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Item No. 7.1	Classification: Open	Date: 29 July 2019	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 17/AP/4649 for: Full Planning Application Address: IBERIA HOUSE, 2 HATCHAM ROAD, LONDON SE15 1TW Proposal: Demolition of existing light industrial building and construction of a building ranging in height from 2 to 9 storeys comprising 1,302 sqm of B1 commercial and employment space at ground and first floor levels and 33 residential flats over the second to eight floor levels, with 2 residential parking spaces accessed from Hatcham Road.		
Ward(s) or groups affected:	Old Kent Road		
From:	Director Of Planning		
Application Start Date 29/03/2018		Application Expiry Date 28/06/2018	
Earliest Decision Date 23/02/2019			

RECOMMENDATION

1. That full planning permission is granted, subject to conditions and the applicant entering into a satisfactory legal agreement.
2. In the event that the legal agreement is not entered into by 29 December 2019, the Director of Planning is authorised to refuse planning permission, if appropriate for the reasons set out in paragraph 191 of this report.

BACKGROUND INFORMATION

Site location and description

3. The application site is rectangular shaped plot of land bound by Manor Grove and Hatcham Road. The existing site measures 0.97 hectares (ha) and currently comprises a vacant part two/part single storey warehouse building with points of access from both Hatcham Road and Manor Grove. The last lawful use of the building is Use Class B1c (light industrial) which had been occupied by a printing company but which is currently vacant.
4. The site is bound to the north by a two storey Use Class D1 - (Non - residential institution) building fronting Hatcham Road used as a place of worship fronting Hatcham Road.
5. To the east, the application site adjoins 10 - 12 Manor Grove, a three storey mixed use property occupied by a Takeaway (Use Class A5) at ground floor level with Use Class C3 (residential) above. In addition, the property bounds a rear courtyard serving 2 - 8 Manor Grove, which comprise warehouse and residential units.
6. To the west of the application, Hatcham Road separates the application site from

- no.19 Manor grove, a two storey industrial building with ancillary office (B1 use class) currently occupied by a powder coatings service provider.
7. The Hatcham Road industrial estate, comprising mainly commercial and light industrial uses within a range of yards and low rise buildings, forms the site's wider context to the north, east and west. Within the industrial estate there are a number of artists' studios and creative workspaces, as well as two lawful places of worship (one temporary and one permanent). The wider context includes the Southwark Integrated Waste Management Facility to the west, the Tustin Estate and Pilgrim's Way Primary school to the south and Ilderton Road to the west with its numerous commercial and residential premises. To the east of the site where Manor Grove meets Ilderton Road sits Christ the King Chapel which has been identified as a building of townscape merit in the further preferred draft of the Old Kent Road Area Action Plan (OKR AAP).
 8. Whilst the surrounding area to the north, east and west consists largely of a mix of industrial, office and storage uses, the highway of Manor Grove to the south separates the application site to no.1 - 97 Manor Grove, a group of two-storey townhouses arranged around an accessed from a series of pedestrianised lanes.
 9. The site is located within the:
 - Urban Density Zone;
 - Old Kent Road Opportunity Area;
 - Old Kent Road Preferred Industrial Location;
 - Bermondsey Lake Archaeological Priority Zone;
 - Air Quality Management Area;
 - CIL Charging Zone 2;
 - Flood Zone 3 (area benefitting from flood defences), and;
 - East Southwark Critical Drainage Area.
 10. The site is located neither within nor close to a conservation area. The nearest listed building is the Grade II Gasholder (Gasholder no.13) at the Old Kent Road former gasworks, situated approximately 320 metres to the west of the application site. The site also is located neither within nor in close proximity to any of the London View Management Framework's Protected Vistas (LVMFs) or any of the Borough Views set out in the Proposed Submission Version of the New Southwark Plan. The Church of Christ the King is located approximately 25m to the east of the site and is identified as a building of townscape merit in the draft AAP.
 11. The site has a PTAL level of 2, indicating poor public accessibility to transport. The nearest mainline railway station is to the north at South Bermondsey, which is approximately 14 minutes walking distance while Queen's Road Peckham is the nearest Overground Station, being a 16-minute walk to the south. Regular bus services are available from nearby Ilderton Road and Old Kent Road. No Santander docking stations are available nearby, but the site is relatively close to Quietway 1 which provides a good quality cycle link to Waterloo.
 12. The existing building on the site comprises a ground and first floor B1c use with floor to ceilings heights of approximately 3m. The site is currently serviced from Hatcham Road.
 13. It is also to be noted that there are two category C trees, a Turkish Hazel tree on the Manor Grove footway to the south and an Italian Alder tree located on Hatcham road footway to the west of the application site.

Details of proposal

14. Full planning permission is sought for the demolition of existing light industrial building

and construction of a mixed-use building ranging from 2 to 9 storeys in height comprising of commercial and employment space at ground and first floor levels and 33 residential units above.

15. The proposal seeks a mixture of uses (Class B1 and C3) composed in a part two, part six, part nine storey building which at its tallest would measure 29.925m above ground level. The development would provide 1,469 sqm of B1c floor space at ground and first floors, whilst there would be Use Class C3 above. External communal residential amenity space is proposed to be located at second and sixth floors whilst private amenity space would be provided in the form of projecting balconies and terraces.
16. A new double height servicing and access route would be provided on the northern end of the site.
17. The elevation to the commercial units on the ground and first floor would consist of a series of large windows and door openings formed through repeated bays. The elevations of the upper residential levels have a repetitive and simplistic appearance incorporating corner windows to the north and south. These elevations also include balconies.
18. The proposed materials would include brick, reconstituted stone and perforated powder-coated metal cladding and aluminium windows.
19. As previously mentioned, the internal arrangement of accommodation would comprise commercial (Class B1) floor space at ground and first floor level with seven upper floors to be exclusively of residential (class C3) use.

Commercial floor space

20. The proposal would deliver 1,302 sqm GIA of B1c floorspace; which would represent net gain of 191 sqm which would represent an uplift of approximately 17.2% on the existing building. The table below demonstrates the existing and proposed commercial floorspace.

Use Class	Sub-Class	Existing (sq. m)	Proposed (sq. m)	Difference (sq. m)
B1	(c) – Light Industrial	1,111	1,469	+358
	Total:	1,111	1,302	+191

**Square metres (sq.m)*

21. As previously mentioned, the internal arrangement would comprise (Class B1c) floor space at ground and first floor levels. The commercial floors have been arranged to form two units on two floors, and have been designed to be largely open plan. These are served by two independent cores which are separate from the third core which is for the residential floors above. Alongside a new servicing route, there would also be a dedicated commercial bin store and cycle spaces to serve the commercial uses.
22. One shared goods lifts has been provided to serve both units and which has been designed to be located in an easily accessible location to the servicing route. Servicing will take place predominantly from the new access route, with an additional on street bay located on Manor Grove, the exact location of which will be agreed within the S278 agreement.
23. The application proposes floor to ceiling heights of 3.175m which is considered to be sufficient to accommodate a range on industrial and workspace uses. A proportion of the floorspace will be double height, with the floor to ceiling height being 6m, this is located within the new off street vehicle servicing area.

24. To meet the policy requirements and to improve the suitability of the space for B1c uses occupying the units, the internal fit-out and built specification of the proposed commercial units would be secured by condition.
25. In respect of servicing, the draft AAP proposes to deliver off-street servicing through this site and neighbouring sites as they come forward. The proposed plans would enable this route to be delivered in the longer term and this will be secured through the Section 106.

Residential floor space

26. The proposed thirty-three units would be arranged across the second to eighth floors of the development, accessible primarily from Hatcham Road, with a secondary entrance on the eastern side of the building to provide access direct from the residential cycle storage. In total, this application proposes 14x 1 bedroom units, 14 x 2 bedroom units, 4x 3 bedroom units and 1 x 4 bedroom unit. All units would be accessible through a single core at the central point of the building.
27. Of the proposed 33 residential units, 12 would be affordable. When calculated by habitable rooms, this equates to a policy compliant 35%. The tenure split of these twenty affordable dwellings would be 25% social rent to 10% intermediate (8 social rented units and 4 intermediate units).
28. Each residential unit would have access to a private balcony/terrace and two communal outdoor spaces located at second and sixth floors. The communal outdoor spaces would offer a combination of hard and soft landscaped gardens and children's play facilities. Information on amenity and play space have been discussed in further detail in subsequent paragraphs of this report.
29. The proposal would be largely car free with the exception of the two accessible blue badge bays and one large servicing bay. The proposal would incorporate one plant room with access also being from yard to the rear.

Planning history

30. 16/EQ/0259 Application type: Pre-Application Enquiry (ENQ)
Demolition of existing light industrial building and re-development of the site to accommodate a mixed-use development - comprising new employment uses and 30 residential flat.
Decision date 24/11/2016 Decision: Pre-application enquiry closed (EQC)

Planning history of adjoining sites

31. None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

32. The main issues to be considered in respect of this application are:
 - Principle in terms of land use, including consideration of emerging policy for the
 - Old Kent Road Opportunity Area;
 - Environmental impact assessment;
 - Density;
 - Tenure mix;
 - Dwelling mix;

- Wheelchair dwellings;
- Quality of residential accommodation;
- Outdoor amenity space, children's play space and public open space
- Impact on the amenity of neighbouring residential occupiers and the surrounding area;
- Design quality;
- Quality of commercial floorspace;
- Trees, landscaping and biodiversity;
- Transport and highway matters, including cycle and refuse storage;
- Environmental matters;
- Energy and sustainability;
- Development viability;
- Planning obligations and Community Infrastructure Levy;
- Consultation responses: Members of the public;
- Consultation responses: Internal and external consultees.

