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Item No. 7.2	Classification: Open	Date: 8 January 2020	Meeting Name: Planning Committee
Report title:	Development Management planning application: Application 19/AP/2196 for: Full Planning Application Address: TAYO SITU HOUSE, 73 COMMERCIAL WAY, LONDON SE15 6FA Proposal: Construction of a four storey building to provide 50 extra care residential units linked to the existing facilities in Tayo Situ House and a dementia day care centre and community hub at ground floor. Relocation of the existing electrical substation and provision of the associated car parking, vehicle accesses, cycle parking and landscaping works.		
Ward(s) or groups affected:	Peckham		
From:	Director of Planning		
Application Start Date 27/08/2019		Application Expiry Date 26/11/2019	
Earliest Decision Date 25/10/2019			

RECOMMENDATION

1. a) That planning permission be granted, subject to conditions and the applicant entering into an appropriate legal agreement.
- b) That in the event that the requirements of a) are not met by 29 May 2020, the director of planning is authorised to refuse planning permission, if appropriate, for the reasons set out under paragraph 220 of this report.

EXECUTIVE SUMMARY

2. This application is being referred to planning committee because it is a council's own development (that includes 50 housing units) and which has received five objections.
3. The development would provide a dementia day care centre that was initially intended to be provided within the building that previously occupied the site. This day care centre would complement the existing 42 extra care housing units provided in the existing Tayo Situ House, completed in 2016, to the immediate south of the site. As the previous building on the site was found to suffer from structural problems (and so was demolished), the opportunity was taken to provide additional extra care housing units as well as the day care centre and a new community hub (providing related services) within a new build scheme.
4. The proposal would functionally and physically link with the existing Tayo Situ House with both elements together forming a single, coherent perimeter block. As on the adjoining scheme to the south, the 50 extra care housing units in the proposed development would be for social rent and would form part of the council's wider New Homes Delivery programme.
5. It is recommended that the proposal is supported as it would provided a purpose built

community facility and affordable extra care housing for which there is an identified need. It is of a good design and residential quality, and despite the limited incidents of harm identified would have an acceptable impact on neighbour amenity. Conditions and planning obligations would be used to ensure compliance with sustainability, trees, ecology, transport and highways policies. Subject to these measures the proposal would comply with the development plan.

BACKGROUND INFORMATION

Site location and description

6. The site is a vacant square plot of approximately 0.39ha in north Peckham. It is bounded by the facing rear courtyard of an existing extra-care scheme to the south, known as Tayo Situ House, a part four- and part three-storey building. This was permitted and constructed under application ref.: 13/AP/2901 and it fronts Commercial Way to the south.
7. The site was previously host to the Learning and Business Centre which comprised approximately 2,770sqm floorspace in a part two-, part three-storey building. The building was due to be re-purposed to provide a dementia daycare centre until structural problems were discovered, necessitating its demolition in 2015-16.
8. The site is located within:
 - The Peckham and Nunhead Action Area and the PNAAP 8: Cator Street/Commercial Way site allocation
 - Urban Density Zone
 - Air Quality Management Area
 - PTAL Area of 4

The surrounding area

9. Immediately bounding the site to the north is the Damilola Taylor Centre comprising a part one, part two storey community facility with a sports pitch at the rear. Bounding the site to the east is Cator Street which hosts facing residential properties of between two – three storeys. Similarly to the west on East Surrey Grove residential blocks of five storeys face the site. Two empty plots to the south west, fronting Commercial Way have planning permission under application ref.: 16/AP/4702 for residential development (two 9-storey buildings and two 5-storey buildings comprising 109 units).
10. The wider area is primarily residential comprising post war and more recent development of three to five-storey blocks and two to three-storey houses, with various non-residential uses and community uses interspersed.

Details of proposal

11. This is a council's own planning application. The proposed development would see construction of a U-shaped four storey building (hereon in referred as TS2) to mirror and connect to the existing Tayo Situ House (TS1) to the south, forming a single 'perimeter block' set around a landscaped courtyard.
12. The building would have non-residential uses on the ground floor comprising a dementia day care centre across approximately 1065sqm floorspace (Class D1). This would be accessed from a new gated and secure parking/drop off area on the northern part of the site. It would provide nine activity rooms, a large dining room and conservatory, accessible toilet facilities and offices.

13. The courtyard garden would measure 22m by 26m, with a sheltered circular path and planting. Access to the landscaped courtyard would be restricted to the patients of the day care until it closes each weekday when it would be made available for residents of the proposed extra care units.
14. A public facing community hub accessed from East Surrey Grove would be provided across approximately 265sqm. It would provide a space and services for elderly people and family members with advice and help in planning to meet their future and changing physical and mental health needs. The hub would be complemented with an activity room, café and office space. Approximately 65sqm of the ground floor area would be given over to staff facilities that would be shared between those who work at the community hub and those in the day care facility.

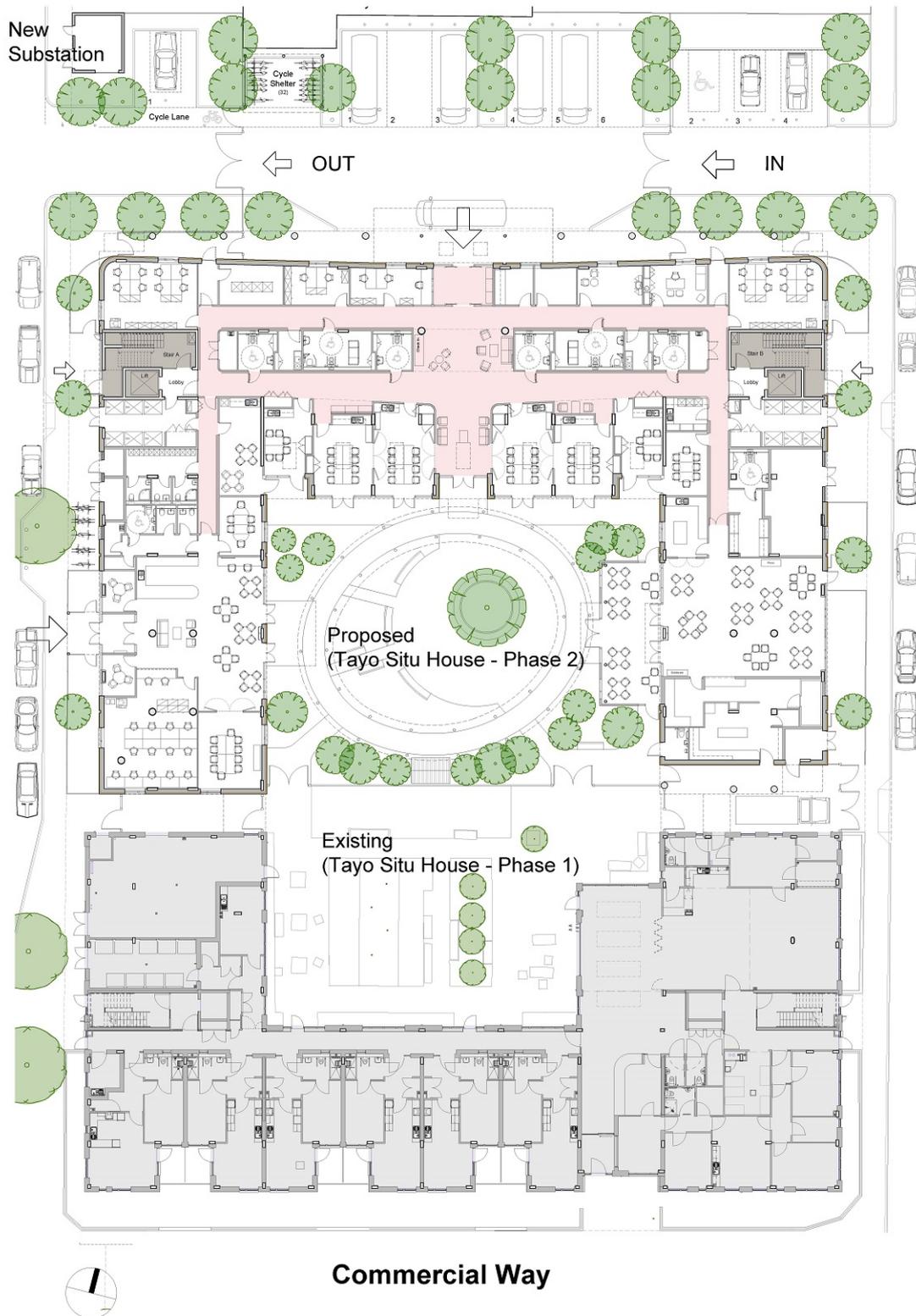


Figure 1: Ground floor plan – showing existing Tayo Situ Phase 1 (TS1) in grey at the bottom, proposed Tayo Situ House Phase 2 (TS2) with drop off and parking area to the north

15. The first, second and third floor levels of TS2 would provide 50 'extra care' residential units (47 x one-bedroom and three two-bedroom). Those on the eastern and western wings of the building would have outlook across the street while those in the northern portion of the building would be south facing overlooking the landscaped courtyard. All 50 units are to be social rent tenure.

16. The residential floors would have an internal corridor that would, with the exception of the northern portion of the building, overlook the internal courtyard and which would link up with TS1 to the south to provide a complete circulation loop at first floor level and above. Each unit would be provided with a balcony, and residents would have access to two communal terraces at first floor level, two at second floor level and a “sun room” with a balcony terrace on the third floor. The residents would have access to the landscaped courtyard outside of the weekday hours when it is used by the daycare facility, and at weekends. A small staff room and staff laundry are proposed at first floor level, along with cleaner cupboards and stores on each floor.

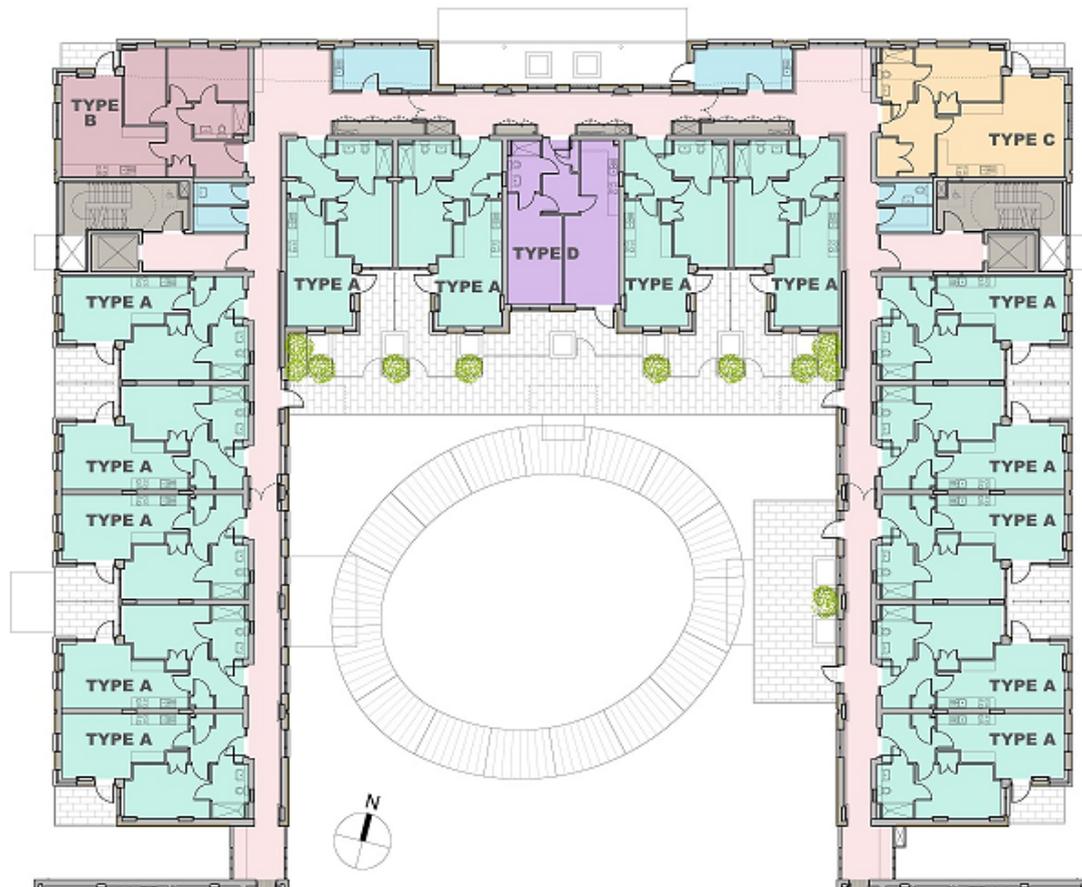


Figure 2: Example upper floor plan (first floor shown) with the four different residential unit types

