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<b>Item No.</b> 7.2	<b>Classification:</b> Open	<b>Date:</b> 1 June 2020	<b>Meeting Name:</b> Planning Committee
<b>Report title:</b>	<p><b>Development Management planning application:</b> Application 19/AP/1710 for: Full Planning Application</p> <p><b>Address:</b> 651-657 Old Kent Road, London SE15 1JU</p> <p><b>Proposal:</b> Full planning permission is sought for the demolition of existing buildings on the site and the comprehensive mixed-use redevelopment of the site comprising of two buildings of 10-storeys plus mezzanine (up to 38.900m AOD) and 19-storeys plus mezzanine (up to 71.500m AOD), comprising 262 residential units (Use Class C3 use), 2,258sqm GEA of flexible retail and commercial floorspace (Class A1/A2/A3/A4/B1 uses) at ground and mezzanine level, new public park, private and communal amenity space, associated car and cycle parking, access and servicing arrangements, plant and other associated works.</p> <p>This application represents a departure from strategic policy 10 'Jobs and Businesses' of the Core Strategy (2011) and Saved Policy 1.2 'Strategic and Local Preferred Industrial Locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential and retail accommodation in a preferred industrial location.</p>		
<b>Ward(s) or groups affected:</b>	Old Kent Road		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 19/09/2018		<b>Application Expiry Date</b> 19/12/2018	
<b>Earliest Decision Date</b> 28/10/2018			

## RECOMMENDATIONS

1. That the planning committee grant planning permission, subject to:
  - The recommended planning conditions;
  - The applicant entering into an appropriate legal agreement by no later than 1 October 2020;
  - Referral to the Mayor of London.
  
2. That, in the event that the Section 106 Legal Agreement is not completed by 1 October 2020, that the director of planning be authorised to refuse planning permission, if appropriate, for the reasons set out in paragraph 425 of this report.