Adopted planning policy

National Planning Policy Framework (NPPF)

33. The revised National Planning Policy Framework ('NPPF') was published in February 2019 which sets out the national planning policy and how this needs to be applied. The NPPF focuses on sustainable development with three key objectives: economic, social and environmental.
34. Paragraph 48 of the revised NPPF states that weight can be afforded to relevant policies in emerging plans depending on the stage of preparation of the plan. The council is preparing the New Southwark Plan (NSP) and OKR AAP which are emerging policy documents. The new London Plan is also in draft form. The weight that can be afforded to these emerging documents is discussed in greater detail in later paragraphs of this report.

Section 2 Achieving sustainable development

Section 5 Delivering a sufficient supply of homes

Section 6 Building a strong, competitive economy

Section 7 Ensuring the vitality of town centres

Section 8 Promoting healthy and safe communities

Section 9 Promoting sustainable transport

Section 11 Making effective use of land

Section 12 Achieving well-designed places

Section 14 Meeting the challenge of climate change, flooding and coastal change

Section 15 Conserving and enhancing the natural environment

Section 16 Conserving and enhancing the historic environment

London Plan 2016

35. The London Plan is the regional planning framework and was adopted in 2016. The relevant policies of the London Plan 2016 are:

Policy 1.1 - Delivering the strategic vision and objective of London

Policy 2.13 - Opportunity areas and intensification areas

Policy 2.17 - Strategic Industrial locations

Policy 3.1 - Ensuring equal life chances for all

Policy 3.2 - Improving health and assessing health opportunities for all

Policy 3.3 - Increasing housing supply

Policy 3.4 - Optimising housing potential

Policy 3.5 - Quality and design of housing developments

Policy 3.6 - Children and young people's play and informal recreation facilities
 Policy 3.8 - Housing choice
 Policy 3.9 - Mixed and balanced communities
 Policy 3.10 - Definition of affordable housing
 Policy 3.11 - Affordable housing targets
 Policy 3.12 - Negotiating affordable housing on individual private residential and mixed use schemes
 Policy 3.13 - Affordable housing thresholds
 Policy 4.3 - Mixed use development and offices
 Policy 4.4 - Managing industrial land and premises
 Policy 5.3 - Sustainable design and construction
 Policy 5.5 - Decentralised energy networks
 Policy 5.6 - Decentralised energy in development proposals
 Policy 5.7 - Renewable energy
 Policy 5.8 - Innovative energy technologies
 Policy 5.9 - Overheating and cooling
 Policy 5.10 - Urban greening
 Policy 5.11 - Green roofs and development site environs
 Policy 5.12 - Flood risk management
 Policy 5.13 - Sustainable drainage
 Policy 5.21 - Contaminated land
 Policy 6.9 - Cycling
 Policy 6.10 - Walking
 Policy 6.13 - Parking
 Policy 7.2 - An inclusive environment
 Policy 7.3 - Designing out crime
 Policy 7.4 - Local character
 Policy 7.6 - Architecture
 Policy 7.8 - Heritage assets and archaeology
 Policy 7.14 - Improving air quality
 Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 Policy 7.19 - Biodiversity and access to nature
 Policy 7.21 - Trees and woodlands
 Policy 8.2 - Planning obligations
 Policy 8.3 - Community infrastructure levy

36. The London Plan 2016 establishes the Old Kent Road as an Opportunity Area with *“significant potential for residential-led development along the Old Kent Road corridor”* And identifies an indicative employment capacity of 1,000 and a minimum of 2,500 new homes. Opportunity areas are described in the London Plan 2016 as London’s major reservoirs of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
37. Policy 2.13 of the London Plan 2016 sets out the strategic policy for the development and intensification of opportunity areas. Annex 1 includes an indicative capacity for Old Kent Road of 2,500 homes and 1,000 jobs and supports the development of a planning framework to realise the area’s full growth potential. It goes on to state that the employment and minimum homes figures should be explored further and refined in a planning framework for the area and through a review of the Strategic Industrial Location and capacity to accommodate a phased rationalisation of its functions in the Opportunity area or a provision elsewhere.

Relevant Supplementary Planning Documents/Guidance

38. The relevant London-level supplementary planning documents and guidance documents are as follows:

Mayor of London: Housing (SPG, 2016)
 Mayor of London: Accessible London - Achieving an Inclusive Environment (SPG, 2004)
 Mayor of London: Sustainable Design and Construction (SPG, 2014)
 Mayor of London: Shaping Neighbourhoods - Play and Informal Recreation (SPG, 2012)
 Mayor of London: Homes for Londoners - Affordable Housing and Viability (SPG, 2017)
 Mayor of London: Shaping Neighbourhoods - Character and Context (SPG, 2014)
 Mayor of London: Social Infrastructure (SPG, 2015)
 Mayor of London: Transport Strategy (2018)
 Mayor of London: Climate Change Mitigation and Energy Strategy (2010)
 Mayor of London: Climate Change Adaptation Strategy (2011)
 Mayor of London: Securing London's Water Future - Water Strategy (2011)
 Mayor of London: Crossrail Funding (SPG, 2016)

Core Strategy 2011

39. The Core Strategy was adopted in 2011 providing the spatial planning strategy for the borough. The strategic policies in the Core Strategy are relevant alongside the saved Southwark Plan (2007) policies. The relevant policies of the Core Strategy 2011 are:

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 11 - Open spaces and wildlife
 Strategic policy 12 - Design and conservation
 Strategic policy 13 - High environmental standards
 Strategic policy 14 - Implementation and delivery

Southwark Plan 2007 (saved policies)

40. In 2013, the council resolved to 'save' all of the policies in the Southwark Plan 2007 unless they had been updated by the Core Strategy with the exception of Policy 1.8 (location of retail outside town centres). Paragraph 213 of the NPPF states that existing policies should not be considered out of date simply because they were adopted or made prior to publication of the Framework. Due weight should be given to them, according to their degree of consistency with the Framework. The relevant policies of the Southwark Plan 2007 are:

1.1 - Access to employment opportunities
 1.2 - Strategic and local preferred industrial locations
 1.5 - Small businesses
 2.5 - Planning obligations
 3.2 - Protection of amenity
 3.3 - Sustainability assessment
 3.4 - Energy efficiency
 3.6 - Air quality
 3.7 - Waste reduction
 3.9 - Water
 3.11 - Efficient use of land
 3.12 - Quality in design
 3.13 - Urban design
 3.14 - Designing out crime

- 3.15 - Conservation of the historic environment
- 3.18 - Setting of listed buildings, conservation areas and world heritage sites
- 3.19 - Archaeology
- 3.22 - Important local views
- 3.28 - Biodiversity
- 4.1 - Density of development
- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.1 - Locating developments
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Relevant Supplementary Planning Documents/Guidance

41. The relevant local-level supplementary planning documents and guidance documents are as follows:

Sustainable Design and Construction (SPD, 2009)
 Sustainable Transport (SPD, 2010)
 Affordable Housing (SPD, 2008)
 Affordable Housing (Draft SPD, 2011)
 Design and Access Statements (SPD, 2007)
 Development Viability (SPD, 2016)
 Section 106 Planning Obligations / Community Infrastructure Levy (SPD, 2015)
 Sustainability Assessment (SPD, 2009)
 2015 Technical Update to the Residential Design Standards (SPD, 2011)

Emerging planning policy

Draft New London Plan

42. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019. Further suggested changes to the Plan have been proposed by the Mayor and published in response to the EIP Panel of Inspector's matters at the examination sessions. The EIP will continue until May 2019 and until the London Plan reaches formal adoption it can only be attributed limited weight. The draft New London Plan identifies the Old Kent Road as having a minimum capacity for housing of 12,000 and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs

New Southwark Plan

43. For the last five years the council has been preparing the New Southwark Plan (NSP) which will replace the saved policies of the 2007 Southwark Plan and the 2011 Core Strategy. The council concluded consultation on the Proposed Submission version amended policies 2019 (Regulation 19) on 21 May 2019. It is anticipated that the plan will be adopted in 2019 following an Examination in Public (EIP). Similarly with the OKR AAP, as the NSP is not yet adopted policy, it can only be attributed limited weight. Nevertheless paragraph 48 of the NPPF states that decision makers may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan, the extent to which there are unresolved objections to the policy and the degree of consistency with the Framework.

Old Kent Road Area Action Plan (OKR AAP/OAPF)

44. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21 March 2018. As the document is still in draft form, it can only be attributed limited weight.
45. While acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 16 (previously OKR 19) which covers the Hatcham Road and Ilderton Road area. Requirements for this allocation site include replacement of existing employment floor space and the provision of housing.

Principle in terms of land use, including consideration of emerging policy for the Old Kent Road Opportunity Area

Adopted policy

46. The site is located in the Preferred Industrial Location-Strategic (SPIL) which is an industrial location of strategic importance as identified in the Core Strategy 2011 and The London Plan 2016.
47. Strategic Policy 10 of the Core Strategy 2011 states that the SPIL will be protected for Industrial and warehousing uses. The Core Strategy does, however, recognise that structural changes in the economy are resulting in a declining need for industrial land in London. It also recognises that diversifying the range of job opportunities in the industrial locations into new sectors would benefit local people. Further, the Strategy sets out the future vision for the Old Kent Road as a growth and regeneration action area, subject to a future area action plan (AAP). The London Plan 2015 also designated the Old Kent Road as an Opportunity Area, considering it to be a major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility.
48. Saved Policy 1.2 (Strategic and local preferred industrial locations) of the Southwark Plan 2007 states that, within SPILS, the only developments the Council will permit are Class B uses and other sui generis uses which are inappropriate in residential areas.
49. Policy 2.17 (Strategic Industrial Locations) of the adopted London Plan 2016 seeks to promote, manage and where appropriate, protect the Strategic Industrial Land as London's main reservoir of industrial and related capacity, which includes general and light industrial uses. It states that developments on Strategic Industrial Land should be refused unless they are part of a strategically co-ordinated process of SIL consolidation through an opportunity area framework or borough development plan document. The policy requires boroughs to identify SILs on proposals maps and develop local policies in relation to protecting their function. Policy 4.4. (Managing Industrial Land and Premises) requires industrial sites to be planned and managed in local circumstances in line with this strategic policy, taking account of borough level groupings for the transfer of industrial land to other uses (part C). Map 4.1 shows Southwark as a limited transfer borough with exceptional planned release. This is reflective of the designation of the Old Kent Road opportunity area, which contains the Majority of Southwark's SIL.