17. The flat roof level would house PV panels and plant enclosures. Larger kitchen and general servicing deliveries would be undertaken from the existing point to the rear of TS1 on Cator Street. This would be located to the immediate south of the kitchen proposed in the eastern wing of the new TS2 building. Refuse collection would be on street from dedicated stores fronting East Surrey Grove and Cator Street.
18. The landscaped parking area to the north of the proposed building would see minibuses bringing day patients on to the site from Cator Street to the east and exit to the East Surrey Grove to the west. The area would provide 6 spaces for minibuses which would remain on site overnight, as well as secure cycle parking for staff. The area would be bounded by 2.1m high fencing, outside of which would be four parking spaces, which have been sized as blue badge spaces.
19. New tree planting is shown to replace the existing trees to be removed either from the site or on the public highway immediately adjacent to it. A substation is proposed to be relocated from the south western corner to the north-western corner of the site.

20. The TS2 building would primarily be brick, lighter than that used in TS1 with detailing of aluminium window frames, steel infill panels, metal balcony railings to match. It would measure 44m wide along Cator Street and East Surrey Grove, 56.8m wide across most of the width of the site, with a parapet height of 14m (matching TS1). The plant enclosure and lift over-runs give a maximum height of 16.6m.



Figure 3: Image of East Surrey Grove streetscene with community hub entrance



Figure 4: Image of the courtyard garden



Figure 5: Photograph of the cleared TS2 site taken from the rear of TS1



Figure 6: Photograph of TS1 (corner of East Surrey Grove and Commercial Way)

Planning history

21. See Appendix 3 for the relevant planning history of the application site. There is a current application ref. 19/AP/2083 that proposes a substation in the north-western corner of the site.

Planning history of adjoining sites

22. TS1 was approved by application ref.: 13/AP/2901 in April 2014 for:
Erection of a three and four storey building to provide 42 'extra care' dwellings (39 x one-bedroom and three two-bedroom) with associated communal facilities, plant, staff areas and landscaped courtyard
23. The nearby site of 25 Commercial Way has permission ref. 16/AP/4702 granted in April 2017 for:
Redevelopment of existing site to provide a residential development comprising the

erection of two nine-storey buildings and two five-storey buildings on either side of re-aligned Cronin Street, providing 109 residential dwellings (100% affordable), ten car parking space together with access, hard and soft landscaping and other associated works incidental to the development.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

24. The main issues to be considered in respect of this application are:
- Principle of the proposed development in terms of land uses;
 - Environmental impact assessment;
 - Impact on amenity of adjoining occupiers;
 - Density;
 - Housing mix and affordable housing;
 - Design issues;
 - Quality of residential accommodation;
 - Transport and highways;
 - Landscaping and trees;
 - Sustainable development implications;
 - Archaeology;
 - Planning obligations (S.106 undertaking or agreement);
 - Mayoral and borough community infrastructure levy (CIL);
 - Community involvement and engagement;
 - Community impact and equalities assessment;
 - Human rights and;
 - Positive and proactive statement
25. These matters are discussed in detail in the 'Assessment' section of this report.

Legal context

26. Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires planning applications to be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance the development plan comprises the London Plan 2016, the Core Strategy 2011, and the Saved Southwark Plan 2007.
27. There are also specific statutory duties in respect of the Public Sector Equalities Duty which are highlighted in the relevant sections below and in the overall assessment at the end of the report.

Adopted planning policy

National Planning Policy Framework (NPPF)

28. 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.
29. Paragraph 212 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications. The relevant sections are:
Chapter 2 Achieving sustainable development
Chapter 5 Delivering a sufficient supply of homes

Chapter 8 Promoting healthy and safe communities
Chapter 9 Promoting sustainable transport
Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

London Plan 2016

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

Policy 3.1 - Ensuring equal life chances for all
Policy 3.3 - Increasing housing supply
Policy 3.4 - Optimising housing potential
Policy 3.5 - Quality and design of housing developments
Policy 3.8 - Housing choice
Policy 3.9 - Mixed and balanced communities
Policy 3.13 - Affordable housing thresholds
Policy 3.16 - Protection and enhancement of social infrastructure
Policy 3.17 - Health and social care facilities
Policy 4.12 - Improving opportunities for all
Policy 5.2 - Minimising carbon dioxide emissions
Policy 5.3 - Sustainable design and construction
Policy 5.7 - Renewable energy
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 6.3 - Assessing effects of development on transport capacity
Policy 6.9 - Cycling
Policy 6.10 - Walking
Policy 6.13 - Parking
Policy 7.1 - Lifetime neighbourhoods
Policy 7.2 - An inclusive environment
Policy 7.3 - Designing out crime
Policy 7.4 - Local character
Policy 7.5 - Public realm
Policy 7.6 - Architecture
Policy 7.8 - Heritage assets and archaeology
Policy 7.14 - Improving air quality
Policy 7.15 - Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.21 - Trees and woodlands
Policy 8.2 - Planning obligations
Policy 8.3 - Community infrastructure levy

Core Strategy 2011

31. 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 4 - Places for learning, enjoyment and healthy lifestyles
Strategic policy 5 - Providing new homes
Strategic policy 6 - Homes for people on different incomes
Strategic policy 7 - Family homes
Strategic policy 11 - Open spaces and wildlife
Strategic policy 12 - Design and conservation
Strategic policy 13 - High environmental standards

Southwark Plan 2007 (saved policies)

32. 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:

Policy 2.1 - Enhancement of community facilities
Policy 2.2 - Provision of new community facilities
Policy 2.5 - Planning obligations
Policy 3.1 - Environmental effects
Policy 3.2 - Protection of amenity
Policy 3.3 - Sustainability assessment
Policy 3.4 - Energy efficiency
Policy 3.6 - Air quality
Policy 3.7 - Waste reduction
Policy 3.9 - Water
Policy 3.11 - Efficient use of land
Policy 3.12 - Quality in design
Policy 3.13 - Urban design
Policy 3.14 - Designing out crime
Policy 3.19 - Archaeology
Policy 3.28 - Biodiversity
Policy 4.2 - Quality of residential accommodation
Policy 4.3 - Mix of dwellings
Policy 4.4 - Affordable housing
Policy 4.5 - Wheelchair affordable housing
Policy 4.7 - Non self contained housing for identified user groups
Policy 5.2 - Transport impacts
Policy 5.3 - Walking and cycling
Policy 5.6 - Car parking
Policy 5.7 - Parking standards for disabled people and the mobility impaired

Peckham and Nunhead Area Action Plan (2014)

33. The Peckham and Nunhead Area Action Plan (PNAAP) was adopted on 26 November 2014 and sets out the planning framework for delivering development in Peckham and Nunhead. The AAP identifies a "wider action area" and a "core action area" the latter of which is expected to be the focus of development and intensification.
34. The application site is within the wider action area, within the Peckham East character area, and proposal site PNAAP 8 'Cator Street/Commercial Way'. The required land use for the site allocation is residential Class C3 and/or community/leisure/cultural uses (Class D). Other acceptable land uses are retail and business. The indicative capacity of the PNAAP 8 site is 180 residential units, and 280sqm of non-residential use, and a suggested phasing and implementation period of 2016-2020.

35. The following policies are relevant in this AAP:
- Policy 7 - Community facilities
 - Policy 13 - The road network
 - Policy 15 - Residential parking
 - Policy 16 - New homes
 - Policy 17 - Affordable and private homes
 - Policy 18 - Mix and design of new homes
 - Policy 20 - Trees
 - Policy 21 - Energy
 - Policy 22 - Waste, water, flooding and pollution
 - Policy 23 - Public realm
 - Policy 24 - Heritage
 - Policy 25 - Built form
 - Policy 26 - Building heights
 - Policy 43 - Land use
 - Policy 44 - Transport and movement
 - Policy 45 - Built environment
 - Policy 47 - Proposal sites
 - Policy 48 - Presumption in favour of sustainable development
 - Policy 49 - Section 106 planning obligations and community infrastructure levy

Supplementary Planning Documents

36. 2015 Technical Update to the Residential Design Standards SPD 2011
Affordable Housing SPD (2008 - Adopted and 2011 - Draft)
Section 106 Planning Obligations and Community Infrastructure Levy (2015)
Sustainable Design and Construction SPD (2009)
Sustainable Transport SPD (2010)

Emerging development plan policy

Draft New London Plan

37. The draft New London Plan was published in November 2017 and the first and only stage of consultation closed in March 2018. Minor suggested changes to the plan were published in August 2018 and an Examination in Public (EIP) took place between January and May 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 Inspector's report was published on 8 October 2019. Where there are no substantial objections, a draft policy within the plan can be afforded significant weight in planning decisions. The following policies are relevant to this application:

- GG1: Building strong and inclusive communities
- GG2: Making the best use of land
- GG3: Creating a healthy city
- GG4: Delivering the homes Londoners need
- GG5: Growing a good economy
- GG6: Increasing efficiency and resilience
- D1: London's form, character and capacity for growth
- D1A: Infrastructure requirements for sustainable densities
- D1B: Optimising site capacity through the design-led approach
- D2: Delivering good design
- D3: Inclusive design
- D4: Housing quality and standards
- D5: Accessible housing

D7: Public realm
 D10: Safety, security and resilience to emergency
 D13: Noise
 H1: Increasing housing supply
 H5: Delivering affordable housing
 H7: Affordable housing tenure
 H12: Housing size mix
 H15: Specialist old person housing
 S1: Developing London's social infrastructure
 E11: Skills and opportunities for all
 HC1: Heritage conservation and growth
 G1: Green infrastructure
 G5: Urban greening
 G6: Biodiversity and access to nature
 G7: Trees and woodlands
 SI1: Improving air quality
 SI2: Minimising greenhouse gas emissions
 SI5: Water infrastructure
 SI12: Flood risk management
 SI13: Sustainable drainage
 T1: Strategic approach to transport
 T2: Healthy streets
 T3: Transport capacity, connectivity and safeguarding
 T4: Assessing and mitigating transport impacts
 T5: Cycling
 T6: Car parking
 T6.1: Residential parking
 T6.5: Non-residential disabled person parking
 T7: Deliveries, servicing and construction
 T9: Funding transport infrastructure through planning.

