

Item No: 8.1 & 8.2	Classification: Open	Date: 4 June 2018	Meeting Name: Planning Committee
Report title:		Addendum report Late observations, consultation responses, and further information	
Ward(s) or groups affected:		Peckham Rye	
From:		Director of Planning	

PURPOSE

1. To advise members of observations, consultation responses and further information received in respect of the following planning applications on the main agenda. These were received after the preparation of the report and the matters raised may not therefore have been taken in to account in reaching the recommendation stated.

RECOMMENDATION

2. That members note and consider the late observations, consultation responses and information received in respect of each item in reaching their decision.

FACTORS FOR CONSIDERATION

3. Late observations, consultation responses, information and revisions have been received in respect of the following planning applications on the main agenda:

Item 8.1 – Application 17/AP/2330 for: Full Planning Application - 40-46 SOLOMONS PASSAGE (FORMERLY 159-161 PECKHAM RYE), LONDON, SE15

Amendment to the scheme

4. Since the report was published, Wandle has increased the on-site affordable housing offer to provide 35% affordable housing by habitable room. 43 habitable rooms would be provided for social rent, and 58 habitable rooms for shared ownership, totalling 101 habitable rooms. This is a significant increase from the 18% on-site provision described in paragraph 95 onwards of the report.
5. Table 2 in paragraph 25 of the report and table 6 in paragraph 98 that show the proposed tenure is updated as follows:

Table 2 and table 6

Tenure (as proposed on site)	Social rent (hab rooms)	Shared ownership (hab rooms)	Private (hab rooms)	Totals (hab rooms)
A	0	3	69	72
New build	43	49	77	169
D	0	6	41	47
Total hab rooms	43 (14.9%)	58 (20.1%)	187 (65%)	288
	Combined 35% by hab room on site			

6. Table 8 in paragraph 109 of the comparison of the approved affordable housing and proposed is updated as follows:

Table 8

Tenure	Social rent (hab rooms)	Shared ownership (hab rooms)	Totals (hab rooms)
2006 permissions	(64)	(36)	(100)
Current proposal on-site	(43)	(58)	(101)
Difference	(-21)	(+22)	(+1)

7. Across the whole site, 35% on-site provision would be made as 101 habitable rooms of the total of 288. The new building that replaces blocks B and C would comprise 54% affordable housing (92 habitable rooms of the 169 proposed). Retained blocks A and D would provide 7.6% affordable housing (9 habitable rooms of the 119 retained) as 3 flats for returning shared ownership occupiers.
8. This revised proposal complies with policies 6 of the Core Strategy, saved policy 4.4 of the Southwark Plan and the AAP by providing 35% on site, and no longer requires the off-site units to be included in the consideration. By providing the required percentage on site, the proposal accords with the preferred location in the sequential test for affordable housing as set out in the draft Affordable Housing SPD. Now that 35% affordable housing is proposed on site, it is not necessary to secure the off-site units through the section 106 agreement. The off-site units recently acquired and provided to relocated residents from Solomons Passage at affordable levels would remain part of Wandle's stock.
9. The 101 habitable rooms on site would reprove the 100 habitable rooms of affordable housing secured by the 2006 permissions for the four blocks on the site.
10. The revised tenure split of the on-site affordable housing in all 3 blocks (to update paragraphs 112 to 114 of the report), results in a provision of 42.6% social rent habitable rooms and 57.4% shared ownership. With the additional shared ownership now proposed on site, the tenure split is closer to the 30% social rent: 70% intermediate sought by the AAP than the earlier version of the scheme and the 2006 permissions.
11. The updated heads of terms for the section 106 agreement are set out below.

Corrections

12. Correction to paragraph 21 on page 53 – The proposal is for metallic cladding panels to parts of the building and not aluminium composite metallic cladding.
13. Paragraph 171 on page 84 be reworded to include these underlined words “In the event that a satisfactory legal agreement is not in place by 28 September 2018, it is recommended that the Director of Planning be authorised (if appropriate) to refuse planning permission...”

Additional consultation response

14. One additional objection received (53a Waveney Avenue)

- Object to certain parts of this proposal, specifically the increase in the height of Block C.
- The neighbours directly along Waveney Avenue, and the Pineapple Cottage have not been considered and will all suffer under these proposals to increase the height of Block C.
- The existing height of Block C is a large building but the roof is obscured by Block D. The proposed increase of Block C will completely obscure the sky from the Waveney Avenue rear windows and will overlook even more.
- The Design and Access Statement gives no consideration to the neighbours, how the additional height would appear from Waveney Avenue properties, the sunlight loss, the view of a new, very high flat wall or be overlooked by the proposed windows & balconies. The extra height of the new building (and extra balconies) over block D has not been considered. The plans do not show a northeast elevation from the boundary that shows the effect of Block C overlooking Block D.