50. Part B of adopted London Plan Policy 2.13 states that planning decisions should be made for development proposals that support the strategic policy directions for the opportunity areas set out in Annex 1, and where relevant, in adopted opportunity area planning frameworks (part A). The policy requires planning authorities to seek to optimise residential and non-residential output and densities, providing infrastructure to sustain growth, and where appropriate, contain a mix of uses (part B). The policy also requires authorities to meet or, where appropriate, exceed the minimum guidelines for housing and employment capacity as set out in Annex 1, tested through OAPFs (part C), realising the scope for intensification associated with significant Transport improvements (part D) and supporting wider regeneration.
51. The adopted London Plan designates the Old Kent Road as an opportunity area, with an indicative capacity of 1,000 new jobs and a minimum of 2,500 new homes. It identifies the potential for residential-led development along the Old Kent Road corridor, with homes and jobs targets to be explored and further refined through the preparation of a planning framework and a review of the Old Kent Road Strategic Industrial Location.

The draft New London Plan and the Old Kent Road Area Action Plan (OKR AAP)

52. Emerging policy is developing at the regional and local scale to realise the ambitions of the Old Kent Road Opportunity Area set by adopted policy. The draft New London Plan recognises much greater capacity for development within the Old Kent Road and commits to a major new transport improvement in the form of the Bakerloo Line extension. The draft New London Plan increases the minimum target for new homes in the Old Kent Road Opportunity Area from 2,500 in the adopted 2016 London Plan to 12,000. It also increases the jobs target from 1,000 to 5,000. Additionally, the draft New London Plan sets out ways in which industrial land can be managed, including how uses can be mixed within some industrial designations.
53. The emerging AAP for the Old Kent Road contains proposals for an innovative mix of industrial and residential uses in a detailed master planning approach across the Opportunity area, including phased rationalisation of and proposed new sites for SIL. While the draft new London Plan and OKR AAP currently have limited or very limited weight in planning decisions, it is important to note the future strategic direction envisaged for the Old Kent Road in the adopted London Plan as further policy is being developed in line with the aspirations of Southwark Council and the Mayor for the designated opportunity area.
54. As such, while the application site is designated as SIL, the adopted London Plan clearly identifies the Old Kent Road as an Opportunity Area where significant transformation is due to take place, necessitating a SIL review. Furthermore, Southwark Council and the GLA have now agreed an approach to phasing the release of protected industrial land for mixed use development in the Old Kent Road Opportunity Area. Members should, however, note that even with this agreement in place the draft OKR AAP and New Southwark Plan (NSP) would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position. It should also be noted that there have been a number of objections to the proposed release of industrial land from Third parties which would need to be considered at the EiP.

The Old Kent Road Area Action Plan (OKR AAP)

55. The emerging OKR AAP seeks to provide for much greater growth than that indicated by the London Plan and sets targets of a total of 20,000 new homes and 10,000 new jobs as well as new infrastructure, including parks and schools. It proposes the release of a substantial part of the Preferred Industrial Location (SPIL) designation to allow for the creation of mixed use neighbourhoods, so that new and existing

businesses are designed to co-exist with new homes.

56. The OKR AAP places the site within the proposed Action Area Core, and within proposal site Allocation OKR 16 which covers the Hatcham Road and Ilderton Road area.

Emerging policy AAP6 of the OKR AAP states that development must:

- Retain or increase the amount of Class B floorspace on site;
 - Accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area, or provide relocation options for businesses that would be displaced by redevelopment;
 - Ensure a specialist provider would manage the workspace;
 - Secure an element of affordable workspace, and;
 - Result in an increased number of jobs.
57. The proposal would be contrary to Strategic policy 10 of the Core Strategy as it would introduce residential (C3) floorspace within the SPIL and in doing so, departing from the adopted development plan. In determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SPIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would justify a departure from the adopted planning policy. Set out in the following paragraphs are the key benefits arising from the proposal:

Regeneration of an ageing industrial area

58. A borough-wide industrial and warehousing study was carried out by GVA in 2014 on behalf of Southwark Council. The study was commissioned and mostly completed before the Old Kent Road was designated as an Opportunity Area. Across Southwark, it identified that the majority of the industrial and warehousing supply is within purpose built, older premises which is of increasingly poor quality. The buildings along Ilderton Road were assessed as part of the study, and deemed to comprise predominantly older stock (pre-war to 1970s) in poor or very poor condition as reflected in the high levels of vacancy or underutilisation observed. It was considered that this area would benefit from investment and intensification.
59. In its conclusion, the GVA study identified the need for the borough to balance the protection and enhancement of industrial sites with the delivery of other aspirations and requirements, including increasing housing provision. It also identified that the two need not be mutually exclusive and that changes in occupier types increasingly lend themselves to improved integration within a wider mix of uses.
60. Based on the poor quality of the existing premises for commercial purposes, it is considered that the delivery of new workspace, all designed to modern Class B1 specifications is a positive aspect of the proposed development.
61. Following this study, a further study has been completed in 2019 by GVA + 00 Architects. This concluded that future employment uses in the old Kent Road will require a mixture of spaces suitable for a broad mix of uses, including small –medium logistics, light industrial, small office and co-working space. These should be supplied in a mixture of building typologies that should be well adapted with good servicing provision with access to upper floors and fit out.

Job creation

62. Owing to the premises currently being vacant, the existing FTE employment levels on the site are zero. Should the premises be occupied, this would generate approximately

20 jobs. The number of jobs generated within the proposed development has been calculated by applying the average job / floorspace ratio to the 1,302 square metres of commercial floorspace proposed. By applying the 'Managed Workspace' range set out in the latest Employment Density Matrix published by the HCA, the development could support the creation of 21 jobs based on the above methodology. This scheme will generate an uplift in employment provision on site.

63. In addition to the direct operational employment, the retail, leisure and other expenditure of the residents of the proposed 33 dwelling units will support additional jobs in shops, restaurants and other services within the Old Kent Road area.
64. As the existing building is unoccupied, the application raises no issues in respect of business relocation and retention.

Affordable workspace

65. Emerging policy in the revised draft Old Kent Road AAP requires schemes of this scale or larger to provide an element of affordable workspace. The applicant has agreed to provide 10% of the floorspace as affordable workspace at £12 per sq.ft over a 15 year period. This will be secured through the Section 106 Agreement.

Provision of housing, including affordable housing

66. The scheme would provide thirty-three new residential units, including a mix of social rented and intermediate tenures compliant with affordable housing policy. There is a pressing need for housing in the borough. Policy 3.3 of the London Plan supports the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the Old Kent Road Opportunity Area and the expectation of significant new housing provision

Conclusion on land use

67. To conclude in relation to land uses, the proposed development would introduce of residential (C3 uses) into the SPIL would represent a departure from the adopted development plan. This must therefore be weighed against the benefits of the scheme which include
 - An increase in employment floorspace
 - The provision of good quality, flexible commercial space.
 - Job creation
 - The delivery of affordable workspace within the Old Kent Road Opportunity Area, and;
 - The provision of housing, of which 35% would be affordable.
68. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area, it is not felt that then introduction of housing would prejudice the operation of existing businesses in the area. In light of this, officers consider that the principle of the proposed development in land use terms should be supported.

Environmental impact assessment

69. The applicant did not make a screening request to determine whether an Environmental Impact Assessment (EIA) is required in respect of the proposed development due to the size and scale of the proposed scheme. The proposed development would not constitute EIA development and accordingly does not need to be supported by an Environmental Statement.

Density

70. Policy 3.4 (Optimising Housing Potential) of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range. It also requires local context, design principles and public transport capacity to be taken into account. Strategic Policy 5 (Providing New Homes) of the Core Strategy 2011 sets out the density ranges that residential and mixed use developments are expected to meet. As the application site is located within the Urban Zone, the proposed development would be expected to fall within a density range of 200 to 700 habitable rooms per hectare. This policy also clearly states, however, that within opportunity areas and action area cores, the maximum densities may be exceeded when developments are of an exemplary standard of design. Criteria for exceptional design are set out in section 2.2 of the Residential Design Standards SPD (2015).
71. The site occupies an area of 0.97 hectares. The residential component of the proposed development would comprise 110 habitable rooms and the commercial component would deliver the equivalent of 38 habitable rooms. This results in a density of 2700 habitable rooms per hectare which would exceed the upper limit set by Strategic Policy 5 for the Urban Density Zone, so it is necessary to assess it against the exception made for Opportunity Areas. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD met. This is summarised in the table below:

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed units would provide for built in storage that would meet or exceed the standards set in the Residential Design SPD.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded.
Good sunlight and daylight standards	Good sunlight and daylight standards would be achieved
Exceed minimum ceiling heights of 2.3m	All rooms within the proposed dwelling would exceed the minimum 2.5 meter ceiling height.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in the subsequent section on outdoor amenity space, <i>Children's Play Space and Public Open Space</i> section of this report Where the recommended 10 sqm private amenity space has not been met, the shortfall has

	been included as communal amenity space in line with the Residential Design Standards SPD.
Secure by Design certification	This scheme would achieve Secured by Design Accreditation. Conditions to require this are recommended
No more than 5% studio flats	No studio flats are proposed.
Maximise the potential of the site	The potential of this site would be maximised, delivering improved commercial floor space, new dwellings achieving an exemplary standard of design, outdoor space and play space, without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	Over 10% of the proposed units would be suitable for wheelchair users.
Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The development is capable of achieving BREEAM "excellent" upon fit out of the commercial units; a condition to this effect has been included. The development would need to make a £50,617.65 carbon off set payment contribution as the residential element is not capable of delivering zero carbon homes. The applicant has agreed to make the payment which makes this aspect of the scheme fully policy compliant.
Minimised of noise nuisance between flats through vertical stacking of similar room types	The plans submitted demonstrate that a very good level of stacking has been achieved where kitchens are stacked above kitchens and bedrooms over bedrooms. There is one instance where this stacking would not be achieved at fifth and sixth floors where the floorplans change. There is only a minor overlap and as such is considered to be acceptable.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace and investment in local transport and public space.
Include a predominance of dual aspects units	64% of the units (21 units) proposed would be dual aspect.