New Southwark Plan: Proposed Submission Version

38. For the last 5 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 initial draft of the Proposed Submission version ('PSV') (Regulation 19) on 27 February 2018. Consultation on a selected number of 'amended' (relative to the initially published PSV) policies concluded in May 2019. It is anticipated that the plan will be submitted for Examination in Public (EIP) in December 2019.
39. 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.
40. Policies considered in the context of this planning application include:
- SP1: Quality affordable homes
 - P1: Social rented and intermediate homes
 - P5: Housing for older people
 - P6: Housing for households with specialist needs
 - P9: Optimising delivery of new homes
 - P11: Design of places
 - P12: Design quality
 - P15: Efficient use of land
 - P18: Archaeology

P39: Access to employment and training
P42: Healthy developments
P44: Community uses
P47: Highways impacts
P48: Walking
P50: Cycling
P52: Car parking
P53: Parking standards for disabled people and mobility impaired people
P54: Protection of amenity
P55: Designing out crime
P59: Biodiversity
P60: Trees
P61: Environmental standards
P62: Energy
P63: Reducing waste
P65: Environmental protection
P66: Improving air quality
P67: Reducing noise pollution and enhancing soundscapes
P68: Reducing water use
P69: Reducing flood risk.

Consultation

41. Details of consultation undertaken in respect of this application are set out in paragraph 231 onwards below and Appendices 1 and 2.
42. Statutory consultation was undertaken on the proposed development including neighbour letters, sites notices and a press notice in Southwark News. The council as the applicant undertook community engagement consulting on the proposals prior to the submission of the planning application. A consultation engagement summary was submitted to support the application to this effect. Further information can be found in paragraph 228 - 230 below.

Summary of consultation responses

43. Five comments were received from members of the public regarding the proposed development. All of these were objections. 4 of the five comments were from neighbouring occupiers while another was from outside the borough. The issues raised by the submitted comments were:
 44.
 - Excessive scale, height and massing
 - Impact on access to amenity of neighbouring occupiers, including daylight and sunlight, privacy and outlook
 - Impact on parking in the area
 - Impact on pollution
 - Impact on biodiversity (foxes)
45. These matters are covered in detail in the remainder of this report.

Assessment

Principle of the proposed development in terms of land uses

Existing and proposed Use Class D1 floor space – existing and proposed

46. The site is within the site allocation PNAAP8 of the AAP, which includes four blocks on the north side of Commercial Way extending from Chandler Way in the west to Cator

Street in the east. The PNAAP 8 site allocation sets out required land uses of C3 and/or community/leisure/cultural uses (D Class use).

47. The indicative capacity of the whole site allocation is for 180 residential units and non residential uses of 280sqm, with particular reference to provision of small shops along Commercial Way. This capacity is estimated across the four parcels of land including; the current application site; TS1 to the immediate south; the site of the approved 25 Commercial Way development under application ref.: 16/AP/4702; and Bradfield Youth and Community Centre to the west.
48. The existing lawful use of the application site is D1, having hosted a school since the Victorian times and which was rebuilt in the 1960s. In more recent years the building hosted a community educational and training use on the site until it was demolished as noted above. As TS1 was being planned it was initially anticipated that the dementia day care facility would be provided in this building assuming it was fit for purpose, but unfortunately it was not.
49. This lawful community D class use previously on the site is protected under saved Southwark Plan policy 2.1 'Enhancement of existing community facilities.' This policy states that planning permission will not be granted for a loss of D class community facilities unless:
 - the community facilities is surplus to requirements and the proposed development meets an identified need; or
 - unless another local facility with similar or enhanced provision can meet the identified needs of users.
50. The former school building hosted a range of training and educational services over the years. The training aspect once provided on the site was subsequently moved to the council's Tooley Street offices.
51. The non-residential aspect of the proposed development comprises the provision of approximately 1,685sqm GIA of D1 use across the ground floor level dementia daycare centre and community hub. This compares with the approximately 2,770sqm provided in the former school building once on the site. Given the time which has elapsed since the demolition of the previous building on the site, and the proposed development incorporating a significant quantum of D1 floorspace, the D1 provision within the proposed development would meet the broad aim of retaining D class uses according to saved Southwark Plan policy 2.1.
52. This would represent a reduction in floorspace from the previously existing building. As the education building no longer exists and given the proposal has been designed to meet and cater to the needs of a specific group of end users (to the satisfaction of the council and care-providing partners), flexibility on the requirement for reprovision of all the D1 floorspace previously on the site is considered appropriate. The proposed use would meet the 'required' uses aspect of the PNAAP 8 site allocation. The proposed D1 element of the development is supported and acceptable in principle.

Proposed residential use

53. The provision of 'extra care' residential units has in most instances been assessed as self-contained Use Class C3 housing for the purpose of this planning application. This is on the basis that the units largely form self contained units within a block that also has some supplementary communal facilities, services and care offer for occupiers in order to give opportunity for the residents to live independent lives. This is distinct from the higher level of care in a Class C2 "residential institution".

54. The nature of the proposed housing and end-user groups requires some areas of flexibility against some policy requirements that would normally apply to Use Class C3 housing (for example, unit mix), which are detailed further below. For the purposes of the principle of introducing residential use into the site, this C3 residential development would be in conformity with the requirements of PNAAP 8.
55. It can be noted that within both TS1 and TS2, 92 extra care units would be provided. The approved development at the adjacent 25 Commercial Way site would see 109 units delivered on this adjacent parcel within the site allocation. All three schemes combined would see the number of residential units provided on the allocated site total at 201, broadly in line with the indicative capacity of 180 residential units in the PNAAP site 8.
56. Exceeding this indicative capacity does not raise an in principle issue if all elements are of an acceptable design, residential quality, neighbour amenity impact etc; these aspects of the current application are considered in more detail below. The proposed development would therefore be in conformity with this aspect of the site allocation and the principle of the introduction of residential use on the site is acceptable.
57. The provision of extra care units as an extension to the current TS1 facility would comply with emerging New Southwark Plan policy P5 by providing specialist affordable accommodation for older people, providing excellent accessibility and amenity for residents (detailed further below), and as it has a PTAL rating of 4 near to Peckham town centre (a 500m walk), it would be located in an area suitable for older people with good access to local services. It would also be supported by draft London Plan policy H15 by providing specialist older person housing.
58. In conclusion, the proposed Class D1 and Class C3 uses in TS2 would comply with the required land uses of the PNAAP allocation for the large site allocation. Although there would be a reduced area of Class D1 floorspace when compared with the now demolished education centre, the provision of a purpose-built dementia care centre and community hub would be important new facilities in the borough to assist in the health provision and wellbeing of older residents.

Environmental impact assessment

59. A screening assessment to establish whether an environmental impact assessment (EIA) is required considers whether the proposed development falls within any of the following categories:
 - (b) Urban development projects, including the construction of shopping centres and car parks, sports stadiums, leisure centres and multiplex cinemas;*
 - (i) The development includes more than one hectare of urban development which is not dwellinghouse development; or*
 - (ii) the development includes more than 150 dwellings; or*
 - (iii) the overall area of the development exceeds five hectares*
60. The development falls within category b) noted above however it does not exceed the threshold sizes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. An EIA is therefore not required.

Impact on the amenity of the adjoining occupiers

61. Policy 3.1 “Environmental effects” of the Southwark Plan seeks to prevent development from causing material adverse effects on the environment and quality of life. Policy 3.2 “Impact on amenity” of the Southwark Plan states that planning permission for

development will not be granted where it would cause a loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Similarly Core Strategy policy 13 “High environmental standards” seeks to avoid amenity and environmental problems.

Daylight and sunlight

62. The site is surrounded by the following properties, largely residential, which have windows to habitable rooms that have been assessed according to BRE guidance methodology to establish the impact the proposed development will have on their access to daylight, sunlight and overshadowing of spaces relative to the existing situation. These surrounding properties are:
- West: 39 - 66 East Surrey Grove: Five storey residential block
 - South west: consented residential scheme of ref: 16/AP/4702 at 25 Commercial Way on the western side of East Surrey Grove (not yet implemented)
 - South: Rear of TS1
 - South east and east: Two and three story houses No.s 159 – 189 Cator Street
 - North: Damilola Taylor Centre and sports pitch
- 63.
64. With the site having been vacant for a number of years the neighbouring properties benefit from high levels of daylight and sunlight for an urban area. Taking this into account, an assessment was carried out comparing the impact of the development relative to the situation when the former Learning and Business Centre building was on the site. This was relatively low rise (being built post war as a part two, part three storey detached building) and only occupying the southern portion of the site, with the northern part being an open surface level car park.
65. Where appropriate, as a further comparison testing was undertaken under a ‘mirroring’ scenario where the impacts of hypothetical buildings on the site of the same dimensions and scale to the neighbouring buildings being tested were assessed. The BRE guidance advises that ‘mirroring’ comparisons can inform assessments in urban areas where properties would typically see development of similar scale, height and massing opposite those being tested.
66. Therefore in addition to the usual comparison of the existing daylight levels compared with the proposed daylight levels at neighbouring properties, two additional tests referring to the pre-existing Learning and Business Centre building and of the ‘mirroring’ scenario have been undertaken. Unless otherwise specified, the figures reported below are primarily those from the assessments of the existing empty site situation and the resultant real-term impact of the proposed development.
67. Tests undertaken include:
- Vertical Sky Component (VSC) – measuring the value of amount of sky visible from a single central point on the external surface of a window
 - No Skyline (NSL) – measuring the proportion of the room behind a window which has a view of the sky at ‘working plane’ (desk – 0.85m) level
 - Annual Probable Sunlight Hours (APSH) – measuring the likely amount of sunlight windows facing within 90 degrees of south would receive
68. BRE advises that should either of the VSC or NSL values be reduced by 20%, the change in levels of light would be noticeable for the occupier of that room. Given that NSL testing takes account of multiple windows to and dimensions of a room it is generally considered to be more reliable than VSC, although the latter is still a useful indicator.

69. The following tables provide a summary of the VSC, NSL and APSH results across the surrounding windows and rooms tested.

70. Table 1 – Vertical Sky Component Results Summary (VSC)

Address	Number of windows assessed for VSC	Number of windows – pass VSC test	Number of windows – fail VSC test
39 – 68 East Surrey Grove	55	46 (84%)	9 (16%)
155 – 189 Cator Street	62	48 (77%)	14 (23%)
25 Commercial Way (consented development)	72	58 (81%)	14 (19%)
Totals	189	152 (80%)	37 (20%)

71. Table 2 – No Skyline Results Summary (NSL)

Address	Number of rooms assessed for NSL	Number of rooms – pass NSL test	Number of rooms – fail NSL test
39 – 68 East Surrey Grove	55	44 (80%)	11 (20%)
155 – 189 Cator Street	58	46 (79%)	12 (21%)
25 Commercial Way (consented development)	35	31 (89%)	4 (11%)
Totals	148	121 (82%)	27 (18%)

72. Table 3 – Annual Probable Sunlight Hours Results Summary (APSH)

Address	Number of rooms (with a window facing within 90 degrees of south) assessed for APSH	Number of rooms – pass APSH test	Number of rooms – fail APSH test
39 – 68 East Surrey Grove	n/a	n/a	n/a
155 – 189 Cator Street	58	52 (90%)	6 (10%)
25 Commercial Way (consented development)	20	20 (100%)	0
Totals	78	72 (92%)	6 (8%)

73. The assessment below will focus on properties that would experience a reduction in daylight and sunlight.

West: 39 - 68 East Surrey Grove

74. 55 windows serving 55 rooms facing the site in this block were assessed. 43 would meet BRE guideline levels following implementation of the development, indicating the proposal would not have an adverse impact. The tables above provide a summary of the results:
75. 13 rooms saw a reductions, mostly in VSC values, beyond the BRE guidelines:
- 1 room met the criteria for VSC but did not for NSL (i.e. saw a reduction greater than 20% of the existing value). However a substantial 69% of this room's area would still benefit from access to skylight at the working plane level which is acceptable.
 - 2 rooms saw VSC below BRE thresholds to a minor extent (i.e. less than 30% reduction) but meet the advised NSL threshold which is considered acceptable.
 - 10 rooms would experience VSC percentage reductions of between 28% and 44% and which would also not meet the advised NSL thresholds set out in BRE guidance. However, they would retain VSC values of between 18% - 26%, averaging at 23% which is considered good for an urban location.
76. There is a minor reduction in impact when comparing the proposed development to the situation as existed on the site prior to the demolition of the Business and Learning Centre building, with VSC values reduced by between 27% and 38% in that scenario. The retained NSL values are however above or very close to 50% which can be considered acceptable for an urban area.
77. This urban character should be taken into account, in conjunction with the fact that the site currently a vacant site and has in the past represented what would be considered an under-developed site, and which necessitated the site allocation in the PNAAP.
78. The exercise of testing the impact of 'mirroring' the building at 39 – 68 East Surrey Grove on the application site saw retained VSC values close to that incurred by the development proposed at a minimum of 18% in both instances. On balance, adequate daylight would be retained for these windows/rooms.
79. The properties at 39 – 66 East Surrey Grove do not have any windows facing within 90 degrees of due south, so sunlight testing was not undertaken. Similarly there are not any amenity spaces to these properties that would incur over shadowing impacts from the proposed development.

