-63 Rye Lane London SE15 5EX
 4a Highshore Road London SE15 5AA
 52 Rye Lane London SE15 5BY
 59 Rye Lane London SE15 5EX
 3a Highshore Road London SE15 5AA
 Market Cafe Rye Lane Market SE15 5BY
 Unit 52 Rye Lane Market SE15 5BY
 Unit 51 Rye Lane Market SE15 5BY
 Unit 50 Rye Lane Market SE15 5BY
 Unit 53 Rye Lane Market SE15 5BY
 Unit 41 Rye Lane Market SE15 5BY
 Unit 47 Rye Lane Market SE15 5BY
 Unit 45 Rye Lane Market SE15 5BY
 Unit 48 Rye Lane Market SE15 5BY
 Units 2 And 3 Rye Lane Market SE15 5BY
 Unit 4 Rye Lane Market SE15 5BY
 Unit 5 Rye Lane Market SE15 5BY
 Unit 1 Rye Lane Market SE15 5BY
 Unit 46 Rye Lane Market SE15 5BY
 Unit 43 Rye Lane Market SE15 5BY
 Unit 27 Rye Lane Market SE15 5BY
 Unit 28 Rye Lane Market SE15 5BY
 Unit 39 Rye Lane Market SE15 5BY
 Units 37 And 38 Rye Lane Market SE15 5BY
 Flat 2 38-44 Rye Lane SE15 5BY
 Unit 21 Rye Lane Market SE15 5BY
 Unit 20 Rye Lane Market SE15 5BY
 Flat 1 38-44 Rye Lane SE15 5BY
 Flat 6 38-44 Rye Lane SE15 5BY
 Flat 11 38-44 Rye Lane SE15 5BY
 Flat 12 38-44 Rye Lane SE15 5BY
 5 Highshore Road London SE15 5AA
 Flat 10 38-44 Rye Lane SE15 5BY
 Flat 7 38-44 Rye Lane SE15 5BY
 Flat 8 38-44 Rye Lane SE15 5BY
 Flat 9 38-44 Rye Lane SE15 5BY
 Unit 14 Rye Lane Market SE15 5BY
 Unit 25 Rye Lane Market SE15 5BY
 Unit 12 Rye Lane Market SE15 5BY
 Unit 26 Rye Lane Market SE15 5BY
 Unit 11 Rye Lane Market SE15 5BY
 Unit 7 Rye Lane Market SE15 5BY
 Unit 9 Rye Lane Market SE15 5BY
 Unit 10 Rye Lane Market SE15 5BY
 Unit 24 Rye Lane Market SE15 5BY
 Unit 17 Rye Lane Market SE15 5BY
 Unit 16 Rye Lane Market SE15 5BY
 Unit 15 Rye Lane Market SE15 5BY
 Units 18 And 19 Rye Lane Market SE15 5BY
 Unit 23 Rye Lane Market SE15 5BY
 Unit 22 Rye Lane Market SE15 5BY
 Unit 13 Rye Lane Market SE15 5BY
 207 Bellenden Road Peckham SE15 4DG
 33 Highshore Road London SE15 5AF
 64 Embleton Road London SE13 7DG
 Flat 3 London SE15 5BY
 20 Highshore Road London SE15 5AA
 Flat 41 Pilgrims Cloisters 116 Sedgmoor Place London se5 7rq
 1 Handforth Road London SW9 0LL
 1 Handforth Road London SW9 0LL
 3 Highshore Road London Se155aa
 118 Cooperative House 263 Rye Lane se15 4ur
 53 Thurlow Hill London SE21 8JW
 241a Barry Road East Dulwich SE22 0JU
 2 Ashleigh Mews London Se154bf
 24 Burnley Rd London sw9 0sj
 52 Ansdell Road Peckham SE15 2DS
 10 Lyndhurst Square London SE15 5AR
 23 Aura Court 163 Peckham Rye SE15 3GW
 44 Caulfield Road Peckham SE15 2DE
 25 Highshore Road SE15 5AA
 Flat 3 5 Campden Road CR2 7EQ
 3a London se15 5by
 162 Peckham Rye London SE229QH
 84 Oglander Road London se154EN
 Flat 7 London Se15 5by
 18 Highshore Road Peckham se15 5aa
 9 Highshore Road London SE155AA
 104 Copleston Road London SE15 4AG
 7 Lyndhurst Square 7 Lyndhurst Square SE15 5AR
 11 Blenheim Grove London SE15 4QS
 60 Nutbrook St Peckham SE15 4LE
 12b Therapia Rd London SE220SE
 186 Bellenden Road London SE15 4BW
 36a Marmont Road London SE15 5TE
 61 Harberton Road London N19 3JT
 45 Northfield Hse Peckham Park Rd se15 6tl
 178 Peckham Rye London SE22 9QA
 12 Highshore Rd Peckham Rye SE155AA
 79 Eliot Bank se233xd