## EXECUTIVE SUMMARY

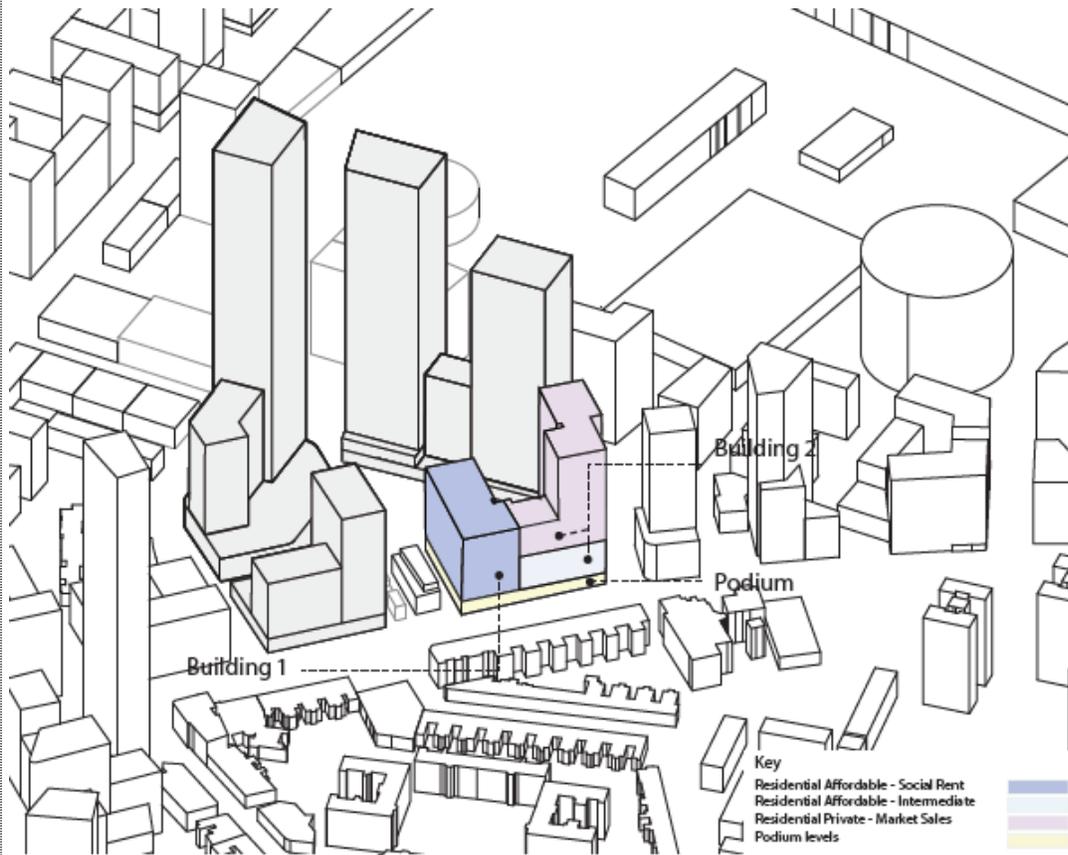
### Site



### Existing land use (paragraph 2-4)

Vacant, A1 and Sui Generis

**Proposed Development (paragraphs 13-29 )**



Development completes the consented Ruby Triangle masterplan and provides the remaining area of public open space



262 homes;

Total of 2,096sqm (GIA) of non-residential floor space comprising;

1,006sqm of B1 (c) light industrial floor space; and

1,090sqm of flexible retail floor space;

39.8% affordable (Total 92 homes, Social 28.6%, 11.2% intermediate);

10% affordable workspace;

All private, communal and play space requirements met on site;

1,321sqm of communal amenity provision;

1,377sqm of children's play provision;

1,485sqm public open space provision;

No car parking other than 8 No. wheelchair parking spaces;

280 cycle parking spaces and 74 visitor cycle parking spaces;

135 of 262 homes are dual aspect equating to 51.5% of the overall units;

51% of affordable housing units as dual aspect;

Buildings of up to 11 and 20 storeys in height;

Estimated Community Infrastructure Levy of circa £7.784m before relief.

Current Site (View from Old Kent Road)

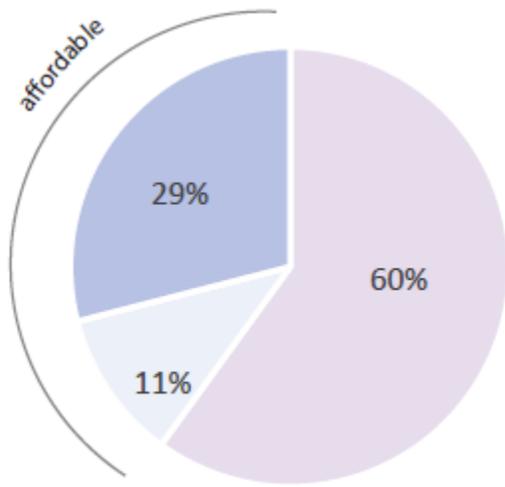


Proposed site with approved Ruby Triangle completed

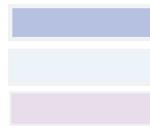


**Affordable housing (Paragraphs 144-154)**

Habitable rooms by tenure



Residential Affordable - Social Rent  
 Residential Affordable - Intermediate  
 Residential Private - Market Sales