East: 171 – 185 Cator Street

80. Of the 62 windows serving 58 rooms tested for these properties, 44 rooms complied with BRE guidelines with either no or small reductions in access to daylight. The remaining 14 rooms spread across 7 properties of 171 – 185 Cator Street are towards the southern portion of the street closest to the application site.
81. They comprise a mix of two storey houses built in the mid 1990s across No.s 179 – 185 and four two storey plus sunken lower ground floor mid Victorian terraced properties. Of these four, three, No.s, 171 – 175, have been retained as whole houses while 177 has been subdivided into two units comprising a 'basement flat' and a 'ground and first floor' flat

Victorian terrace – Nos. 171 - 177

82. The proposed development would impact the daylight to the windows in the lower and upper ground floors of 171 – 177 beyond the BRE guidelines in terms of VSC. They would see percentage reductions of between 29% - 35%. Lower ground floor level windows would see a retained VSC of between 19% - 20%, while upper ground floor windows would retain VSC values of between 24% - 25%, not far from the recommended level of 27% set out in BRE guidance. These changes are considered acceptable.
83. In terms of daylight distribution, the windows to the houses at 171 – 175 would be subject to a reduction of NSL values at lower ground floor levels of between 51% - 59%. This is a significant reduction however the properties are full houses which are host to other rooms with windows on the same facing elevation on the upper ground and first floor levels.
84. The impact on these would broadly be in line with BRE reduction criteria, with reduction in NSL values of between 15% and 25%, close to the advisory BRE 20% threshold of a change being noticeable, These houses would retain acceptable levels of daylight and daylight distribution to their rear facades.
85. The lower ground floor level flat at No. 177 would see a reduction in NSL to the facing living/kitchen/dining room window by 47% of the existing NSL value. This would be a substantial and noticeable reduction in this room's access to daylight. However the unit is similarly dual aspect with outlook and access to light from the rear. This would limit the impact of the proposed development to some extent.
86. The above noted reductions in VSC and NSL should be considered in the context of the vacant site as existing. All these terraced properties currently benefit from a high baseline level of NSL (averaging around 96%), due to the application site having no buildings on it. Similarly the average 30% VSC value for all these windows is high for an urban area.
87. Given this, the predicted reductions in daylight for these properties, resulting from a proposed development of an appropriate scale, height and massing for an urban area (explored in the design section below) is not unexpected. In these circumstances and, on balance, the impact of the proposed development is considered acceptable and would not cause significant harm to the amenity of these neighbouring residential properties.

1990s properties – No.s 179 – 185

88. The semi-detached houses of No.s 179 and 181 would see all facing windows subject to a reduction of between 23% and 34%, however the retained VSC value would be at minimum 19% which is considered acceptable for an urban context. The flats of No.s 183 – 185 would see two of a total 7 windows be subject to between 21% and 22% reduction in daylight while all the others would comply with BRE reduction criteria.

Sunlight testing for facing Cator Street properties

89. Sunlight testing was undertaken for 58 rooms facing within 90 degrees of due south. 52 rooms met BRE guidelines while 5 met the BRE recommended annual threshold of 25% but failed winter 5% threshold. One room within 179 Cator Street would fail both annual average and winter APSH thresholds, albeit retain an annual figure of 15%. Given these rooms are predominantly located on the lower ground floors of neighbouring properties, the impact incurred is considered acceptable for an urban location.

North: Damilola Taylor Centre

90. Windows which would be impacted by the proposed development on this neighbouring building comprise a significant portion of high level wrap around glazing to an indoor ball court which would still benefit from unobstructed outlook to the east across the adjacent outdoor sports pitch. As a non-habitable room, the daylight and sunlight tests were not undertaken.
91. The outdoor pitch was assessed for overshadowing impacts. The proposed development would not have a significant impact on sunlight to the pitch. It would retain a high proportion at 94% of its area in March and 96% in June, that would benefit from two or more hours of sunlight a day.

South: Existing TS1

92. The facing rear elevation of TS1 to the south of the application site contains a communal dining room and an office on the ground floor level and circulation corridors on the floors 1 – 3 above. There are no habitable rooms that would be subject to daylight impacts required to be tested according to BRE guidance.
93. The courtyard amenity space to the rear of TS1 was assessed for overshadowing impacts. Due to its northern aspect in front of a wrap-around four-storey building, the courtyard as existing does not meet BRE criteria of benefitting from 2 or more hours of sunlight on 21st March. Following development, the space would retain 64% of its area having direct access to sunlight for 2 or more hours on 21st June, which is a marginal reduction on the existing 67% and in exceedance of the BRE 50% minimum.

South west: 16/AP/4702 – Consented development at 25 Commercial Way

94. This consented development has not yet been constructed so there are no existing occupiers of this site. Nevertheless full assessment of the impact of the proposed development is necessary to ensure this neighbouring development would retain adequate levels of access to daylight for the future occupiers of the site. The development as approved comprises 109 residential units within two 9 storey and two 5 storey buildings.
95. A 5 storey element faces the application site across East Surrey Grove and the return wing of TS1. This aspect of the approved development hosts balconies which overhang windows to habitable rooms on all floors bar the top fourth floor.
96. In these circumstances the BRE guidance suggests it is appropriate to test the impact of a proposed development on neighbouring windows and rooms with any overhanging balconies removed. This is to establish the extent to which these elements of a neighbouring building, rather than any nearby proposed development, are hindering access to their daylight. To this effect the technical daylight and sunlight modelling undertaken by the applicant included results of this exercise.
97. The facing elevation of the consented development hosts 72 windows servicing 35 rooms which overlook East Surrey Grove:
98.
 - 24 of these rooms would meet both of the advised values for VSC and NSL tests.
 - 8 rooms would meet BRE guideline reduction criteria for VSC and NSL values when omitting the balconies from their elevation with the proposed development on the application site sitting opposite.
 - The remaining three rooms, (two small kitchens and secondary bedroom) are recessed within their own elevation. As a result the existing VSC values to these

windows, with the application site opposite vacant, is already very low at between 0.5 and 1.7%, so that any reduction in VSC is a higher percentage.

99. The affected bedroom window is a secondary window. The primary window would see a reduction of 17% in VSC, in line with BRE guidance. The bedroom overall would see an NSL value reduction of 17% as a result of the proposed development, in line with the thresholds set by BRE guidance. On this basis the impact of the proposed development on this bedroom is on balance considered acceptable.
100. As consented and with the application site vacant, the two affected kitchens would be subject to NSL values of 62% and 15%. Each kitchen would see the proportion of their areas subject to direct access to skylight reduced to 19% and 10% respectively as a result of the proposed development. The kitchens would have poor daylight levels in VSC terms once constructed.
101. A number of factors regarding these units can be taken into account when determining whether the impact of the proposed development on these rooms access to daylight is acceptable. These factors are:
 - That these kitchens are small (at approximately 7.5sqm) and would not fall within the definition a habitable room.
 - That the poor VSC and NSL values are substantially as a result of the architectural treatment of the building, including recessed windows and overhanging balconies above.
 - That the flats are dual aspect, with substantial living spaces and master bedrooms with extensive, full height and full width glazing on the rear, west facing aspects.
102. In conjunction with the above, consideration should be given to both the site's physical urban context and the related planning policy context as an AAP site allocation identified for development. Explored elsewhere in this report, the proposed development is largely conforming to these AAP requirements, including in terms of proposed residential unit numbers and resultant acceptable scale, height and massing. Taking all of the above considerations into account, the impact on these neighbouring windows' daylight of the 25 Commercial Way development is acceptable.
103. Sunlight for four windows facing within 90 degrees due south within this facing neighbouring elevation of the consented development would not be noticeably affected.

Conclusion on daylight and sunlight impacts

104. There would be noticeable reductions in daylight for a number of windows and rooms for a small number of properties located to the east and west of the site on East Surrey Grove and Cator Street. These rooms would in some cases experience low levels of daylight following the implementation of the proposed development. However a number of factors should be taken into account when affording weight to these impacts noted above.
105. This includes that the impacts to the consented and yet-to-be implemented 25 Commercial Way development are partially borne of its own architectural design. Any further impact incurred by the development on the application site should be considered in the context of the scale and nature of the affected rooms and their role and location within the host, dual aspect properties within this neighbouring block.
106. By contrast the properties to the east on Cator Street currently experience particularly high levels of daylight because the application site is vacant. Some of the impacts on these properties would be noticeable but on the whole these properties would continue

to experience levels of access to daylight and sunlight that are in line with a built up urban area.

107. In the context of the site having been part of a site allocation since the adoption of the Southwark Plan in 2007, and which was subsequently superseded by the site allocation within the Peckham and Nunhead Area Action Plan for a development of a scale commensurate to that proposed, given the otherwise acceptable scale and massing (explored in further detail below), in conjunction with the manifest benefits of the scheme in delivering a new community and health facility and affordable housing for a segment of the population in need, the harm to the neighbour amenity in terms of impacts on daylight and sunlight is considered to be acceptable

Privacy and outlook

108. The proposed building would change the outlook for the properties immediately facing the site to the east and west as well as from TS1 to the south. However the proposed building conforms to the area's urban grain and scale, so the impact on outlook is to be expected for a development proposal on a vacant site such as this, and any impact would be acceptable.
109. Facing distances between the proposed elevations and neighbours would be minimum 16m across the roads, exceeding the recommended minimum of 12m in the 2015 Technical Update to the Residential Design Standards SPD. The proposed new dwellings would not therefore cause a reduction in privacy or outlook of the surrounding neighbours by virtue of being too close.

Noise and disturbance

110. The substation and roof top plant would have an associated limited level of noise. An acoustic report was submitted with the application which details the predicted noise levels generated and a condition is recommended to be appended to any grant of planning permission regarding this to ensure amenity of neighbouring occupiers is protected.
111. Developing this vacant site would bring an associated level of disturbance from the comings and goings of residents, staff and visitors. As an allocated site identified for redevelopment, the use of this brownfield site for Class D1 and residential uses is considered not to cause a significant increase in noise to surrounding residential uses.

Density

112. The proposed development would comprise a density of approximately 430 habitable rooms per hectare which is within the prescribed 'urban' density zone thresholds set out in Core Strategy Strategic Policy 5 and PNAAP policy 16 'New homes.'