Officer response: The increased height of the proposed building, by a maximum of 7m set 31m from the boundary has been assessed in the Committee report, in terms of its impact on daylight and sunlight to Waveney Avenue and Pineapple Cottage at paragraphs 134 to 136 (where no harm is identified), and overlooking at paragraph 129 on page 75 which when compared to the current overlooking possible from the site and Williamson Court is considered to not be materially different.

Update on heads of terms

15. With the amended on-site affordable housing offer, and the discussions that have continued with the applicant since the report was published, the table at paragraph 168 on page 83 of the report is updated as follows:

Planning obligation	Mitigation	Applicant's position at the time the report was published	Update
Affordable housing	<p>Provision of 43 habitable rooms on-site as social rent in perpetuity.</p> <p>The locations of these units within the Solomons Passage are to be agreed prior to occupation.</p> <p>Income thresholds and eligibility criteria would be included.</p>	Agreed	<p>Provision of the on-site affordable housing as a total of 43 hab rooms of social rent and 49 hab rooms shared ownership in the new building.</p> <p>The locations of these units within the Solomons Passage site are to be agreed prior to occupation.</p> <p>Income thresholds and eligibility criteria would be included.</p>

Planning obligation	Mitigation	Applicant's position at the time the report was published	Update
Affordable housing viability review	<p>Viability review if the scheme is not implemented within two years of the permission.</p> <p>Viability review prior to more than 25% occupation to show actual construction costs and values, and whether it is possible to increase the on-site affordable provision or a provide a payment in lieu instead of additional on-site provision.</p>	Under discussion	<p>Agreed for a review only if the permissions are not implemented within 2 years.</p> <p>A post-construction review is not required as 35% is being provided on site.</p>
Carbon offset Green Fund and Energy Strategy	<p>Payment of £74,934 (indexed) based on the shortfall in carbon reduction of 41.63 tones of carbon per year over a 30 year period.</p> <p>Achievement of the 37.9% carbon reduction as set out in the submitted Energy and Sustainability Statement.</p>	Agreed	<p>The applicant has requested flexibility to allow a greater carbon reduction on-site (resulting in a reduced contribution) or less on-site down to a policy-compliant minimum of 35%. This flexibility can be included in the s106.</p>
Car club	Provision of three years membership for each eligible resident.	Under discussion - would not propose for residents with an allocated car parking space	As this application replaces 48 flats with 50 units and the basement car park is retained, the obligation will require car club membership for only those households within the new block that do not have an on-site car parking space.
Car parking management plan	A car parking management plan for the basement car park, for example detailing the management of the off-street parking bays, their allocation between the blocks, tenures and wheelchair units.	Agreed	No change
Highway works	<p>Section 278 agreement for the highway works to:</p> <p>1. Prior to works commencing on site (including any demolition) a joint condition survey should be arranged with Southwark Highway Development Team to catalogue condition of streets and drainage gullies.</p>	Under discussion - agreed for parts 1 and 3 only	Resurfacing of the pavement in accordance with the SSDM is expected with a major scheme. A cost estimate awaited from the Highways team to allow this to be considered further.

	<p>2. Repave footway fronting the development including new kerbing on Solomons Passage and Peckham Rye using materials in accordance with Southwark Streetscape Design manual (precast concrete paving flag and granite kerbs).</p> <p>3. Repair any damages to the highway within the vicinity of the development resulting from construction vehicles.</p>		
Marketing of wheelchair housing	Marketing of any private or shared ownership wheelchair dwellings in identified websites and publications for a set marketing period.	-	Agreed - new item
Administration and monitoring fee	<p>Payment to cover the costs of monitoring these necessary planning obligations, calculated as 2% of the total sum of £74,934 = £1,498.68</p> <p>Payment of £7,000 for the annual monitoring of the affordable housing provision on site and requirement to provide an annual report on the on-site affordable housing.</p>	Under discussion	Agreed

Amendment to conditions

16. A drawing identifying the wheelchair units and wheelchair adaptable units has been provided, allowing condition 16 to be amended as follows:

16 - Before occupation of the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the standard of the Approved Document M of the Building Regulations (2015) required in the schedule below and as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body.