Tenure by unit numbers

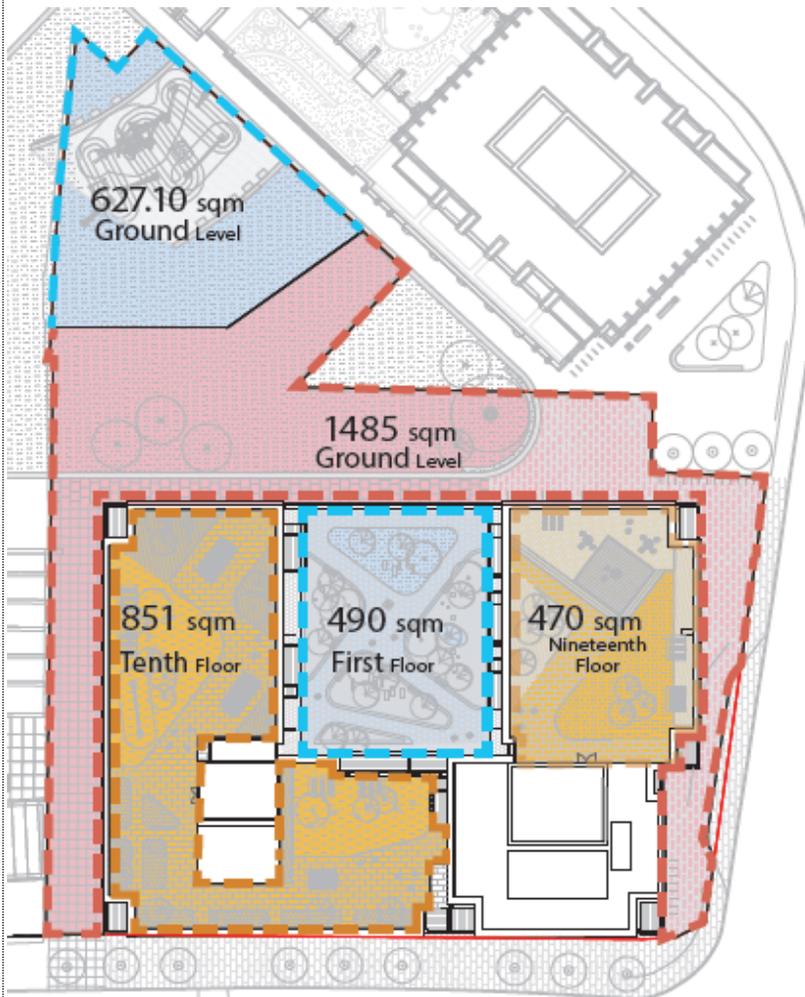
	Social	Intermediate	Private	Total
Studio	0	0	2	2
1 Bed	12	5	65	82
2 Bed	30	23	103	156
3 Bed	16	0	0	16
4 Bed	6	0	0	6
<b>Totals</b>	<b>64</b>	<b>28</b>	<b>170</b>	<b>262</b>
	24%	11%	65%	

**Residential Design – Dual Aspect (Paragraphs 179-181):**

Dual aspect figures

	Dual aspect affordable homes	Dual aspect private homes	Dual aspect total homes
TOTAL	46 of 90 (51%)	89 of 170 (52%)	135 of 262 (51.5%)

**Open spaces (Paragraphs 182 - 205)**



Communal amenity space

Public Open space

Playspace

Table: Amenity space proposed against policy requirement

	<b>Policy requirement</b>	<b>Proposal</b>	<b>Difference</b>
<b>Communal</b>	50sqm + shortfall of 651sqm	1,321sqm	+620sqm
<b>Private</b>	2,620sqm	2,046sqm	-547sqm
<b>Dedicated children's play space</b>	1,117sqm required by the June 2019 GLA calculator	1,117sqm	0sqm
<b>Public open space</b>	1,310sqm	1,485sqm	+175sqm

**Sustainability (Paragraphs 431-444)**

Energy

Photovoltaic (PV) panels and an air source heat pump (ASPH) are proposed on-site. The proposed development would be designed so that it can be connected SELCHP District wide heating network that is currently being developed by the Southwark and Veolia. This future connection would further reduce CO2 emissions; Residential areas would achieve a 57% carbon reduction and non residential areas would achieve a 37% reduction; A carbon offset payment of £203,910 has been agreed within the S106 agreement.

**Car and cycle parking (Paragraphs 281-304)**

No car parking other than 8 No. wheelchair parking spaces;  
 280 cycle parking spaces and 74 visitor cycle parking spaces;  
 The development is accessed by vehicles from Hyndman Street. Access by bus is along Old Kent Road and access by foot or bicycle is also possible via the Old Kent Road.