Housing mix and affordable housing

Housing mix

113. Core Strategy Strategic Policy 7 ('Family homes') sets out the unit mix that developments of 10 or more units must comprise in different areas of the borough. According to this policy, the requirement would be for any housing on the application site to include a minimum of 20% of units with three bedrooms or more, and a minimum of 60% of 2 or more bedrooms.
114. With 50 units proposed as part of the TS2 development this would equate to 10 family sized units of three bedrooms or more, and at least 30 units of 2 or more bedrooms.

PNAAP policy 17 'Affordable and private homes' requires 'affordable housing to be an appropriate mix of dwelling type and size to meet the identified needs of the borough.'

115. The residential aspect of TS2 comprises 47 one-bed units and 3 two-bed units. Most of the units are 1-bedroom units intended for single occupancy while still being afforded a double room. Three 2-bedroom units, and 3 of the 1-bedroom units would be for two person occupancy, being larger and dual aspect. This does not conform to the requirements of Strategic Policy 7. However, while the proposed housing would be fully self contained, and therefore fall within Use Class C3, it is not general needs housing. Instead, it would be meeting a specific need for elderly occupiers with particular health issues. The applicant confirms that the housing would be specifically for:
- the aging population who have care and support needs (for example are frail, have mobility issues or early stage dementia);
 - mental health service users whose condition is stable and have physical health needs and/or cognitive defects; and
 - learning disabled service users who are able to live independently with support.
116. This proposed housing unit mix in TS2 has been informed by the demand and needs of users at the existing TS1 since its completion and occupation in 2016. The provision reflects the particular needs of the users. A similar approach was deemed acceptable at planning stage for TS1 (which comprises x39 one bedroom units and x3 two bedroom units). In this context, the provision of a housing scheme specific to end-user needs and demand is considered an acceptable justification for departing from the requirements of Core Strategy Strategic Policy 7.

Affordable housing

117. Policy 17 of the PNAAP requires development of 10 or more units located in this part of the borough to provide a minimum 35% of housing to be private/market housing. Additionally, a minimum 35% affordable, as supported by Core Strategy Strategic Policy 6 ('Homes for people on different incomes') is also required. Saved policy 4.4 of the Southwark Plan and PNAAP 17 requires a tenure split of 30% social rent and 70% intermediate for affordable housing.
118. These policy requirements were informed by the evidence base at the time of plan preparation and adoption which suggested that affordable housing was over-concentrated in particular areas of the borough, such as Peckham. From this evidence base, the direction for redressing this was through adoption of the above planning policies requiring a minimum provision of private as well as affordable housing in these areas to try and help create mixed and better balanced communities.
119. By contrast, the draft New Southwark Plan policy P1 ('Affordable homes') seeks to reverse this split between social rent and intermediate housing with firm prioritisation of social rent homes in a 70/30 social rent/intermediate split for all applicable developments across the borough. As a draft policy, despite being at a late stage of preparation, it would normally only be able to be attributed limited weight due to the unresolved objections to it in line with paragraph 48 of the NPPF. However, the objections are generally from parties who view the requirement to provide affordable housing to the level proposed in the policy as undeliverable from a development viability perspective.
120. This change in policy direction has arisen with the increased housing crisis in London and in particular the shortage of affordable homes in Southwark. The situation has also prompted the council to initiate its own ambitious house building programme, of which the scheme subject to this report forms a part. It would be 100% affordable housing, far exceeding the 35% minimum requirement. It would not however provide the 35% private

component required in PNAAP 17.

121. The units in TS2 would all be social rent tenure, with no intermediate. This is the tenure type for which there is the greatest need. Such provision would match the tenure type of the existing TS1. The housing proposed within the development would be retained in ownership and managed by the council.
122. The applicant provided a short viability statement confirming key assumptions modelled to ensure the deliverability of the scheme. The statement confirmed that funding has been committed to the project by the council as part of its Capital Works Programme. GLA funding has also been secured and the project is understood to have been progressing through the procurement process.
123. The TS2 scheme is the council's own and has been devised in part to contribute to the council's new homes building programme. This programme by nature prioritises provision of social rented homes with a view to alleviating the most pressing aspects of the affordable housing shortage in the borough which as identified in the draft New Southwark Plan, is for social rented homes. The tenure of these units as social rent will be secured in a planning obligation.
124. The proposed TS2 development is considered to be in conformity to the principle of maximising affordable housing in the borough as set out in the New Southwark Plans' Strategic Policy 1 'Quality affordable homes.' There is no objection to the uniform tenure mix proposed in this instance, particularly as it addresses a specific housing need and would be an extension to an existing extra care facility. In this respect the development's tenure and unit mix is supported.

Design issues

Scale, height, massing and layout

125. Policy 26 'Building heights' of the PNAAP states that developments are required to be similar to existing heights outside the Peckham core action area (2 to 4 storeys). As an extension to TS1, the scale, height, massing and layout of the proposed development broadly mirrors TS1, by proposing a four storey U shaped block with a rear landscaped amenity courtyard area.
126. The TS2 building's parapet height matches the existing building, and its building line along East Surrey Grove and Cator Street would be inset approximately 1m further into the site than the existing TS1. The four storey height would fit comfortably in the context of the neighbouring buildings comprising two – three storeys houses and three – five storey blocks of flats and maisonettes. The set back on the road frontages allows for landscaping and a defensive strip to provide a suitable setting for the new building within the streetscape.
127. The mirroring of the existing building's broad design means the proposal and the existing building would together form a perimeter block surrounding the courtyard garden spaces. The majority of residential units in the new scheme would have outlook out onto the surrounding streets, and the ground floor uses would provide active frontages for part of the Cator Street elevation and most of the East Surrey Grove elevation.
128. Establishing the perimeter block form would afford the opportunity to link floors 1, 2 and 3 of the existing TS1 with TS2 to provide an internal circulation loop for residents. This would primarily overlook the courtyard. At the northern aspect the building would overlook towards the Damilola Taylor Centre where there would be provision of seating areas for residents to congregate and socialise. The ground floor activity rooms for the

day centre users would look out onto the central garden to provide a good outlook, and would have adequate privacy from the street frontage.

129. The building form provides an efficient layout and:

- maximises the number of units and non-residential floorspace on the site.
- provides a good quality of residential and non-residential accommodation, incorporating specific aspects of design and layout and to enhance the living environment for the particular end user groups.
- provides adequate space to accommodate both the resident and day patient care, management and servicing requirements of the all staff members on the site.
- does not cause significant harm to the amenity of the adjoining occupiers (as considered earlier in this assessment).

130. There is no objection to the scale, height, massing and layout of TS2 on this basis.

Detailed design

131. The existing TS1 building is a broadly successful exercise in the 'New London Vernacular' style. It forms a polite brick-led design that helps create an attractive character for the area. The proposed building would follow the same broad compositional principles with a clear structure of base, middle and top.

132. The upper floors of the east and west elevations have clear vertical emphasis and appear more fragmented than TS1, reducing the appearance of building bulk. Windows have become shorter rather than the near full height of the initial TS1 phase, responding to occupier feedback that higher window cills are valued for providing the opportunity to display possessions and increase privacy.

133. The building would be clad in a lighter but similar brick to TS1 and utilise similar aluminum-clad fenestration of the same bronze colour as in TS1. Powder coated aluminum panels of this bronze colour would similarly be utilised around the windows as in TS1 to allow the overall building to be read as a single element.

134. Conditions regarding submission or presentation of material samples on site and detailed drawings of architectural elements at 1:5 scale are recommended to be secured by condition. Subject to these conditions, in architectural and urban design terms it is considered that the proposed development, in conjunction with the existing building, will form a coherent whole and positively respond to the character of the area.

Accessibility and Secured by Design

135. The entrances to the dementia centre, the community hub and courtyard garden would be flush and provide level access for those in wheelchairs. The upper residential floors would have lifts and stair accesses from both East Surrey Grove and Cator Street. The residents would additionally be able to access their flats through the main entrance of TS1 on Commercial Way and use the stair and lift cores in that section of the combined scheme.

136. The building has been designed so that the different uses and users of the spaces are separated. The Met Police has commented that access control and a robust visitor access strategy is important to ensure that building users can only access permitted areas and to ensure that visitors are correctly vetted and directed to the appropriate part of the building. The development benefits from a secure drop off area for users of the day centre. The Met Police has commented that this is excellent and ensures that users can safely and securely enter and exit the building, with a secure line provided by the

gates and fences.

137. As this development is for use by persons suffering from dementia, there are additional concerns relating to people going missing. There would be adequate control measures on the outside doors, such as alarms, to prevent the emergency escape being used in anything other than an emergency. There must be full CCTV of all of the entry and exit points of this building to assist in an investigation if a resident or user goes missing. The Met Police has requested a Secured by Design condition be included on any permission.
138. The height and form of the proposal would comply with policies 25 and 26 of the PNAAP. Subject to conditions regarding materials, detailed drawings, and Secured by Design to ensure the design quality is maintained through to the completed build, the proposal is considered to comply with London Plan policies 7.2, 7.4 and 7.6, Core Strategy policy 12, and saved policies 3.12, 3.13 and 3.14 of the Southwark Plan.

Quality of residential accommodation

139. London Plan policy 3.5 requires housing developments to be of the highest quality internally, externally and in relation to their context. Policy 4.2 of the Southwark Plan provides guidance on what constitutes good residential development. It states that planning permission will be granted for mixed use schemes where they achieve good quality living conditions including high standards of accessibility, privacy and outlook, natural daylight, ventilation, amenity space, safety and security and protection from pollution. The Residential Design Standards SPD provides further detailed guidance. Section 4.2 of the 2015 Technical Update to the Residential Design Standards SPD sets out a number of standards that 'supported housing' such as extra care housing should conform to.
140. In this proposal, all of the standards are met (by, example, providing self contained flats with their own bathrooms and kitchens, single rooms being over 7.5sqm, a laundry, a communal lounge and communal gardens, and the habitable rooms having natural daylight), with the exception of the provision of one guest room per 20 residents. The applicant justifies this absence of a guest room on the basis of the single guest room provided on TS1 not being well used and which would be considered to adequately meet any extra demand generated by the 50 new extra care units proposed as part of TS2. This is acceptable.
141. Four unit types would be accommodated at each floor level in TS2, comprising:
- Type A: The majority of units are one-bedroom flats, intended as single occupancy overlooking either East Surrey Grove, or Cator Street. Those that don't face a road are south facing overlooking the internal courtyard.
 - Type B: Dual aspect, two bedroom flats in the north west corner.
 - Type C: Dual aspect, two person one bedroom flats in the north east corner.
 - Type D: One bedroom flat within the south facing run of units overlooking the internal courtyard.
142. Type A is the most common unit type on TS1 with Type D also being provided on that scheme. Their layouts have been replicated on the application site due their designs being well received by tenants. The other unit types, B and C, have been adapted from these. Each unit type exceeds the minimum size standard for the number of bedrooms and intended occupiers. The room sizes within the units generally exceed the minimum room sizes set out in the Residential Design Standards SPD.

143.

Schedule of accommodation for one-bedroom dwelling types A, C and D			
Room	Floor area (sqm)	Minimum requirement (sqm)	Complies?
Lounge/kitchen/dining	A – 21.7 C – 33.4 D – 24.5	24	A – No, shortfall as the adjoining bedroom has been generously sized and a recessed balcony provided C – Yes D – Yes
Double bedroom	14.9 – 17.4	12	Yes
Bathroom	5.5 – 6	3.5	Yes
Built-in storage	0.6 – 2.4	1	Yes
Dwelling	Floor area (sqm)	Minimum area requirement (sqm)	Complies?
Gross internal floor area	A – 52 C – 69 D – 58	50 (65sqm for SEL WHDG)	A – Yes C – Yes – as SEL WHDG wheelchair unit D – Yes
Private outdoor amenity space	4.3 – 10.5	n/a – the SPD refers to communal provision only	Yes – private and communal space is provided

144.