Access to and use of building standard M4(3a) and M4(3b): the two wheelchair accessible units identified in yellow on the approved drawing (0156-ECD-00-GF-DR-A-1212-C0) shall be provided prior to first occupation of the building. The three wheelchair adaptable units identified in blue on the approved drawing shall be converted to provide accessible units.

Access to and use of building standard M4(2): the 45 other dwellings hereby approved

Reason

To ensure the development complies with Core Strategy 2011 Strategic Policy 5 (Providing new homes) and London Plan 2015 Policy 3.8 (Housing choice).

17. The approved drawings referenced in condition 2 will also be updated to refer to this drawing.
18. Condition 24 can be deleted as it is not necessary as block A is in the noisiest location for traffic, the new building is in a quieter location.
19. Condition 25 can have the second sentence removed as this only requires compliance with Building Regulations and is not necessary.

Item 8.2 – Application 17/AP/2326 for: Full Planning Application - 40-46 SOLOMONS PASSAGE (FORMERLY 159-161 PECKHAM RYE), LONDON, SE15

Amendment to the scheme

20. As set out above for application 17/AP/2330, the on-site affordable housing provision has been increased to 35% which will not be repeated here, although this does not affect the 3 proposed shared ownership units in blocks A and D for returning occupiers.

Corrections

21. Correction in paragraph 18 on page 110 – it is not aluminium composite metallic cladding proposed to parts of the building, but metallic cladding panels.
22. Paragraph 121 on page 132 be reworded to include these underlined words “In the event that a satisfactory legal agreement is not in place by 28 September 2018, it is recommended that the Director of Planning be authorised (if appropriate) to refuse planning permission...”

Additional consultation responses

23. Two additional objections have been received (both from the same address - 53a Waveney Avenue):
 - Agree with the general refurbishment but object to the proposal of raising the boundary wall and roof height of block D. This will reduce daylight and encroach over this adjoining house and garden.
 - The proposal has been submitted as “recladding” but this is a significant structural alteration of a boundary wall. It is not a simple cosmetic change, but a serious change to a building, with no explanation of the need to change the wall height from its current height (and historical height of the previous factory block).
 - Mess, noise and problems of having a building site needlessly encroaching into a family garden and making it unusable for young children.
 - More overlooking.
 - The plans have not been drawn correctly as the red line showing the existing heights on the proposed north-east elevation is much higher than where it is (as it shows the roof height at the highest pitch and not the boundary wall), so the proposed change in height is greater than shown. There is a significant increase, and one that will impact us in our house and our garden.

Officer response: The daylight and sunlight report submitted considers the impact of the change in height of block D, and paragraphs 102 and 103 on page 129 of the Committee report states Waveney Avenue properties would retain good daylight and sunlight levels. No additional windows are proposed to block D so there would be no change in overlooking to Waveney Avenue. The construction method statement required by condition 3 would set out how noise and disturbance to neighbouring properties would be minimised. Any access onto private property would need to be agreed outside the planning process. The north-east elevation drawing is correct,

showing a 30cm increase in the boundary wall height; the north-west and south-east elevations shows the larger 80cm increase to be at the front parapet only and not carried all along the boundary.

Update on heads of terms

24. With the amended on-site affordable housing in the other application, and the discussions with the applicant, the table at paragraph 119 on page 131 of the report should be updated to the following:

Planning obligation	Mitigation	Applicant's position at the time the report was published	Update
Affordable housing	Provision of 3 shared ownership affordable units to be provided on site: <ul style="list-style-type: none"> • 3 identified units (9 hab rooms) as shared ownership tenure units. Income thresholds and eligibility criteria for this tenure would be included.	Agreed – returning shared ownership residents would have their original income and eligibility criteria	No change
Affordable housing viability review	Viability review if the scheme is not implemented within two years of the permission. Viability review of the actual construction costs and sales values prior to more than 25% occupation. If the scheme is found to be viable then either on-site provision should be made or an off-site contribution.	Under discussion	Agreed for a review only if the permissions are not implemented within 2 years. A post-construction review is not required as 35% is being provided on site.
Car parking management plan	A car parking management plan for the basement car park, for example detailing the management of the off-street parking bays, their allocation between the blocks, tenures and wheelchair units.	Agreed	No change
Monitoring fee	Payment of £1,500 for the monitoring of the affordable units and requirement for an annual monitoring report to be submitted.	Under discussion	Agreed

REASON FOR URGENCY

25. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the planning committee and applicants and objectors have been invited to

attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting

REASON FOR LATENESS

26. The new information, comments reported and corrections to the main report and recommendation have been noted and/or received since the committee agenda was printed. They all relate to an item on the agenda and members should be aware of the objections and comments made.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Individual files	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403