Have natural light and ventilation in all kitchens and bathrooms	All kitchens would benefit from natural light and ventilation due to their open plan configuration. Bathrooms on the other hand would not achieve this as all bathrooms would be internalised but will benefit from mechanical ventilation.
At least 60% of units contain two or more bedrooms	The proposed development proposes that 58% of the total number of units across all tenures would have two or more bedrooms, falling slightly short of the 60% requirement.
Significantly, exceed the minimum floor space standards	All units would meet the minimum space standards; many would exceed this figure and some to a significant degree.
Minimise corridor lengths by having additional cores	No more than 8 flats per core is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core.

72. In addition, officers have identified the following positive aspects of the residential design:

- Choice of layouts, with some open plan and others with provision of having the option of a sectioned layout between the kitchen and the living space
- Wheelchair units all have provision for wheelchair storage
- Dwellings with three, four and a majority of the two beds, have either an en-suite bath to serve the main double room or a separate WC and wash basin.

73. For the reasons detailed in the above paragraph and table, the higher density proposed would not compromise the quality of accommodation and the impacts of the development would be acceptable. The residential design quality would not be compromised by the quantum of development proposed; it is therefore considered that the exceedance of the density threshold would not warrant withholding permission.

Affordable housing

74. Strategic Policy 6 of the Core Strategy (Homes for People on Different Incomes) requires at least 35% of the residential units within new developments to be affordable. For developments of 15 or more units, affordable housing is calculated as a percentage of the habitable rooms and further information on this can be found in the Council's draft Affordable Housing SPD (2011). All of the affordable units should be provided on-site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.

75. Saved Policy 4.4 of the Southwark Plan requires that, of the 35% of the residential units that are to be affordable, the tenure split should be 25% social rented to 10% intermediate housing. This is reiterated in the draft OKR AAP.

76. In total, 110 habitable rooms would be provided in the development of which a total of 39 would be affordable. This would equate to an overall policy compliant provision of 35.5%. The level of provision is, therefore acceptable as it is policy compliant. Viability information has been submitted which supports the delivery of the quantum of affordable housing proposed.

77. With respect to the affordable units, the number of units within each tenure would be as follows:

Residential	Social for rent	Intermediate
1 bedroom flats	4	2
2 bedroom flats	0	1
2 bed wheelchair	2	1
3 bedroom flats	1	0
4 bed	1	0
Total residential units:	8	4

78. Overall, the proposal would provide a total of 12 affordable units in a mix of unit sizes, including a larger number social rented family sized units (50% of the social rented units would 2+ beds including a 1 x 4 bed unit), which is a positive aspect of the scheme.

Dwelling mix

79. With respect to dwelling mix, Strategic Policy 7 of the Core Strategy 2011 prioritises the development of family homes. New developments of 10 or more units in the Urban Density Zone must provide at least 60% of units with two or more bedrooms, and at least 20% of units having at least 3 bedrooms.
80. The development proposes 14 one bed roomed flats, 14 two bedroom flats, 4 three bedroom flats and 1 four bedroom flat. The dwelling mix would be as follows:

Unit size	Open Market Units (HR)	Social Rent units (HR)	Intermediate (shared ownership) units (HR)	Total units (HR)
1 bedroom	8 (16)	4 (8)	2 (4)	14 (28)
2 bedroom	10 (40)	2 (8)	2 (8)	14 (56)
3 bedroom	3 (15)	1 (5)	0	4 (25)
4 bedroom	0	1 (6)	0	1 (6)
Total	21 (71)	8 (27)	4 (12)	33 (110)

81. As the table shows, 58% of the units would have two or more bedrooms and 16% of the units would contain three or more bedrooms. This falls short of the Strategic Policy 7 by 2% for units with two or more bedrooms and 4% for units with three and five bedrooms.
82. Whilst the marginal shortfall is acknowledged in both cases, the development would provide a strong number of units that contributes to the delivery of quality homes within the borough and many of the two bed units have been designed to provide additional enhanced space that would make it suitable for small families. In addition, a 4 bed social rented unit is also proposed which would help address a shortfall in the provision of 3bed+ units that has been identified.

Wheelchair housing

83. Saved Policy 4.2 of the Southwark Plan requires at least 10% of all major new

residential developments to be suitable for wheelchair users and London Plan Policy 3.8 requires 90% of new housing meets Building Regulations requirement M4 (2) 3.8 requires 90% of new housing meets Building Regulations requirement M4 (3) 'accessible and adaptable' and 10% to meet Building Regulations requirement M4 (3) 'wheelchair users dwellings'. This is reiterated in emerging policy in the draft OKR AAP and the NSP.

84. Three wheelchair units (10%) would be delivered as part of this proposal. Wheelchair fit-out would be provided in the social and intermediate tenures in two-bedroom units. The number of wheelchair dwellings meets the policy requirements and the spread across the two affordable tenures is considered acceptable. The units would be required to be fully fitted for first occupation.

Quality of residential accommodation

85. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the 2015 Technical Update to the Resident Design Standards SPD 2011; this document sets out overlooking standards and a requirement for developments to achieve a predominance of dual aspect accommodation.

Aspect and outlook

86. 64% of the proposed units would be dual aspect and of the single aspect units, none would be north facing. All of the larger three and four bedroom units would all have dual aspect. Moreover, all habitable rooms within all dwellings would be served by one or more clear-glazed apertures of a surface area adequate to the size of the room. As such, the scheme would deliver an acceptable outlook on all dwellings.
87. Defensible space has been incorporated in front of those dwellings which face onto the communal outdoor spaces at second floor and sixth floor level; this will ensure that views from habitable rooms would not be directly onto the communal outdoor space, protecting residents' outlook and safeguarding privacy. Furthermore, officers have requested that landscaping strategy is revised to ensure a greater degree of separation between the private and communal areas. This has been indicatively included on the plans but detailed landscaping design will be secured by condition.

Internal daylight within the proposed development

88. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted by the applicant, which considers light to the proposed dwellings using the Average Daylight Factor (ADF). ADF determines the natural internal light or day lit appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.
89. All rooms would exceed the BRE guidance; equally all rooms would pass the depth test accordingly. As such, it is considered that the internal daylight and sunlight levels are acceptable.

Flat sizes, room sizes and provision of built-in storage

90. The Gross Internal Area (G.I.A) of all 33 flats and the floor area of each room would satisfy or exceed the minimum floor areas set out in Southwark's 2015 Technical Update to the Residential Design Standards SPD 2011. The layout of each flat is well designed, being logical and efficient, with practically-shaped rooms.

91. Built-in storage space has been provided within each flat, in all cases meeting minimum floor area requirement set out in the 2015 Technical Update to the Residential Design Standards SPD 2011.

Floor to ceiling height

92. All flats would achieve a floor to ceiling height of 2.55 metres, which is in excess of the 2.3 metre minimum requirement stipulated by the 2015 Technical Update to the Residential Design Standards SPD 2011.

Internal noise levels

93. The proposed residential units would be adjacent existing commercial units and churches particularly to the north and west. An environmental noise assessment has been undertaken to assess whether the site would be suitable for residential development. The report has been reviewed by the Councils Environmental Protection Team and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing commercial and church occupiers. Regulating external noise to a level acceptable for residential occupation should be achievable through the use of acoustic glazing measures.

Conclusion on quality of residential accommodation

94. To conclude, Officers are satisfied that the quality of the residential accommodation proposed would be high and would justify the density of the scheme. The proposed development would provide well-lit and well ventilated homes and as set out above would in the majority, meet or exceed the residential design criterion of the Residential Design Standards SPD.

Outdoor amenity space, children's play space and public open space

Private amenity space and communal amenity space

95. All new residential development must provide an adequate amount of useable outdoor amenity space. The 2011 Technical Update to the Residential Design Standards SPD 2011 sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens:
- For units containing three or more bedrooms, 10 square metres of private amenity space;
 - For units containing two bedrooms or less, ideally 10 square metres of private amenity space, with the balance added to the communal space; and
 - 50 square metres of communal amenity space per development.
96. With regards to the private amenity space, all flats would have private balconies. Seven units out of 33 would be served with ten square metres of balcony space or more. The lowest provision would be 5.5sqm to 2 x one bedroom units and the largest provision of 40sqm to a 2 bedroom unit. The majority of the units would be served with 6sqm to 7.5sqm of amenity space across all unit sizes and tenures.
97. In addition to being over the SPD minimum floorspace, all three bed units and the four bed unit would provide the minimum 10 sqm as required by the Technical Update to the Residential Design SPD (2015). A table detailing amenity space has been included in the subsequent paragraphs of this report.
98. Where the full recommended provision of 10sqm per residential unit has not been provided in the smaller units, the shortfall has been added to the communal

requirement. In this case a total of 65.5 sqm of communal space would need to be provided. Combined with 50sqm required for the development, a total of 115.5sqm of communal amenity space would be required. This application proposes 198.5 sqm of communal amenity space to be located at second and sixth floors. This is an overprovision of 83 sqm above the SPD requirements. A table of amenity space proposed has been included in below.