## Old Kent Road frontage proposed with Ruby Triangle completed

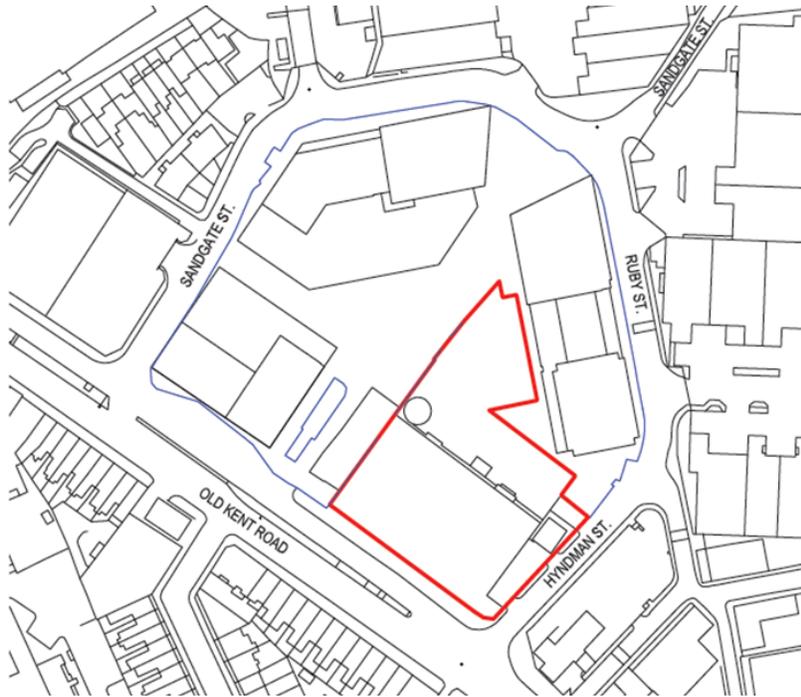


### **BACKGROUND INFORMATION**

#### **Site location and description**

3. The site comprises an area of 0.47 hectares (ha) and is irregular in shape. The site is bound to the north and west by the Ruby Triangle development site (explained further below), to the southeast by Hyndman Street and to the south by the Old Kent Road. Access to the site is provided via Hyndman Street. It lies within the following adopted Southwark Plan designations;
  - Partially within the Old Kent Road Strategic Industrial Location (SIL);
  - Old Kent Road Action Area (Core Area);
  - Urban Density Zone;
  - Bermondsey Lake and Old Kent Road Archaeological Priority Zones;
  - Air Quality Management Area
4. The site also lies within the Old Kent Road Opportunity Area (OKROA) and is discussed further below.
5. It should be noted that the SIL allocation specifically excludes the retail warehouse itself but does include its car park (which is Class A1 retail use).

**Images: Application site and site boundary**



**Image: SIL allocation across application site (shaded yellow)**

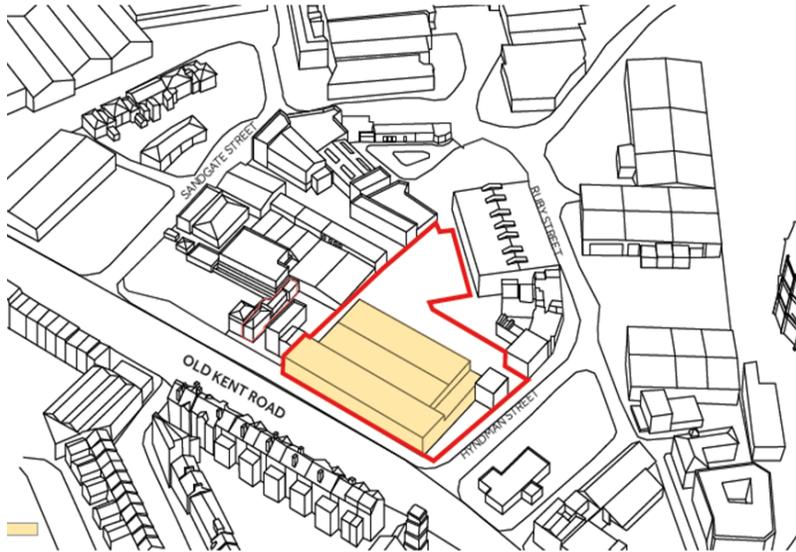


6. The site had previously comprised a retail warehouse with associated car parking. The A1 class uses Carpetright and Office Outlet have since vacated leaving the building empty. A breakdown of the previous lawful uses on the site outside SIL, is provided in the table below:

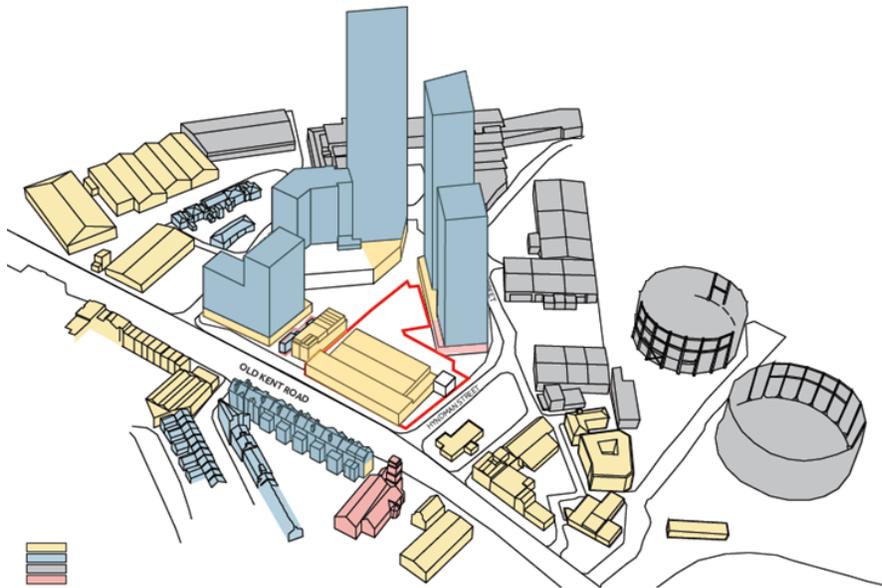
<b>Tenant (or most recent tenant)</b>	<b>Gross Internal Area (GIA) Sqm</b>	<b>Predominant Use Class</b>
Carpetright and Office Outlet	2,179	A1
Van Sales Garage and Car Wash	64sqm	Sui generis

7. To the south-east of the site facing Hyndman Street is a restaurant currently occupied by KFC (Nos. 671-679 Old Kent Road).
8. A number of major retail stores to the northwest of the site along the Old Kent Road including Curry's PC World, Selco Buildings Warehouse, Asda, MacDonald's, Halfords and B&Q.
9. The site falls within a mixed commercial, retail and industrial area. Existing residential space is generally located on the upper floors above retail units on Old Kent Road. The adjoining uses and buildings comprise the following:
  10. Immediately adjoining the site to the west are Nos. 639-641 Old Kent Road which has been considered to be of townscape merit in the Old Kent road Area Action Plan. No. 639 was a church and No. 641 is vacant.
  11. To the rear of the site to the north-west is No. 1 Ruby Street, (Southwark Metals Ltd), a B8 class use building used for the transfer, storage and distribution of scrap metal with ancillary offices.
  12. Opposite the site to the south are generally three to four storey buildings with High Street commercial uses at ground floors on Old Kent Road.
  13. Christ Church Peckham, Nos. 676-680 Old Kent Road is also opposite the site to the south-east.
  14. To the east lies Howden's Joinery and Kwik Fit with Mystique nightclub further to the east.
  15. Ruby Triangle development site as existing - accommodates a number of industrial, employment and community church uses, which are contained within a range of low density buildings.
  16. It is important to note that the site sits adjacent to what is known as the Ruby Triangle development site, which Planning Committee resolved to grant permission in October 2018 for 1,152 residential units over seven new buildings, ranging in height from 17 to 48 storeys (ref 18/AP/0897). The associated Section 106 agreement (s106) was completed on 6<sup>th</sup> June 2019. The site is known as Ruby Triangle site, land bounded by Old Kent Road, Ruby Street and Sandgate Street. That planning permission had proposed a site layout that would allow for future development of the neighbouring site (the application site that is considered under this application), in line with the indicative masterplan in the draft Old Kent Road Area Action Plan (OKR AAP). The shape of the site is such that it fits and 'completes' the Ruby Triangle development site. The site is owned by Southwark Estates (One) and is joint-owned by Urban Provincial and the developer of Ruby Triangle, Avanton. This allows for comprehensive planning across a wide area to the benefit of the local community and future residents.