Schedule of accommodation for two-bedroom dwelling type B			
Room	Floor area (sqm)	Minimum requirement (sqm)	Complies?
Lounge/kitchen/dining	25.6	27	No – slightly under but a generously sized unit overall and exceeds all other room areas and total size
Double bedroom	13.6	12	Yes
Single bedroom	10.2	7.5	Yes

Bathroom	5.9	3.5	Yes
Built-in storage	0.9	2	No – off set by generously sized bedrooms
Dwelling	Floor area (sqm)	Minimum area requirement (sqm)	Complies?
Gross internal floor area	69	69	Yes
Private outdoor amenity space	4.3	n/a– the SPD refers to communal provision only	Yes– private and communal space is provided

145. In addition to Section 4.2 of the Residential Design Standards SPD noted above, the units have been designed to comply with Building Regulations Part M4(2) (adaptable) standard and the higher South East London Housing Partnership Wheelchair Housing Design Guide (SEL WHDG) standards. The exception to this for the majority of units is with regard to the minimum floor area, although it can be noted that the three Type C units at 69sqm are larger than the 65sqm minimum size suggested by the SEL WHDG.
146. Three of the proposed units would be delivered to fully accessible Part M4(3) standard, complementing the six Part M4(3) standard units provided on TS1. This would equate to the combined TS1 and TS2 schemes together providing nine fully accessible wheelchair units out of a total of 92, which would conform to policy requirements for general needs housing. The applicant confirms this is anticipated to exceed the demand based on the experience of providing and managing the 6 units on TS1.
147. The units would be slightly smaller than that recommended by SEL WHDG due to the nature of the proposed accommodation and the end-user group needs dictating that particular facilities for residents be provided in communal or staff-managed aspects of the scheme. Given the SEL WHDG standards set requirements for general needs housing, this is acceptable, as it was on TS1.
148. The accommodation would otherwise meet and in many instances significantly exceed minimum internal space standards for general needs housing and the other applicable SEL WHDG standards.
149. Given the first floor units would be located above a non-residential use, a standard condition requiring the residential units to achieve adequate internal noise levels is recommended to be appended to any grant of planning permission.

Aspect

150. The majority of units would be single aspect, albeit with side return corner elements to glazing that look onto the private balcony and windows onto the circulation loop corridor. This would provide a wider aspect from the primary windows from the living spaces. There would be no single aspect north facing units, with all having their primary aspect facing east, west or south. While dual aspect is preferred as set out in the 2015 Technical Update to the Residential Design Standards SPD, this is acceptable given the requirements of the extra care housing and the advantages of the proposed layout as described below.
151. Under the proposed arrangement, each unit connects to the internal circulation loop

across the whole block and by extension to their neighbours and all other aspects of the wider scheme, including communal facilities while remaining inside the building. This design has been specifically developed to accommodate the particular needs of the elderly end-user groups. Within the perimeter block format this provides an efficient use of space on the site. This is considered reasonable justification for a high proportion of single aspect units, and it is noted that this follows the form of the existing TS1.

152. Each floor would accommodate 5 south facing units within the northern portion of the block, facing into the internal courtyard area below. Portions of their single aspect, inset from the primary line of the façade, would be subject to balcony overhangs of the unit above (with the third floor level units also host to a canopy above in this regard).
153. While the outlook from these units would be limited by the eastern and western wings of the development, these south facing units would have approximately 45m facing distance to the rear elevation of TS1 providing an attractive outlook across the courtyard area. The first floor level units would be set behind a communal amenity terrace space, also overlooking the courtyard below.
154. This communal space would be accessed from the internal corridor at either end of the space. It would be between 2m – 3m deep and run alongside low level fencing, a gate and planting demarcating the boundary to the south facing properties behind and their own defensible and usable amenity space with a minimum depth of 2m. Views would also be possible from the internal corridors into these units, due to the U shaped layout.
155. This arrangement would have privacy implications for the occupiers of these units. The submitted Design and Access Statement has advised that careful placement of translucent privacy film would be utilised for portions of the affected windows to improve the privacy to these units.
156. Consideration was given of whether an alternative arrangement would provide a better quality of accommodation for these units. Such an alternative arrangement could comprise, for example, units with a primarily north facing aspect over the car park and having the corridor run along the inside of the southern elevation of the courtyard facing southern elevation.
157. It was considered by the applicant that provision of units facing north, over to the roof and playing pitch of the Damilola Taylor Centre would likely incur a sense of isolation from their neighbours and the rest of the scheme. Providing single aspect north facing units is not generally acceptable, as noted in the 2015 Technical Update to the Residential Design Standards SPD.
158. The proposed arrangement is considered to be the best fit for the needs of the end-user groups. Arranging these units as south facing would not only mean they receive good levels of sunlight, but also have a direct visual and physical connection to the rest of the scheme from their own homes. Residents of the first floor level would, should they not wish to engage with this increased sense of connection, have the option to retreat with greater privacy as any other residential occupier might, including for example drawing curtains.
159. Providing the option for these future occupiers to experience a direct connection to neighbours and the wider scheme through this south facing arrangement is considered substantially preferable to the alternative of north facing units.

Internal daylight and sunlight levels

160. BRE guidance states that all new residential units should achieve the following 'average daylight factor' (ADF) values for:
- Kitchens: 2%
 - Living rooms: 1.5%
 - Bedrooms 1%
161. The guidance states that where a room has more than one use such as a kitchen/living room, the higher value of the two should set the benchmark value. However due to the deep floorplans, the benchmark the rooms have been assessed against is living rooms with the kitchen areas, when situated at the back of the rooms, excluded from the assessment
162. Of the 50 living/kitchen/dining (L/K/D) rooms tested, 48 (96%) met the 1.5% ADF minimum for a living room. Two rooms falling short of the 1.5% minimum achieved relatively close to the minimum at 1.2% and 1.4% ADF respectively.
163. Of the 53 bedrooms tested, 33 rooms (62%) achieved the minimum 1% ADF value. Of the 20 bedrooms below the 1%, the majority are at 0.7% or above, which is considered reasonable given the design decision to provide each unit with a dedicated, private balcony amenity space. These recessed balconies are above the bedroom window of the unit below, and the design has sought to prioritise daylight to the living rooms rather than bedrooms where possible.
164. 95% of all rooms would achieve NSL values of 80% or more as recommended in BRE guidelines. The remaining 5 rooms, which are bedrooms with less demanding requirements for daylight levels, would achieve 50% of their area.
165. In terms of sunlight 41 of the 50 proposed L/K/D rooms would achieve the recommended sunlight hours for the annual and winter months criteria set out in BRE guidance. A further 3 L/K/D rooms would meet the annual 25% APSH threshold. The remaining L/K/D rooms would still obtain good levels of APSH for an urban area at above 20%. All residents would have access to the top floor "sun lounge" communal room.
166. While some of the proposed units would not achieve some the levels recommended by BRE, the balance of providing daylight to the habitable rooms with providing dedicated private amenity space as a recessed balcony has been afforded careful consideration. The L/K/D rooms would mostly meet the minimum 1.5% ADF for living rooms, while bedrooms would in the majority of instances meet the minimum 1% ADF.
167. The NSL testing demonstrates that the majority of units would be subject to overall very good levels access to daylight according to that metric. Similarly for sunlight the anticipated level of APSH is, in the context of the urban nature of the site, acceptable. On this basis it is considered that a good quality of accommodation would be provided on the site in terms of access to daylight and sunlight.

Amenity space provision

168. Section 4.2 of the Residential Design Standards SPD recommends communal gardens should be sized to provide a minimum of 50sqm plus an additional 6.5sqm per person. It makes no reference to providing private amenity space in addition to the communal space.

169. In this scheme, each unit would be afforded an area of dedicated private amenity space in the form of a balcony of between 4.3sqm (for the corner units Types B and C) and 10.5sqm for Type D units. The majority of units, as Type A, would be afforded between approximately 5.5sqm – 7.5sqm.
170. The five south facing units at first floor level that are set behind the communal terrace area, would have slightly larger terraces of 13 – 15.5sqm (although this would include the approach way to the front door of those units). While this amenity space provision for these five units would have lower levels of privacy than for example a regular balcony due to the location next to the communal terrace, the trade off in providing these units in this location within the layout of the site is assessed above and justified given the alternative option of north facing units (and balcony amenity spaces) noted above.
171. Several communal amenity spaces are provided on the upper residential floors of the block for exclusive use by residents. Residents would include those living within TS1 by virtue of the proposed links to each facing wing of the two blocks at the upper floor levels.
172. The first floor level terrace area of approximately 75sqm in front of the five south facing units and another 45sqm first floor level roof terrace would be provided above the ground floor conservatory attached to the day care facility. A further two 13sqm balcony areas would be provided at second floor level on the northern elevation. Finally, at third floor level a 13sqm balcony terrace is attached to a 40sqm communal 'sunroom' which has extensive glazing on the east and south aspects located adjacent to the three storey element of TS1 facing Cator Street.
173. The residents would have access to the existing courtyard to the rear of TS1, which as part of the proposal would be expanded into the application site, amounting to approximately 496sqm. This would be accessed from the TS1 block (which itself, for residents of TS2, would be accessed via the upper storey links to the block of TS1).
174. Outside of the day care centre hours, i.e. weekdays after 4pm and at all times during weekends the residents of both phases of Tayo Situ House would have full access to the new landscaped courtyard that covers approximately 630sqm on the site.
175. Assuming maximum occupancy (with relevant units occupied by two people) across both phases of Tayo Situ House at 101 persons, the requirement for the whole combined scheme would be to provide 705sqm of communal space according to section 4.2 of the Residential Design Standards SPD. Excluding the provision of the new central courtyard area, the total amount of additional communal amenity space proposed (including that provided on the expanded courtyard largely on the site of TS1), would amount to approximately 655sqm.
176. Although there is a shortfall of approximately 50sqm on the required amount of communal space, as each unit has its own private amenity space in addition and would have access to the new courtyard in evenings and weekends, the combined provision of amenity space significantly exceeds the minimum standard and is considered to be a generous provision that would add to the quality of the accommodation.
177. In conclusion, the TS2 proposal is considered to provide a good quality of residential accommodation for future residents, having generous internal sizes, good daylight provision and outlook to most units, and generous amenity space. The proposal would accord with policies 3.2 ('Protection of amenity') and 4.2 ('Quality of accommodation') of the saved Southwark Plan and the majority of the associated technical standards set out within the 2015 Technical Update to the Residential Design Standards SPD, in addition to the principle and specific requirements of draft Strategic Policy 1 ('Quality affordable

homes’) and draft amended development management policy P1 (‘Social rented and intermediate homes’) of the New Southwark Plan.

Transport and highways issues

178. London Plan policies on transport seek to ensure major developments are located in accessible locations, and support improvements to sustainable transport modes. Core Strategy policy 2 encourages sustainable transport to reduce congestion, traffic and pollution. Policies 5.1 “Locating developments”, 5.2 “Transport impacts”, 5.3 “Walking and cycling”, 5.6 “Car parking” and 5.7 “Parking standards for disabled people and the mobility impaired” seek to direct major developments towards transport nodes, provide adequate access, servicing, facilities for pedestrians and cyclists, and to minimise car parking provision while providing adequate parking for disabled people.
179. This proposed development is in an area with good public transport accessibility level (4 – medium), near to bus routes on Southampton Way/Peckham Road and within a reasonable (1km) walking distance of Peckham Rye train station.