<u>Unit type</u>	<u>No</u>	<u>Amenity as per the residential design SPD</u>	<u>Amenity Proposed</u>	<u>SPD minimum unit floor space</u>	<u>Proposed unit floor space</u>
<u>1 bed</u>	14	Recommended 10sqm	5.5 – 10 sqm	50 sqm	51-53 sqm
<u>2 bed</u>	14	Recommended 10sqm	7 – 40 sqm	70 sqm	73 – 94.5 sqm
<u>3 bed</u>	4	Required 10sqm	10 sqm	86 sqm	94.5 – 113 sqm
<u>4 bed</u>	1	Required 10sqm	20.5 sqm	95 sqm	113 sqm

Children's Play Space

99. Policy 3.6 of the London Plan requires new development to make provision for play areas on the expected child yield of the development. Children's play areas should be provided at a rate of 10 square metres per child bed space (covering a range of age groups).
100. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG the development would be required to provide 104 sqm of children's play space (which breaks down as 44.7sqm for under 5's, 34.32 sqm for 5 – 11s, and 25 sqm for 12 and overs). Two areas of play space have been proposed, one at second floor and one at sixth floor. Together they measure 105 sqm in total which would satisfy the overall need for 104 sqm play space requirement for all age ranges. Whilst an indicative layout has been provided, a detailed account of the programming of the space to suit all the aforementioned age ranges as per the SPG has been requested and detailed design will be secured by condition. A table detailing the amenity requirements has been included in the subsequent paragraph of this report.

Public Open Space

101. In addition to the existing amenity space requirements set out above, the emerging Policy AAP10 in the draft OKR AAP requires the provision of 5sqm of public opens space per dwelling or a contribution in lieu. The 33 dwellings proposed here would require a provision of 165 sqm under this emerging policy. The draft AAP Masterplan identifies this site as an infill site with no requirements to provide public open space. The financial contribution from the 165 sqm shortfall would help to fund the delivery of Hatcham Park to the north of the site. Although this emerging policy currently has very limited weight a financial contribution of £33,825 (based on a cost of £205 per sqm as set out in the section 106 SPD) which could go towards off site delivery, and can be secured by the legal agreement.

Table explaining the playspace and amenity space proposed against policy requirement:

	Policy requirement	Proposal	Difference
Communal	115.5sqm (50 +65.5)	191.5 sqm	+76 sqm
Private	330 sqm	308.5 sqm	-65.5 sqm*
Dedicated children's play space	104 sqm	105 sqm	+1 sqm
Total:	549.5 sqm	605 sqm	

*the difference is calculated as a shortfall of private amenity per unit rather than total shortfall. Oversized balconies and terrace spaces on units do not offset the loss in individual private amenity space on other units.

Conclusions on outdoor amenity space, children's play space and public open space

102. Sufficient outdoor space has been designated to meet all the private amenity, communal amenity and children play space requirements of the Residential Design SPD and the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG as outlined in the table above.
103. In respect of the public open space as required by the draft AAP, and although the applicable policy of the OKR AAP currently has limited weight, a financial contribution in-lieu of providing such space on-site would be expected and will be secured through the Section 106 agreement.
104. All communal amenity space would be equally accessible to all tenures. Service charge costs to social rent tenants would be capped within social rent cap levels.

Impact on the amenity of neighbouring residential occupiers and churches

105. Strategic Policy 13 of the Core Strategy (High Environmental Standards) seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for development where a loss of amenity, including disturbance from noise, would be caused. The adopted 2015 Technical Update to the Residential Design Standards SPD 2011 expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

Daylight

106. A daylight and sunlight report has been submitted which assess the scheme based on the Building Research Establishments (BRE) guidelines.
107. The BRE sets out the rationale for testing the daylight impacts of new development through various tests. The first is the Vertical Sky Component test (VSC), which is the most readily adopted. This test considers the potential for daylight by calculating the angle of vertical sky at the centre of each of the windows serving three residential building which look towards the site. The target figure for VSC recommended by the BRE is 27% which is considered to be good level of daylight and the level recommended for habitable rooms with windows on principal elevations. The BRE

have determined that the daylight can be reduced by about 20% of the original value before the loss is noticeable.

108. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of more than 20% in the area of sky visibility, daylight may be affected.
109. The surrounding uses to the north and west are all of commercial use. As such, there are no neighbouring residential units in these directions that have the potential to be impacted by daylight and sunlight losses.
110. Officers requested the applicant to carry out additional assessments considered the impact of the proposal on proposed future developments at 18 Manor Grove (to the west). It is acknowledged that attempts were made by the applicant to obtain the proposed internal floor layouts and types at 18 Manor Grove. This was unsuccessful. As such, the additional tests have been based on VSC test which require only window position to be shown in the elevation.
111. Section 2.3 – Adjoining Development Land of BRE guidance, notes that where existing buildings sit close to the common boundary, as with 18 Manor Grove, a higher degree of obstruction may be unavoidable.
112. Appendix F of the BRE guidance shows the methodology for setting new VSC targets where neighbouring buildings sit close to the boundary of a proposal. The targets are derived by calculating the level of light that the windows achieve if a ‘mirror-image’ of the proposal at the same height, size and distance from the boundary; was projected at 18 Manor Grove.
113. The assessment concluded that some of the majority of the proposed windows at ‘mirrored’ 18 Manor Grove surpass the VSC criteria. Approximately 7 out of 96 windows would endure daylight issues.
114. On balance, it is considered that given that 92% of windows on the mirrored scheme at 18 Manor Grove would meet their alternative targets as set out in Appendix F of the BRE Guidance; the proposal would not cause a detrimental conflicting relationship between the application site and the future development site at 18 Manor Grove.
115. To the south of the application site, on the opposite side of Manor Grove, are the townhouses at Nos. 1 – 97 Manor Grove and 1 to 9 Bambay House. The applicants Daylight and Sunlight report indicates that ‘window 14 at 1 to 9 Bambay House’ which serves a bedroom is located beneath a glazed projection above and around the window.
116. The BRE guidance acknowledges that existing windows with obstructions above them typically receive less daylight as the balcony cuts out light from the top part of the sky and that even modest obstruction opposite may result in a large relative impact on the VSC. The guide also notes that an additional calculation may be carried out omitting the glazed project. The bedroom window at Bambay house passes the VSC test without the overhanging elements, the guidance notes that if the windows meet the target on the above basis it is considered that it would satisfy the requirements,
117. In summary, there would be no noticeable loss of VSC to any nearby habitable room windows at nearby as a result of the proposed development. Accordingly, no further daylight testing (‘No Sky Line’ or ‘Daylight Distribution’) is necessary.

Sunlight

118. The applicant's daylight and sunlight report has assessed the impact of the proposed development on the sunlight received at all windows facing within 90 degrees of due south. The BRE guidelines set out that nearby windows must be assessed to determine whether any of the following would be experienced:
- a reduction in sunlight to less than 25% Annual Probable Sunlight Hours (APSH), or;
 - a reduction in sunlight to less than 5% Winter Annual Probable Sunlight Hours (WAPSH) or; both of the above.
119. Where any of the above occurs, if the window's resulting APSH is less than 0.8 times its former value, there may be an appreciable loss of sunlight.
120. The daylight and sunlight report submitted by the applicant indicates that no losses would be experienced at any nearby residential windows of less than 25% APSH and/or less than 5% WAPSH. As such, the proposal would preserve an acceptable level of sunlight receipt to all the existing nearby residential properties.

Overlooking

121. In order to prevent harmful overlooking, the 2015 Technical Update to the Residential Design Standards SPD 2011 requires developments to achieve:
- a distance of 12 metres between windows on a highway-fronting elevation and those opposite at existing buildings, and;
 - a distance of 21 metres between windows on a rear elevation and those opposite at existing buildings.
122. All windows within the proposed development fronting the public highway would be at least 12 metres from the boundary of the nearest sites to the south (the rowhouses at nos. 1-97 Manor Grove) and 1 – 9 Barnby House. As such there is no prospect of overlooking being experienced at the properties named above.
123. All rear windows (north facing) within the proposed development would retain a minimum distance of 10.5m from the opposite site boundary. Whilst this is significantly less than 21m, it is to be noted that the building to the north (12 to 36 Hatcham Road) is of commercial use.
124. With regards to windows situated towards the eastern boundary, there are no habitable room windows parallel to the proposed development. It is recognised that No.2 Manor Grove, 90 degrees to the proposed east elevation, is served with windows serving residential units on upper floors. Given the position of the No.2 Manor Grove, it is not envisaged that harmful overlooking would result.
125. With respect to the proposed west facing windows, these would retain a 12m separation distance from No.18 Manor Grove. There are currently no habitable room windows at this site that would give rise to undue overlooking from the proposal. It is recognised that that No.18 Manor Grove is identified in the OKR AAP as being appropriate for a mix of uses including residential. In line with the aims of Saved Policy 3.11 (Efficient Use of Land) of the Southwark Plan 2007. This site would be expected to incorporate an appropriate set-back as to achieve a more appropriate separation distance between any future development and the facing windows of the current application site. As such, in respect of any future residential development on the land to the west, any future proposals on the No.18 Manor Grove site would contribute to ensuring no overlooking would result.
126. In summary, the development would not give rise to any harmful overlooking of

existing or proposed residential uses in the surrounding area.

127. In terms of neighbouring non residential uses and agent of change principles it is not considered that residential uses proposed would compromise their continuous operation. An acoustic survey has been completed by the applicant which demonstrates that acceptable noise attenuation will be achieved by the development.

Air quality

128. The site is located in an Air Quality Management Area and an Air Quality Assessment has been submitted, which considers the air quality impacts arising from the construction and use of the development.
129. The Council's Environmental Protection Team has reviewed the submission and advised that they will require the emissions during the construction phase to be controlled by measures contained with a Construction Management Plan. Such a plan should details of continuous monitoring for dust and noise. It is recommended that this plan be requested by condition.

Design quality

130. Strategic Policy 12 of the Southwark Core Strategy (2011) states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape.
131. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place. There are no conservation areas or listed buildings in the vicinity of the application site, no impacts on conservation areas or listed buildings are anticipated. Given that the site does not lie within a borough view or within any of the views designated in the London Plan views identified in the Mayor's London View Management Framework SPG, it is not considered that this will result in any harm to these protected views.