**Image: Existing site with massing and surrounding context**



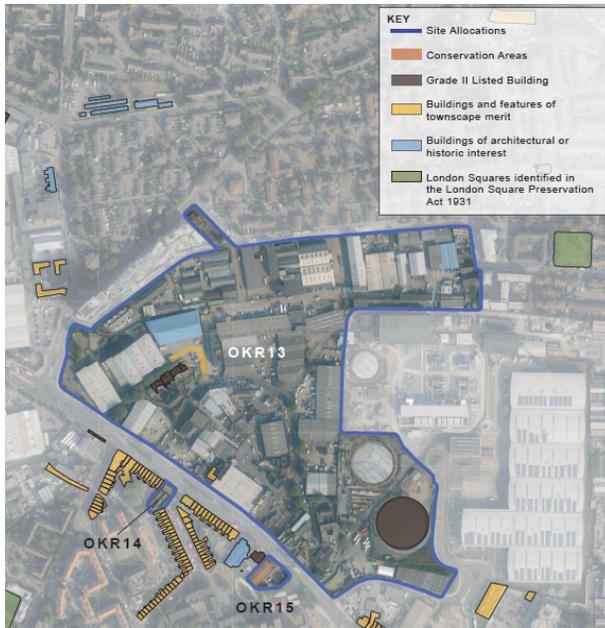
**Image: In future context. Existing site sitting adjacent to the consented Ruby Triangle development - massing and height.**



17. As such, with the Ruby Triangle development completed the surrounding area will change in character and uses, with more residential development in line with the OKRAAP.

18. The site is also within the Old Kent Road Opportunity Area (OKROA): Sub Area 3 – Sandgate Street and Verney Road (specifically OKR13). The site also falls within a Site Allocation (NSP65) outlined in the emerging New Southwark Plan.

**Image: OKR13 in the draft AAP**



19. The site is not within a conservation area and the existing buildings are not listed. The closest conservation area is the Caroline Gardens Conservation Area located 330m to the southeast of the site. The south side of the Old Kent Road has a much more established frontage which features some handsome buildings including Christ Church, the former Livesey Museum and the Royal London buildings. The terrace of Edwardian buildings to the south, including the Royal London Buildings, are identified in the further preferred draft of the OKR AAP as being of townscape merit. Nos. 639-641 Old Kent Road, immediately adjoining the boundary side to the west, are identified in the draft OKR AAP as buildings of townscape merit. These two buildings are to be retained and extended under the Ruby Triangle development. Further east there is a Grade II listed gasholder, known as Gasholder No. 13 (associated with the former South Metropolitan Gas Company). The gasholder station has been decommissioned and has not been used to store natural gas for at least 5 years. The council revoked its hazardous substance consent in March 2020 and the Health and Safety Executive has confirmed that its “blast zone” has been de-designated.
20. The site has an official PTAL rating of 4 (medium accessibility) and is also within Flood Zone 3.
21. National Grid is proposing to construct an electricity tunnel under part of the site. It is understood that this would be 4.5m in diameter with a 3m exclusion zone either side. The applicant has confirmed that they have been in discussion with National Grid engineers about the exact location of this tunnel and any implications on their foundation design.

### Details of proposal

22. Full planning permission is sought for the demolition of the existing building on the site and construction of a mixed use development comprising residential, commercial and flexible retail uses. 262 new dwellings are proposed, 39.8% of which would be affordable (when calculated by habitable rooms). This affordable housing would be

made up of a policy compliant offer of social and intermediate units. Overall, 28.6% of the habitable rooms would be for social rent and 11.2% would be of intermediate tenure. The tables below sets out the proposed housing mix and tenure by split habitable rooms and by unit numbers.