Car parking, vehicle access and servicing

180. The north of the site would provide a new gated route for use by approved vehicles bringing the daycare patients onto and off the site. The space would provide a secure drop off point in front of the main entrance to the daycare centre, overnight parking for 6 minibuses and staff cycle parking storage unit. Either side of the gates a total of 4 on-site disabled parking spaces would be available for visitors or members of staff.
181. Minibuses would access the site from the east on Cator Street and run through to egress on the other side of the site to the west at East Surrey Grove in this one-way arrangement. The existing servicing bay off Cator Street behind TS1, and incorporated into the application site, would be utilised to serve both TS1 and TS2. It will be located near the ground floor kitchen and dining area of the day centre within TS2 and the communal areas of TS1.
182. With the exception of the four disabled parking spaces the development would be car free. This is considered appropriate in the context of the site’s good PTAL 4 rating. The site is not located within a CPZ but a commitment to the development being excluded from eligibility for permits for any future CPZ (except for blue badge holders) is recommended to be secured by legal agreement.
183. A condition to secure one of the mini bus spaces and car parking spaces to be equipped with active electric vehicle charging points and provide the remaining spaces with passive charging points is recommended to be appended to any grant of planning permission.
184. Concerning the vehicle movements ensuing from the TS2 proposal, the development proposal would generate 4 and 7 additional two-way vehicle movements in the morning and evening peak hours. These levels of vehicular traffic would not have any noticeable adverse impact on the prevailing vehicle movements on the surrounding roads. This development would create around 5 two-way public transport trips in the morning or evening peaks hours. The applicant’s consultants have estimated that this would produce approximately 12 two-way service vehicle trips per day, similar to the existing operations on this site, a figure which is deemed reasonable and does not require mitigation measures.
185. Refuse collection for the residential units would be undertaken by on street collection services from the ground floor stores on East Surrey Grove and Cator Street. Dropped kerbs will be implemented as part of necessary highways works associated with the

application.

Highway network impacts

186. There would be a loss of 8 on-street parking spaces (3 on East Surrey Grove and 5 on Cator Street) as a result of the proposed development and associated works. This includes the new vehicular accesses to and from the site and the associated highways works such as new dropped kerb requirements and yellow lining of the carriageway. The removal of these spaces is required in order to ensure safe manoeuvring of vehicles.
187. A parking survey was undertaken to assess parking stress in the area around the site. Parking stress was identified in the survey as being around 87% with 356 of the available 409 unrestricted spaces occupied. Removal of the 8 spaces would incur a marginal increase in this level to 89% which is an acceptable impact.
188. The surrounding highway network would have capacity to accommodate the anticipated movements and trips associated with the development. Estimated trip generation data was analysed. It was concluded that the impact of the proposal on the highway network in terms of servicing vehicle trips, staff trips and residents trips would be negligible.
189. A draft construction management plan was submitted to support the application. Given the constrained nature of the site among existing sensitive residential occupiers, an updated and revised plan is recommended to be secured by condition and which should incorporate comments and recommendations made by officers during the application process.

Cycle parking

190. Staff cycle parking would be provided in a secure dedicated store within the drop off area in the north of the site. A demarcated cycle path separate to the route used by the minibuses would be provided from East Surrey Grove and provide clear safe access to the store from the street.
191. 32 cycle spaces would be provided in a double stacking system. This includes the requirement to provide the 14 spaces which were due to be delivered on the site of the former business centre building as required by condition on the TS1 permission. This would equate to the remaining spaces provided for TS2 staff as 18 in number.
192. Draft London Plan policy H5 'cycling' requires D1 uses of the type proposed to provide one long-stay cycle parking space per 8 members of staff. The proposed extra care housing would be occupied by people who are less likely to cycle.
193. On this basis it is not considered appropriate to impose the cycle parking requirements for general needs housing (Use Class C3), which requires one space per every one bed unit and two spaces or more for every 2 bed+ unit. Rather, given the 'extra care' nature of the units, requirements for Use Class C2 for the residential aspect of the scheme, which is for one cycle parking space per every 5 members of staff, is considered appropriate.
194. Based on the maximum estimate of 8 members of staff for the residential aspect and D1 use, at least 8 cycle parking spaces are required. In conjunction with the 14 provided to meet the requirement of the legacy condition of TS1 referenced above, the total of 32 (18 for TS2) spaces proposed on the site is acceptable.
195. Ten short stay visitor cycle parking spaces across 5 Sheffield stands would be located within the site boundary off East Surrey Grove, adjacent to the entrance to the

community hub. This level of provision exceeds the policy requirements of the new draft London Plan.

Conclusion on transport

196. Subject to conditions securing the provision of cycle parking, electric vehicle charging points, a revised construction management plan and planning obligations prohibiting parking permits and setting out highways works, the TS2 proposal would have an acceptable impact in transport and highways terms.

Landscaping and trees

Landscaping

197. The landscaping of the garden courtyard would utilise a range of hard materials, planting and trees and a circular pergola structure around a circulation loop pathway below surrounding a central social space. Around the edges the wider courtyard space would be subdivided to create small areas with a specific identify or theme. The landscaping would be designed to encourage social interaction and planting would be selected to provide the opportunity for sensory interaction with nature by the day patients with a range of conditions and physical and mental abilities.
198. Landscaping to extend and complement the existing courtyard area of TS1 would be provided as part of the scheme. The site would be subject to landscaping around the northern access and parking area as well as around the wider site providing an area of defensible space between the public realm and windows within the ground floor building line, bounded by 1.1m high fencing. Full details of the landscaping, including planting schedule is recommended to be secured by condition.

Trees

199. A total of eight trees are proposed to be removed from the site or the immediate vicinity of the site to facilitate the development. These include:
- x1 category U Lime tree
 - located at the south western corner of the site
 - x2 category B2 maple trees
 - located at the north western corner of the site
 - x1 category C2 sycamore tree; and
 - x4 smaller category C2 trees comprising a group of maple and sycamore species
 - located to the north east of the site
200. The replacement planting totals 40 trees on the site, including 13 to meet the requirement of a legacy condition yet to be discharged appended to the planning approved of TS1. The council's Urban Forester reviewed the proposed and confirmed that the planting would offset this loss of the trees noted above and provide replacement canopy cover. Details of the planting of the trees are recommended to be secured by condition. Subject to these conditions, the proposal would comply with policies 7.5 and 7.21 of the London Plan.

Sustainable development implications

Energy and sustainability

201. London Plan policy 5.2 states that in order to make the fullest contribution to minimising carbon dioxide emissions, developments should employ the following energy hierarchy:

be lean (use less energy), be clean (supply energy efficiently), be green (use renewable energy).

202. An energy statement has been provided with the application, which details how the scheme's day care centre and residential elements addresses this energy hierarchy. The lean measures include higher performing fabric, improved air tightness, and low energy lighting. The scheme is not large enough to support a CHP, therefore no CHP is proposed for the "be clean" stage. Solar panels are proposed on the roof, and a heat pump as the renewable energy component.
203. The extra care housing units would need to address the zero carbon requirement of the London Plan. An on site carbon emission reduction of 35% on 2013 Building Regulations Part L is achieved by the energy efficiency and on-site renewable energy generation. A carbon offset contribution would be required for the shortfall to 100% carbon emissions savings, equating to remaining 31.5 tonnes of carbon per year, working out at £56,774 (indexed).
204. The London Plan requires the non-residential elements of the scheme to achieve a minimum on site 35% reduction in carbon emissions against 2013 Part L Building regulations. Having increased the area of PV panels on the roof, the proposal now would achieve a 37% saving and so slightly exceed this minimum requirement.
205. A BREEAM pre-assessment for the whole development provided states a base score of 73.5% has been calculated at this early stage, which equates to an Excellent rating, and identifies potential additional credits that could increase this score further. Achieving the Excellent rating through to completion would be required by a proposed condition.
206. The carbon off-set contribution would need to be secured in a planning obligation and the BREEAM condition is recommended to ensure the TS2 proposal would comply with London Plan policies 5.2, 5.3 and 5.7, and Core Strategy 13.

Ecology and biodiversity

207. The proposed landscaping of the courtyard and parking area, tree planting and green roof would improve the biodiversity interest of this hard surfaced site. The council's Ecologist has suggested swift bricks be incorporated into the eastern elevation as a further benefit. These measures would be secured by proposed conditions, to ensure compliance with London Plan policy 5.11, Core Strategy policy 11 and saved policy 3.28 of the Southwark Plan.
208. One consultation comment raised concerns regarding the impact of foxes currently residing on the site as protected animals. The council's ecologist confirmed that while foxes are protected from cruelty, they are not a protected species in the context of the UK's Biodiversity Action Plan, concluding so long as they are moved off the site without harm, the impact of the proposed development would be acceptable.

Ground conditions and contamination

209. The site was historically in residential use, then with pre-fab housing after the war, and from the 1960s as the school building which became the now-demolished Learning and Business Centre. A phase 1 desk study has been submitted with the application. Potential sources of contamination identified include a former fuel tank and made ground, and a very low risk of ground gas. The overall risk of contamination is considered to be moderate to low. Intrusive investigation would be the next step to confirm the potential pollution, and mitigation considered if found to be necessary to ensure the site is suitable for the more sensitive land uses proposed.

210. The council's Environmental Protection Team reviewed the submitted report, and recommends a condition regarding the intrusive investigation and risk assessment. The Environment Agency has recommended conditions relating to contamination and piling method statements. The proposal would comply with London Plan policy 5.21, Core Strategy policy 13, and saved policy 3.1 of the Southwark Plan.

Flood risk and drainage

211. The site is in flood zone 1 which has the lowest risk of flooding, and would be appropriate for the proposed Class D1 and extra care housing uses which are considered "more vulnerable" uses. It is within a critical drainage area and an indicative drainage strategy has been provided, which would reduce surface water discharge from the site as it is currently covered in hard surfacing.
212. The council's Flooding and Drainage team has reviewed the submitted document and is supportive of the reduction measures, with attenuation storage underneath the courtyard, ground infiltration and green roof, but has asked for additional technical modelling and information. A condition is proposed to secure these additional details in the final drainage scheme prior to the commencement of development. The proposal would then comply with London Plan policies 5.12 and 5.13, Core Strategy policy 13, and PNAAP policy 22.

Air quality

213. An air quality assessment was submitted to support the application. This confirmed that the construction phase of the development would likely incur air quality impacts from dust. The assessment made recommendations to address these and which are recommended to be required to be addressed within the revised Construction Management Plan to be secured by condition.
214. An 'air quality neutral' assessment was undertaken which established that the development would be air quality neutral, generating emissions from building operation (plant) and anticipated transport trips below the relevant benchmarks. The development in this respect would be in conformity with London Plan policy 7.14 'Improving air quality.'

Archaeology

215. The site is outside an archaeological priority zone. The historic maps and Historic Environment Records for the site and area were reviewed, and it is noted that in the watching brief for TS1, some post-Medieval pottery was found.
216. While no assessment work needs to be provided, it would be reasonable (and best practice) to require a watching brief to be conditioned so that the groundworks are supervised by an archaeologist in case further finds are uncovered in this part of the site, and to report on any finds. Subject to this condition the proposal would comply with policy 12 of the Core Strategy and 3.19 of the Southwark Plan 2007.

Planning obligations

217. Core Strategy policy 14 states that planning obligations will be used to ensure that the strategic objectives of the Plan are secured, including to mitigate the impacts of the development or otherwise make schemes acceptable in planning terms. As the council is the applicant, a unilateral undertaking would be used to secure the necessary planning obligations, rather than a bilateral section 106 agreement.
218. The Section 106 Planning Obligations and CIL SPD sets out further detail on typical

measures that would be secured by planning obligations, such as construction phase jobs. The unilateral undertaking would need to include the following measures to ensure the proposal complies with planning policy regarding sustainability, highway works and to secure the extra care housing units as that type and tenure.