Height, scale and form

132. The height, scale and massing proposed is in line with emerging policy set out in the draft AAP. At its maximum point, the development would be 29.92m high comprising of six storeys on Hatcham Road, nine storeys at the intersection of Manor Grove and Hatcham Road, four to nine storeys fronting Manor Grove and, two storey facing the rear of neighbours at Ilderton Road. These are enclosed by a two storey projecting commercial frontage on Hatcham Road and Manor Grove.
133. The nine-storey building would provide a prominent 'corner piece' at the junction of Manor Grove and Ormside Street. Whilst simplistic and uniform in its composition, it would incorporate corner balconies and recessed window reveals at the intersection of Manor Grove and Hatcham Road. This dissimulates the presence of such a mass in this location, resulting in a dynamic and striking corner. The height and design of this element of the proposal meets the aspirations of the AAP, which advises that *"the majority of buildings around Hatcham Road should be between 5 and 8 storeys, with some additional height on the corners of the perimeter blocks on Manor Grove, Penarth Street and Record Street"*.

134. The four storey element fronting Manor Grove would sit in line with the adjoining neighbours at No.10 to 12 Manor Grove, with a height of 14.58m. It would finish 4m above the adjoining neighbour but would be no higher than 2 -6 Manor Grove (church) which has a height of 16.36m. When viewed in the street scene of Manor Grove, the four storey element would allow the scheme to transition from the prominent corner to a height that respects the lower rise buildings.
135. Similarly, the six storey element on Hatcham Road and the four storey element towards Ilderton Road, create appropriate transitions in scale to the surrounding context. Furthermore, there would be a two storey element projecting 0.85m forward of the neighbouring building lines on Manor Grove, whilst it would abut the edge of the site boundary on Hatcham Road, the mass above here, would be set back 0.5m. This arrangement creates an active frontage in the street scene of both highways but also reduces the overall perceived mass of the scheme at street level.
136. Overall, it is considered that the buildings form is acceptable in terms of the emerging and existing context. The sitting, scale, mass and height of the proposal would be proportionate. The arrangement of the various heights have been carefully considered at street level and above, The proposal responds to the potential future development around the site, as illustrated in the draft OKR AAP.

Detailed design, fenestration and materiality

137. The design proposed is of a high quality that responds well to the character of the surrounding context and the aspirations as set out in the AAP, drawing on a number of characteristics from the local context not only in terms of materiality but also visual rhythm. Overall the elevational treatment of the proposed building is well-resolved.
138. The commercial units on the ground and first floors has been designed as series of repeated bays with large aluminium or wood framed windows and doors creating articulate elevations to these two storey lower levels. The proposal would use a red multi stock brick, similar to that of 2 Manor Grove, to frame double height windows separated by reconstituted cast stone coping.
139. The residential second to eight floors would have a vertical window arrangement with aluminium clad balconies. Aluminium coping would frame sections of the building two floors at a time and brick panels with recessed and project brickwork forming part of deep window reveals add to the industrious character of the area.
140. As alluded to above, the approach to the elevations of residential storeys have been designed to adhere to an orderly approach, creating fenestrations of regular rectangular- shaped openings each of which contain full height windows. There would be some contrast in approach to the commercial unit such as a change in brick type and window composition that assist in subtly differentiating the hierarchy of 'base' (i.e. commercial), and top (i.e. residential), ensuring comfortable proportions in the façade are achieved throughout and a consistent approach to detailed design could be delivered despite the mixture of uses proposed.
141. Well-resolved detailing — including deep window reveals, as well as seamless junctions between the elevation and the balcony decks— would achieve a high quality finish that responds to the existing character of the area and the emerging architectural language proposed in the draft OKR AAP.
142. In order to ensure that the depth of architectural expression and the quality and contrast of the materials achieved, a condition is to be imposed requiring materials samples to be presented on-site to and approved by the Local Planning Authority.

Conclusion on design

143. The building would be of an acceptable height and scale, and articulated appropriately as a series of lower elements framing a taller 'corner piece'. The materials chosen would echo those found on the Christ the King Chapel Church (which has been identified as being of townscape merit in the draft OKR AAP) and creating a common masonry across this portion of the streetscape. The detailed design would bring together a cohesive façade, brickwork that references tones of the surrounding area, a range of recessed and projecting balconies finished in bronze metal cladding and delicate detailing to windows throughout would secure a high quality finish throughout.
144. Overall, it is considered that the building's form is well-conceived and its scale and massing would be proportionate to its context. The arrangement and height in the three volumes has been carefully considered to respond to the immediate context and the proposal also responds well to potential future development around the site, as illustrated in the draft OKR AAP.
145. The S106 agreement would contain a requirement to retain the architect post planning to ensure the delivery of the scheme as submitted.

Trees and biodiversity

146. Saved policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals.
147. Two trees are located in close proximity to the development, one of which is located on Hatcham Road and the other on Manor Grove. The quality of the two existing trees has been assessed in the submitted Arboricultural Report and both have been categorised as category C trees. Both are to be retained and adequate fencing and protection will be installed around the trees prior to commencement of construction to ensure these are not harmed during the construction process; this will be secured by condition. The area is generally deficient in street greening and so the retention of both existing trees, one of which is mature tree specimen, is considered to be positive as it would not result in a loss of canopy cover.

Landscaping

148. The landscaping of the two outdoor communal amenity spaces is only shown indicatively on the proposed plans. As such, the Council's Urban Forester has requested the imposition of a condition requiring a Landscaping Plan to be submitted to and approved by the Local Planning Authority at a later time.

Biodiversity

149. The ecological value of the site is negligible; as such an ecological survey was not required or requested.
150. The proposed development would incorporate 48 Photo Voltaic (PV) panels on the roof. The Council Ecologist advised that in order to fully optimise the performance of the PV and to introduce biodiversity to the site, a brown roof should be installed under the PV panels. Accordingly, should permission be granted, the Council's Ecologist has recommended a condition be imposed requiring brown roof to be laid underneath the photovoltaic array.
151. To support biodiversity, a condition will be imposed requiring details to be provided at later stage of internal swift bricks and sparrow terraces.

Transport and highway matters, including cycle and refuse storage

152. Saved Policy 5.2 of the Soutwark Plan seeks to ensure that developments do not result in adverse highway conditions. Saved Policy 5.3 requires the needs of pedestrians and cyclists to be considered. Saved Policy 5.6 establishes maximum parking standards.
153. The site has a PTAL (Public Transport Accessibility Level) of 2 (poor), although there is a relatively good bus service available within 200 meters from Ilderton Road. The Council's Transport Planning and Highways teams have been consulted. Their responses have informed the following paragraphs of this Committee Report.

Walking

154. The proposal has considered pedestrian and cycle connectivity, as well as permeability in relation to emerging developments at nearby sites. The proposal includes multiple convenient pedestrian access points into the development. Furthermore, the two storey commercial frontage has a good relationship with pedestrians.
155. There are two bus stops within the vicinity of the site, on Ilderton Road serving the P12 bus route. These are both within 3 minutes walk. The Old Kent Road provides bus stops within 5 minutes walk of the site. These serve a number of routes towards and away from central London.

Cycling and cycle parking

156. The proposal includes two large cycle stores at ground floor level, one for the residential units providing 72 spaces and the other for the commercial units providing 36 spaces. Both storage facilities are accessible from the rear of the site off Hatcham Road and are enclosed as demonstrated via the ground floor plan. There are entrances to both the residential and commercial units from the cycle stores and adjacent the residential core.
157. The proposal would therefore provide cycle parking in excess of what is required by policy, the detailed design of the storage is to be reserved by condition.
158. Three year membership to a dockless cycle hire will be available to all future residents, and will be secured through the Section 106 Agreement. This will offer residents access to cycling without requiring them to own a bicycle.

Bus

159. Increased and improved bus services are needed to accommodate growth in the Old Kent Road Opportunity Area prior to the arrival of the Bakerloo Line Extension (BLE) to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. In line with other applications within the Old Kent Road Opportunity Area, it is likely that the charge per residential unit would be £2,700 per unit, the payment of which can be phased over a 5-year period.

Car parking

160. The proposal is to be largely car free. There are three servicing bays on site but to avoid conflict, it was proposed that in this instance, two disabled bays would be located on street, in close proximity to the residential entrance on Hatcham Road. Although we normally prefer off street disabled parking, the current arrangements on the highway suggest there is adequate kerbside space to accommodate this at this location. The arrangements for the disabled parking bays will be detailed as part of the

S278 agreement.

161. Through a clause in the Section 106 Agreement, all new residents will be exempted from parking permit eligibility should a CPZ be imposed in this location in the future.
162. Future residents will be granted 3-year membership of a car club, which will be secured through the Section 106 Agreement.

Trip generation

163. Sufficient information has been provided to demonstrate the development is unlikely to have an effect on the local highway network. The trip generation of the proposed development has been estimated with reference to data from the TRICS database for the residential and commercial land uses assessed using 'worst case' scenario. The proposed development should result in circa 26 two-way vehicle trips per day.
164. There will be some improvements to the pedestrian environment This work will be done to SSDM standards within S278 works.
165. When the adjacent sites comes forward this will allow for a one way servicing route through those sites, this application includes provision for this to happen although in the interim vehicles servicing will have to reverse in to enable exit in forward gear this is acceptable in this location.

Servicing and DSP bond

166. The applicant has provided tracking drawings to demonstrate that 7.5 tonne vehicles can reverse in and come out in forward gear from the off street servicing area off Hatcham Road. The off street servicing includes 2 bays and sufficient space for a further four vehicles to offload at any one time. The gate will be closed during non-operational hours and therefore no vehicles will need to queue on the public highway. In each one hour slot of operational hours, it is predicted that no more than three vehicles will use this space. The detailed design is subject to condition.
167. Aa further loading bay on Manor Grove will be considered under the S278 Agreement.
168. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the Council is recommending that applicants in the Old Kent Road Opportunity Area enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 500 sqm non-residential floorspace. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents.
169. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:
 - i. necessary to make the development acceptable in planning terms;
 - ii. directly related to the development; and
 - iii. fairly and reasonably related in scale and kind to the development.
170. The bond with the council against its own baseline of daily trips for the servicing and delivery of the development. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of two years from 75% occupancy. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end

of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development. The council will retain £1,600.00 for assessing the quarterly monitoring.