Re-consultation: 24/04/2017

Consultation responses received

Internal services

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
London Underground Limited
Natural England - London Region & South East Region
Network Rail (Planning)
Thames Water - Development Planning
Transport for London (referable & non-referable app notifications and pre-apps)

Neighbours and local groups

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Flat 7 London Se15 5by
1 Handforth Road London SW9 0LL
1 Handforth Road London SW9 0LL
10 Highshore Road London SE15 5AA
10 Lyndhurst Square London SE15 5AR
104 Copleston Road London SE15 4AG
11 Blenheim Grove London SE15 4QS
118 Cooperative House 263 Rye Lane se15 4ur
12 Highshore Rd Peckham Rye SE155AA
12 Highshore Road London SE15 5AA
12 Highshore Road London SE15 5AA
12b Therapia Rd London SE220SE
13 Highshore Road London SE15 5AA
13 Highshore Road London SE15 5AA
15 Highshore Road London SE15 5AA
162 Peckham Rye London SE229QH
178 Peckham Rye London SE22 9QA
18 Highshore Road London SE15 5AA
18 Highshore Road London SE15 5AA
18 Highshore Road Peckham se15 5aa
186 Bellenden Road London SE15 4BW
2 Ashleigh Mews London Se154bf
20 Highshore Road London SE15 5AA
20 Highshore Road London SE15 5AA
207 Bellenden Road Peckham SE15 4DG
207 Bellenden Road Peckham SE15 4DG
23 Aura Court 163 Peckham Rye SE15 3GW
23 Highshore Road London SE15 5AA
23 Highshore Road London SE15 5AA

24 Burnley Rd London sw9 0sj
241a Barry Road East Dulwich SE22 0JU
25 Highshore Road SE15 5AA
25 Highshore Road SE15 5AA
25 Highshore Road SE15 5AA
25 Highshore Road London SE15 5AA
25 Highshore Road London SE15 5AA
3 Highshore Road London Se155aa
3a Highshore Road London SE15 5AA
3a London se15 5by
33 Highshore Road London SE15 5AF
36a Marmont Road London SE15 5TE
38-44 Rye Lane London SE15 5BY
44 Caulfield Road Peckham SE15 2DE
45 Northfield Hse Peckham Park Rd se15 6tl
5 Constance Court 47 Blenheim Grove SE15 4QR
52 Ansdell Road Peckham SE15 2DS
53 Thurlow Hill London SE21 8JW
6 Quantock Mews London SE154RG
60 Nutbrook St Peckham SE15 4LE
61 Harberton Road London N19 3JT
61 Harberton Road London N19 3JT
64 Embleton Road London SE13 7DG
7 Lyndhurst Square 7 Lyndhurst Square SE15 5AR
79 Eliot Bank se233xd
84 Oglander Road London se154EN
84 Oglander Road London se154EN
84 Oglander Road London se154EN
9 Highshore Road London SE15 5AA
9 Highshore Road London SE155AA
9 Highshore Road London SE155AA