Planning Obligation	Mitigation	Agreed by the applicant
Local Economy and workspace		
Local economy: Construction phase jobs/ contributions	<ul style="list-style-type: none"> • 12 jobs lasting a minimum of 26 weeks for unemployed Southwark residents • Where this is not possible to meet this requirement, a charge of £4,300 per job not provided will be applied 	Agreed
Local economy: Construction phase employment, skills and business support plan	<ul style="list-style-type: none"> • 12 Southwark residents trained in pre- or post-employment short courses • Where this is not possible to provide a payment a charge of £150 per resident will be applied • Three new apprenticeship start or in work NVQ • Where this is not possible to provide a payment a charge of £1,500 per apprenticeship will be applied <p>Local procurement and supply chain measures</p>	Agreed
Affordable housing		
Affordable housing provision	x47 one bed and x3 two bed (total: x50 units) to be secured as social rent tenure	Agreed
Transport and Highways		
Highway works	<p>To secure the implementation of the following works:</p> <ul style="list-style-type: none"> • Repave the footway including new kerbing fronting the development in accordance with the SSDM requirements. 	Agreed

	<ul style="list-style-type: none"> • Construct proposed crossovers in accordance with SSDM requirements. • Promote a TMO to provide the necessary waiting restrictions (double yellow lines) along Cator Street. • Construct the redundant vehicular crossover in Cator Street as footway and in accordance with the SSDM standards. • Relocation and upgrade street lighting to current LBS standards, including on private roads. • Rectify any damaged footways, kerbs, inspection covers and street furniture due to the construction of the development. 	
Parking permit restriction	Prevent future occupiers from being eligible for permits in any future CPZ in the area (except blue badge holders).	Agreed
Energy, Sustainability and the Environment		
Carbon offset fund	£56,774 (indexed)	Agreed
Administration fee	Payment to cover the costs of monitoring these necessary planning obligations calculated as 2% of total sum.	Agreed

219. The above obligations are necessary to ensure compliance with the development plan and to make the proposal acceptable in planning terms. The obligations are agreed as meeting the necessary statutory tests set out in the CIL Regulations 2011 (as amended) and the NPPF. Subject to the submission of a completed unilateral undertaking, the proposal would be consistent with saved Southwark Plan policy 2.7 'Planning obligations', Core Strategy policy 14 'Implementation' and London Plan policy 8.2 'Planning obligations', and PNAAP 49 'Section 106 planning obligations and CIL'

220. In the event that a legal agreement has not been entered into by 29 May 2020 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

"The proposal fails to provide an appropriate mechanism for securing the proposed affordable housing, and the necessary highways works, construction phase jobs and training, and financial contribution towards carbon offset. The proposal therefore fails to demonstrate conformity with strategic planning policies and fails to adequately mitigate the particular impacts associated with the development 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), and London Plan (2016) policy 8.2 'Planning obligations', as well as guidance in the council's Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015)."

Community Infrastructure Levy (CIL)

221. Section 143 of the Localism Act states that any financial contribution received as community infrastructure levy (CIL) is a material 'local financial consideration' in planning decisions. The requirement for payment of the Mayoral and Southwark CIL is therefore a material consideration, however the weight attached is determined by the decision maker. CIL is a flat-rate charge applied to every square metre of chargeable development in order to fund infrastructure to underpin growth. The proposed development is liable to pay Mayoral CIL and Southwark CIL.
222. Mayoral CIL2 is currently charged at £60 per sqm in this location. The estimate for MCIL2 is £93,960 under 2019 indexation. This figure would be revised to take account of 2020 indexation should permission be granted.
223. The site is within Southwark CIL charging zone 3, in which the current CIL charges are: £0 per sqm for Class D1 use and £54 per sqm for residential. However as an affordable scheme, it would benefit from social housing relief and therefore the CIL estimate would be £0 providing the relevant process to apply for relief is gone through and in a timely manner. The above amounts are estimates that are subject to further detailed analysis and the council reserves its right to update these figures.

Community involvement and engagement

224. An Engagement Summary has been provided in line with the Development Consultation Charter. This summarises the pre-application consultation undertaken by the applicant team, with residents of Tayo Situ House in 2017, Councillor meetings in 2019, and a public meeting in June 2019 (advertised by letter-drop to 900 properties within 200m of the site) and public exhibition.
225. One feedback form was received supporting the proposal and one phone call that was positive but with comments regarding the construction phase in terms of dust during the construction of the existing TS1. In response to this, the applicant team has confirmed that the contractor will be required to ensure this is not repeated. The Engagement Summary is appended as Appendix 5.
226. The planning application was advertised by site notices, newspaper advert, and letters to 147 nearby properties. Internal and external consultees were consulted. The feedback received, including five objections from neighbouring properties is summarised below.

Consultation responses, and how the application addresses the concerns raised

Consultation responses from members of the public

227. Summarised below are the material planning considerations raised in the five objections by members of the public.

Height and site layout:

- Height – something less imposing should be built, 2- or 3-storeys
- The layout and density of the proposed scheme is inappropriate for the area.
- Design – it is too close to the pavement and road, it should be moved back providing a more pleasant streetscape and feeling of openness.

228. Neighbour amenity impacts:

- Too close to adjoining properties
- Loss of privacy
- Loss of daylight from the existing Tayo Situ House and this extension to surrounding houses on Cator Street and East Surrey Grove, and to the streets.
- Loss of daylight and sunlight to the basement flat at 177 Cator Street,
- Harm to the outlook of the basement flat - this proposal would dwarf this historic flat and should be lowered.

229. Transport, parking, highways, deliveries and servicing matters:

- Inadequate parking provision, loss of on-street parking, residents were told this site was going to be come a car park. Visitors and staff to the existing Tayo Situ mean it is already difficult to park in the area, plus residents of the approved Commercial Way development.
- Increase in traffic
- Increase in pollution.

230. Other:

- Strain on existing community facilities
- Foxes live on the site, which are a protected animal and need to be rehoused.

231. These matters are addressed in the relevant preceding parts of this report.

Consultation responses from internal and divisional consultees

232. Summarised below are the material planning considerations raised by internal consultees, along with the officer's response.

233. Environmental protection team:

- Recommend approval, having reviewed the air quality assessment and phase 1 contamination report.
- Recommend condition regarding internal noise levels for the residential units, intrusive investigation of potential contamination and a construction management plan.

Officer response to issues raised: These conditions have been incorporated into the recommendation.

234. Flood risk management team:

- The site is located in Flood Zone 1, the low risk zone, and does not appear to be at risk of surface water flooding, therefore there is no objections in terms of flood risk to the site.
- Requested further technical details of the drainage scheme and infiltration rates.

Officer response to issues raised: These details would be secured by a proposed condition.

235. Ecologist:

- Recommends conditions to secure a green/brown roof and swift bricks/boxes.

Officer response to issue raised: These conditions are incorporated in the recommendation.

236. Transport Policy:

- Has no objection, subject to comments from Highways, and securing items in a legal agreement. Recommend a public access be provided through the site between Cator Street and East Surrey Grove.

Officer response: A construction management plan, electric vehicle charging points, and the cycle parking would be secured by condition. The exclusion of this development from those eligible for car parking permits under any future CPZ operating in this locality would be secured in the legal agreement. It is not considered appropriate to require a public route through this site as it would be of limited benefit for permeability given the length of the blocks on these roads and would affect the proposed layout and secure drop off for the dementia centre.

237. Highways:

- Comments regarding the scope of the highway works needed, renewing the pavements and kerbs adjacent to the site, constructing the crossovers to SSDM standards, upgrading street lighting.

Officer response to issues raised: The highway works would be secured in the legal agreement.

Consultation responses from external consultees

238. Summarised below are the material planning considerations raised by external consultees, along with the officer's response.

239. Environment Agency:

- Has reviewed the Phase 1 contamination study which does not indicate the potential for ground contamination that would represent significant risk to controlled waters.
- Recommends permission only be granted subject to planning conditions regarding unidentified contamination, surface water drainage, and piling method.

Officer response to issue raised: Conditions relating to contamination and drainage are included in the recommendation.

240. Thames Water:

- The site is within 15m of a strategic sewer, and request a condition be added regarding a piling method statement.
- The developer should demonstrate what measures will be undertaken to reduce groundwater discharge into the public sewer.

Officer response to issues raised: These conditions are included in the recommendation.

241. Metropolitan Police:

- Met with the design team and are encouraged that Secured by Design has been considered. The security requirements of Secured by Design can be met, and the development is suitable to achieve accreditation. A condition is requested.

- Activation of the frontages will assist with natural surveillance opportunities for the street. The ground floor has been designed with no alcoves or secluded areas which is positive in relation to crime prevention.
- The building has been designed to separate the different uses and users. Access control and a robust visitor access strategy is important. The secure drop off area for the centre is excellent and ensures the safety of the users. Adequate control measures will be needed on the external doors to the residential units, with CCTV of all entry and exit points.

Officer response to issues raised: A condition is proposed regarding Secured by Design certification.

242. These matters are addressed comprehensively in the relevant preceding parts of this report.

Community impact and equalities assessment

243. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights

244. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application.

245. 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:

1. The need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
2. 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
3. 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.

246. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.

247. The proposed development would have a positive impact on a specific demographic of people who fall within two of the protected character groups noted above, being older people particularly those with particular mental and physical health issues that requires positive support and management and enable them to continue to live dignified and, with respect to the occupiers of the extra care housing, with independence, within their own community.

Human rights implications

248. 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.
249. This application has the legitimate aim of providing a new dementia day care centre, community hub and x50 extra care residential units. 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.

Positive and proactive statement

250. The council has published its development plan and Core Strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
251. The council provides a pre-application advice service that is available to all applicants in order to assist applicants in formulating proposals that are in accordance with the development plan and core strategy and submissions that are in accordance with the application requirements.

Positive and proactive engagement: summary table

Was the pre-application service used for this application	Yes
If the pre-application service was used for this application, was the advice given followed?	Yes
Was the application validated promptly?	Yes
If necessary/appropriate, did the case officer seek amendments to the scheme to improve its prospects of achieving approval?	Yes
To help secure a timely decision, did the case officer submit their recommendation in advance of the statutory determination date?	No

Conclusion

252. The proposed development is supported and is acceptable in land use terms. It would provide both a dedicated health facility and public-facing service hub for and meet the growing needs of a segment of the borough's population. The proposed residential 'extra care' housing would similarly meet an identified need, provide a good, well thought out, quality of accommodation and, as 100% social rented housing, would conform to draft New Southwark Plan policies regarding prioritising social rented affordable housing. There would be harm to amenity of the adjoining occupiers in terms of daylight, however this would be across a relatively small number of rooms and is on balance robustly justified. The proposed building would be of an appropriate scale, height, massing, layout and architectural detailing. It would positively relate to TS1 to the south and contribute to the area. The impact on trees, transport and highways issues would be acceptable. For these reasons, the proposed development is considered to be in conformity with the development plan and emerging policies, and a grant of planning permission is recommended.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
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 0254 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Relevant planning history
Appendix 4	Recommendation
Appendix 5	Engagement summary

AUDIT TRAIL

Lead Officer	Simon Bevan, Director of Planning		
Report Author	Tom Weaver, Planner		
Version	Final		
Dated	17 December 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 Leisure	No	No	
Strategic Director of Housing and Modernisation	No	No	
Director of Regeneration	No	No	
Date final report sent to Constitutional Team			17 December 2019