171. The bond is currently estimated to be:

Type of floorspace and chargeable rate	Quantity	Sum
Residential (£100 per unit)	34	£3,400
non-residential floorspace (£100 per 500m2 rounded up)	915.5	£200
Total		£3,600
daily servicing/delivery vehicles baseline	26	

172. This mechanism, to be secured through Section 106 Agreement, would ensure the servicing activity associated with the development can be monitored and any impact to the highway network can mitigated in the unlikely event that such impact arises.

Construction management

173. In order to ensure that increases in traffic, noise and dust associated with the construction phase of the development are minimised, a Construction Management Plan is requested by condition.

Waste storage and collection arrangements

174. Refuse stores associated with both the residential and commercial elements are to be provided at ground floor level to the rear vehicular access point. Each store would have sliding doors and be accessible from Hatcham Road. Both proposed stores would be of adequate size to accommodate the anticipated volumes of residual waste and recycling that both residential and commercial units would generate in line with Southwark's guidance on refuse. The stores have been located so that they are within 10m of the public highway, enabling refuse and recycling bins to be collected directly from the stores and wheeled to the vehicles. The arrangements are, therefore, considered acceptable.

Environmental matters

Land contamination

175. The application was accompanied by a preliminary Land Contamination Risk Assessment, which the Council's Environmental Protection Team has assessed and deemed acceptable. A condition is to be imposed requiring a Phase 2 investigation to be conducted and the results submitted to the Council for approval, with further remediation measures to apply if contamination is found to be present.

Flood risk, flood resilience and sustainable urban drainage

176. The application site is located within Flood Zone 3 but is outside the area of residual risk and benefits from the Thames tidal defences. The Environment Agency has reviewed the applicant's Flood Risk Assessment and considers it to be acceptable.

177. The Council's Flood Risk Management team has requested the imposition of

conditions requiring a Flood Warning and Evacuation Plan and a Flood Resistance and Resilience Report to be prepared and submitted to the Council for approval.

Archaeology

178. The site is within the 'Bermondsey Lake' Archaeological Priority Zone (APZ), which is designed to protect the palaeoecological environment and prehistoric archaeology recovered from the shoreline and relict fills of the large late glacial Bermondsey Lake and the associated riverine geology and topology.
179. The applicants have submitted an archaeological Desk Based Assessment (DBA) with this application. It is noted that the report adequately addresses the first stages of archaeological mitigation for the site. It is expected that parts of the site that are accessible should be subject to a programme of evaluation trenching and a geoarchaeological borehole survey conducted in the current site layout. This would be to determine the archaeological significance of the site.
180. The Council's Archaeologist has highlighted that the DBA is acceptable, the Archaeologist has recommended the imposition of four conditions should planning permission be granted.

Energy and sustainability

Carbon emissions and renewable technologies

181. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. The residential aspect of the proposal would be expected to achieve zero carbon, and the commercial aspect a 40% reduction against Part L of the Building Regulations. An Energy Statement based on the Mayor's hierarchy has been submitted.
182. The Energy Statement demonstrates how the targets for carbon dioxide emissions reduction are to be met. Reductions in emissions for the site have been demonstrated via 'Lean', 'Clean', 'Green' measures, in line with the GLA guidance on preparing energy statements, the Southwark Core Strategy (2011) and the Southwark Sustainable Design and Construction SPD.
183. Overall, the Energy Assessment asserts that the development would achieve a carbon saving of 36.9%, thereby meeting the policy requirement. This has been achieved by proposing:
 - 'Lean' measures such as levels of insulation beyond Building Regulation requirements, low air tightness levels and efficient lighting;
 - 'Clean' measures such as individual high efficiency gas boilers, and;
 - 'Green' measures such as photovoltaic panels and air source heat pumps
184. For the residential element, a 36.9% carbon reduction would be achieved falling short of the zero carbon requirements as set out in policy 5.2 of the London Plan, amounting to a 28.1 tonne shortfall per annum which over 30 years is equivalent to 843 tonnes.
185. For the commercial element, a 40% reduction in carbon emissions would be achieved, which exceeds the baseline target of 35% carbon reduction emissions and which would make this scheme compliant with Policy 5.2 of the London Plan.
186. Recognising the residential aspects fall below the policy requirements in relation to

carbon savings, a contribution towards the council's carbon offset fund would be required. Calculated on the basis of £1,800 per tonne, the residential component would generate a contribution of £50,617.65. The applicant has agreed to make the contribution of £50,617.65 to the carbon offset fund, in doing so making this aspect of the scheme fully policy compliant.

187. A clause within the Section 106 Agreement will also ensure that evidence is submitted to and approved by the Local Planning Authority to show that the proposal has been designed to allow for future connection into the district CHP network if/when this becomes feasible. The Council are currently developing a project with the GLA to deliver a local energy network powered by SELCHP.

BREAAM

188. Strategic policy 13 of the Core Strategy requires the commercial units to achieve BREEAM 'excellent'. A BREEAM Pre-assessment report has been undertaken (this is contained within the applicant's Sustainability Statement) which demonstrates that an "excellent" standard can be achieved which meets the policy requirement and is therefore acceptable. A condition to secure this is therefore recommended.

Development viability

189. Southwark's Development Viability SPD requires a financial viability appraisal to be submitted for all planning applications which trigger a requirement to provide affordable housing. The financial viability appraisal should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements.
190. This application is therefore accompanied by a viability appraisal, which was reviewed by independent consultants on behalf of the council. The council's consultant has confirmed that the proposed provision of 35% affordable housing exceeds the maximum reasonable proportion that the scheme can support at present. The development would need to achieve higher sales values to achieve returns.

Planning obligations

Planning obligation	Mitigation	Applicant's position
Local Economy and Workspace		
LOCAL ECONOMY: CONSTRUCTION PHASE EMPLOYMENT, SKILLS AND BUSINESS SUPPORT PLAN	The Plan would be expected to detail: <ul style="list-style-type: none"> • Methodology of training, skills, support etc. • Targets for construction skills and employment outputs • Methodology for delivering apprenticeships • Local supply chain activity methodology 	
AFFORDABLE WORKSPACE	10% of the commercial floor space is to be for affordable workspace at a rate of £12 per square foot over a 15-year period.	
COMMERCIAL UNITS	Strategy to be submitted to and approved	

MANAGEMENT PLAN	<p>by the Council setting out:</p> <ul style="list-style-type: none"> • how a Specialist Workspace Provider will be appointed; • the methodology for supporting SMEs; • the marketing strategy, and; • the strategy for managing the units. 	
Housing, Viability and Amenity Space		
AFFORDABLE (SOCIAL RENT AND INTERMEDIATE) HOUSING PROVISION	<p>Provision and retention in perpetuity (except where viability is reviewed) of 12 affordable units on the site, comprising the following mix:</p> <ul style="list-style-type: none"> • 8 units (to be social rent tenure). • 4 units (to be intermediate rent tenure units). <p>Income thresholds and eligibility criteria for the tenures would be included.</p> <p>Restrictions on occupancy to ensure foregrounded delivery of affordable housing units.</p> <p>Suitable marketing of the Intermediate Housing Units for the duration of the Intermediate Housing Pre-Completion Marketing Period and the Intermediate Housing Marketing Period</p> <p>Disposal of any of the Intermediate Housing units permitted only if at the end of the Marketing Period there has not been uptake. In these circumstances, disposal to those an incomes up to £90,000 will be permitted who meet the eligibility criteria. Evidence to be supplied to the Council before this will be permitted.</p>	
VIABILITY	<p>Viability Review Update to be submitted should the agreed affordable housing offer not be complied with.</p> <p>Standard paragraphs pertaining to validation of the Viability Review Update and its subsequent review: (receipt of Review Update within 10 days; provision of additional info within 10 days; Review to be carried out by external agents on behalf of the council, with costs to be met by the developer; confirmation to be given by Council within 3 months; referral to specialist if Update not accepted etc.)</p>	

	<p>Provisions in respect of the payment of the Deferred Affordable Housing Payment, the expiry of the Viability Review Update, and the Viability Actual Value Review.</p> <p>Restriction on occupation of 50% if a Viability Review Update is required.</p>	
WHEELCHAIR HOUSING PROVISION	<p>Provision of four wheelchair housing units.</p> <p>Suitable marketing of the Intermediate Housing Units designated as Wheelchair Accessible Units for the duration of the Marketing Period for Wheelchair Accessible Dwellings</p> <p>No disposal of any of the Intermediate Housing Units designated as a Wheelchair Accessible Unit to those not in need of wheelchair housing until marketing exercise at end of marketing period.</p>	
OUTDOOR AMENITY SPACE	<p>Not to occupy the development or any part of it until the communal amenity space has been completed to satisfaction of Council.</p> <p>To maintain the communal amenity space and provide residents with free access to it throughout the year for the duration of the development.</p>	
PUBLIC OPEN SPACE	<p>Payment of £33,825 (indexed) to secure improvements to existing parks and open spaces within the Old Kent Road Opportunity Area.</p>	
Transport and Highways		
HIGHWAY WORKS	<p>The developer should enter into an agreement between the Highway Authority (S278 works).</p>	
DELIVERY SERVICE PLAN BOND	<p>The Delivery Service Plan Bond will be £3,600,</p> <p>The Bond is to be paid to the Council prior to occupation of any part of the development.</p>	
CYCLE CLUB SCHEME	<p>Membership of a dockless cycle hire scheme licenced by the highway authority</p>	

	for a period of 3 years from the date of first occupation will be available for free to all residents.	
CAR CLUB SCHEME	Membership of a Car Club Operator scheme (to be one of the Council's approved car club partners) for a period of 3 years from the date of first occupation will be available to all eligible residents.	
RESTRICTION ON THE RELEASE OF THE WHEELCHAIR PARKING SPACES	In no circumstances is either of the two wheelchair parking spaces to be released for exclusive use by any non-disabled residents of the development.	
PARKING PERMIT RESTRICTION	All future residents, with the exception of blue badge holders, are to be exempted from parking permit eligibility in the event that Hatcham Road and/or Manor Grove become part of a Controlled Parking Zone in the future.	
Energy, Sustainability and the Environment		
FUTUREPROOFING FOR CONNECTION TO DISTRICT CHP	Prior to occupation, a Combined Heat Power (CHP) Energy Strategy must be approved setting out how the development will be designed and built so that it will be capable of connecting to the District CHP in the future.	
CARBON OFFSET FUND	Payment on or before implementation of £50,617.65 based on the shortfall of 28.1 tonnes of carbon per year.	
PRECAUTIONARY TREE LOSS OFFSET	The following offset sum(s) shall be paid by the developer: <ul style="list-style-type: none"> • £13,697 as calculated in line with the Capital Asset Valuation of Amenity Trees matrix.	
ARCHAEOLOGY	Payment of £3,389 to cover the costs of archaeology monitoring/supervising.	
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	

191. In the event that a satisfactory legal agreement has not been entered into by 29 December 2019 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development

through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015)".

CIL

192. This application will be subject to mayoral and Southwark CIL, the amount required will be confirmed to committee in the addendum report.

Consultation

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

Consultation replies

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

Summary of consultation responses

195. One representation was received in respect of this planning application, neither objecting nor supporting this proposal. Appendix 1 provides further details.

Consultation responses: Internal and external consultees

196. Set out below are the responses received from external consultees in respect of this planning application. The views of internal consultees are summaries within the main body of this Committee Report. Appendix 1 provides further details.

Environment Agency

Transport for London

Natural England

Historic England

Metropolitan Police

Community impact statement / Equalities Assessment

197. The Public Sector Equality Duty (PSED) contained in Section 149 (1) of the Equality Act 2010 imposes a duty on public authorities to have, in the exercise of their functions, due regard to three "needs" which are central to the aims of the Act:

- a) The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- b) The need to advance equality of opportunity between persons sharing a relevant protected characteristic and persons who do not share it. This involves having due regard to the need to:
 - Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it

- Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low
- c) The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice and promote understanding.
198. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
199. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights
200. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.
201. The building is currently vacant and has been since February 2018. Its last known use was as a printing company. There are therefore no impacts on persons sharing relevant protected characteristics within the site.
202. Immediately adjacent to the site is a church at 12-36 Hatcham Road. Planning permission was granted in 2003 on appeal for continued use of the premises as a church and children's day care centre. Officers have identified the potential to impact upon the following groups sharing protected characteristics.
203. Religion or belief (would the ongoing operation of the church be compromised by the proposed mixed use development and in particular the introduction of residential uses).
204. Race (the congregations of the churches are predominantly black and minority ethnic (BME)).
205. Officers consider that the church's ongoing use would not be compromised by this development. The proposed commercial uses at ground and first floor level would not be dissimilar to those that already exist on the development site. So it is not anticipated that they would create any issues in respect of noise or other disturbance between the new development and the existing church or vice versa, which might compromise the ongoing use of the church.
206. The residential units begin at second floor level, above the level of the two story church buildings. There are no windows to the residential units on the party wall between the church and the development site. At second floor level to the rear of the development site and at sixth floor level there is a communal amenity space. It is not considered that potential noise generated by the church would harm the new residents' amenity which could consequently impact on the church use, given the degree of separation between the uses, and given that there are no windows that face directly onto church use on the party wall. There are some windows and terraces on the Manor Grove element of the development that face toward the church, but given the distance between the church and these flats it is not considered that there would be a harm to these residents as a result of the church use and consequently the church use would not be potentially compromised.
207. Similar considerations apply to the church at 7 Manor Grove.

Human rights implications

208. 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.
209. This application has the legitimate aim of providing a mixed use (Classes B1 and C3 redevelopment of an existing but vacant commercial (Class B1) building. 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/2406-2 Application file: 17/AP/4649 Southwark Local Development Framework and Development Plan Documents	Place and Wellbeing Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 0207 525 3487 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	Alicia Chaumard, Graduate Planner	
Version	Final	
Dated	18 July 2019	
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		18 July 2019

Consultation undertaken

Site notice date: 03/05/2018

Press notice date: 31/01/2019

Case officer site visit date: n/a

Neighbour consultation letters sent: 12/04/2018

Internal services consulted:

Ecology Officer

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

Flood and Drainage Team

Waste Management

Statutory and non-statutory organisations consulted:

Environment Agency

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

Neighbour and local groups consulted:

206-210 Ilderton Road London SE15 1NT	2 Barnaby House Manor Grove SE15 1AN
Unit 7 Canterbury Industrial Park SE15 1NP	3 Barnaby House Manor Grove SE15 1AN
224 Ilderton Road London SE15 1NT	4 Barnaby House Manor Grove SE15 1AN
182-196 Ilderton Road London SE15 1NT	1 Barnaby House Manor Grove SE15 1AN
214 Ilderton Road London SE15 1NT	24a Manor Grove London SE15 1SX
24 Manor Grove London SE15 1SX	24b Manor Grove London SE15 1SX
River Of Life Pentecostal Church 12-38 Hatcham Road SE15 1TW	9 Barnaby House Manor Grove SE15 1AN
Unit 5 Canterbury Industrial Park SE15 1NP	First Floor 96-108 Ormside Street SE15 1TF
Unit 9 Canterbury Industrial Park SE15 1NP	Unit 1 And 2 96-108 Ormside Street SE15 1TF
18 Manor Grove London SE15 1SX	8 Barnaby House Manor Grove SE15 1AN
Unit 4 Canterbury Industrial Park SE15 1NP	5 Barnaby House Manor Grove SE15 1AN
Unit 12 Canterbury Industrial Park SE15 1NP	6 Barnaby House Manor Grove SE15 1AN
Unit 2 Canterbury Industrial Park SE15 1NP	7 Barnaby House Manor Grove SE15 1AN
37 Manor Grove London SE15 1EQ	First Floor 78-94 Ormside Street SE15 1TF
39 Manor Grove London SE15 1EQ	10 Manor Grove London SE15 1SX
41 Manor Grove London SE15 1EQ	12 Manor Grove London SE15 1SX
35 Manor Grove London SE15 1EQ	8 Manor Grove London SE15 1SX
3 Manor Grove London SE15 1EQ	First Floor Rear 180 Ilderton Road SE15 1NT
31 Manor Grove London SE15 1EQ	Unit 3b Canterbury Industrial Park SE15 1NW
33 Manor Grove London SE15 1EQ	Living Accommodation 224 Ilderton Road

7 Manor Grove London SE15 1EQ	SE15 1NT Part First Floor Front 180 Ilderton Road SE15 1NT
9 Manor Grove London SE15 1EQ 180 Ilderton Road London SE15 1NT 5 Manor Grove London SE15 1EQ	25 Hatcham Road London SE15 1TW 21 Hatcham Road London SE15 1TW Ground Floor 180 Ilderton Road SE15 1NT
43 Manor Grove London SE15 1EQ	Unit 3 And 4 96-108 Ormside Street SE15 1TF
45 Manor Grove London SE15 1EQ 47 Manor Grove London SE15 1EQ 132-136 Ormside Street London SE15 1TF 97 Manor Grove London SE15 1EH 14-38 Hatcham Road London SE15 1TW 227-255 Ilderton Road London SE15 1NS 95 Manor Grove London SE15 1EH 89 Manor Grove London SE15 1EH 91 Manor Grove London SE15 1EH 93 Manor Grove London SE15 1EH Penarth Works Penarth Street SE15 1TR 118-120 Ormside Street London SE15 1TF Iberia House Manor Grove SE15 1EQ Ground Floor 78-94 Ormside Street SE15 1TF Part First Floor 78-94 Ormside Street SE15 1TF Unit 6 Canterbury Industrial Park SE15 1NP Unit 8 Canterbury Industrial Park SE15 1NP Unit 11 Canterbury Industrial Park SE15 1NP 202 Ilderton Road London SE15 1NT Unit 1 Canterbury Industrial Park SE15 1NP Unit 10 Canterbury Industrial Park SE15 1NP 83 Manor Grove London SE15 1EH 85 Manor Grove London SE15 1EH 87 Manor Grove London SE15 1EH 212 Ilderton Road London SE15 1NT Unit 3a Canterbury Industrial Park SE15 1NP 110-116 Ormside Street London SE15 1TF 29 Manor Grove London SE15 1EQ	1 Manor Grove London SE15 1EQ 11 Manor Grove London SE15 1EQ 13 Manor Grove London SE15 1EQ 81 Manor Grove London SE15 1EH 75 Manor Grove London SE15 1EH 77 Manor Grove London SE15 1EH 79 Manor Grove London SE15 1EH 23 Manor Grove London SE15 1EQ 25 Manor Grove London SE15 1EQ 27 Manor Grove London SE15 1EQ 21 Manor Grove London SE15 1EQ 15 Manor Grove London SE15 1EQ 17 Manor Grove London SE15 1EQ 19 Manor Grove London SE15 1EQ 55 Manor Grove London SE15 1EH 57 Manor Grove London SE15 1EH 59 Manor Grove London SE15 1EH 53 Manor Grove London SE15 1EH 18-22 Penarth Street London SE15 1TX 49 Manor Grove London SE15 1EH 51 Manor Grove London SE15 1EH 69 Manor Grove London SE15 1EH 71 Manor Grove London SE15 1EH 73 Manor Grove London SE15 1EH 67 Manor Grove London SE15 1EH 61 Manor Grove London SE15 1EH 63 Manor Grove London SE15 1EH 65 Manor Grove London SE15 1EH

Re-consultation: 30/01/2019

Consultation responses received

Internal services

None

Statutory and non-statutory organisations

Environment Agency

Metropolitan Police Service (Designing out Crime)

Thames Water - Development Planning

Neighbours and local groups

10 Manor Grove London SE15 1SX