**Table: The mix of dwellings across the site as a whole**

Unit type	Number of units	Percentage (%)
Studio	2	0.7
1 bedroom unit	82	31.3
2 bedroom unit	156	60
3 bedroom unit	16	6
4 bedroom unit	6	2
<b>Total</b>	<b>262</b>	<b>100</b>

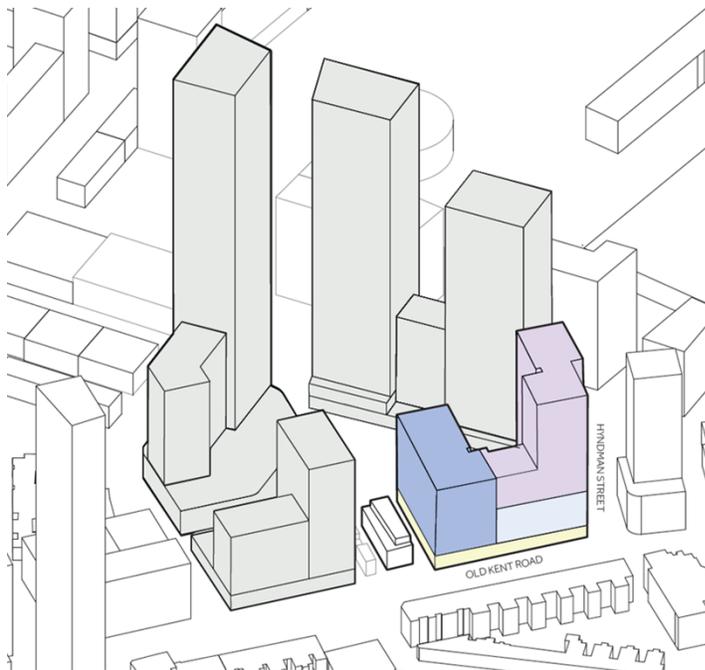
**Table: Proposed housing mix and tenure by habitable rooms**

Unit type	Private/market Hab. Rooms	Social Rented Hab. Rooms	Intermediate Hab. Rooms	Total Affordable Hab. Rooms	Total Hab. Rooms
Studio	4	0	0	0	4
1 bed	130	24	10	34	164
2 bed	412	120	92	212	624
3 bed	0	80	0	80	80
4 bed	0	36	0	36	36
<b>Total</b>	<b>546</b>	<b>260</b>	<b>102</b>	<b>362</b>	<b>908</b>

**Table: Proposed housing mix and tenure by unit numbers**

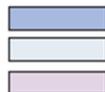
Unit type	Private/market units	Social Rented units	Intermediate units	Total units	(%)
Studio	2	0	0	2	1
1 bed	65	12	5	82	31
2 bed	103	30	23	156	60
3 bed	0	16	0	16	6
4 bed	0	6	0	6	2
<b>Total</b>	<b>170</b>	<b>64</b>	<b>28</b>	<b>262</b>	<b>100</b>

**Image: Tenure split and allocation within the building**



Key

Affordable - Social Rent  
 Affordable - Intermediate  
 Private/Market Sale



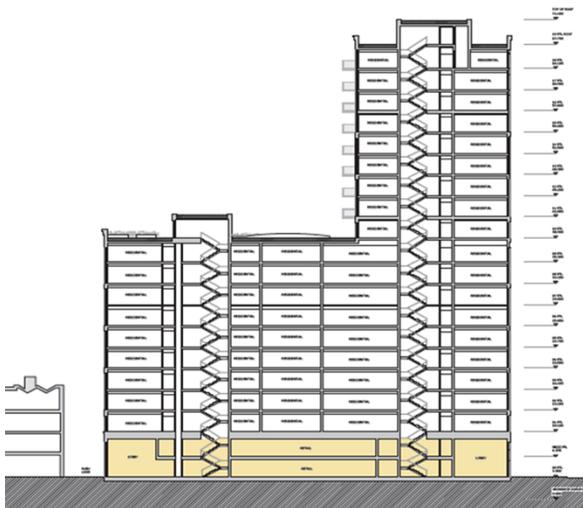
23. The scheme is tenure blind, but has been arranged so that private and social rent units have separate circulation and cores for ease of separating service charges:
- The north-western wing of the building will be made up of social rent units.
  - The lower floors of the building fronting onto Old Kent Road to the south-eastern end are made up of intermediate units. The intermediate units are accessed from the south-eastern core.
  - Upper floors of the building on the south-eastern end will be made up of market sale units.
24. The proposed development would also provide a total of 2,096sqm (GIA) or 2,258sqm (GEA) of flexible non-residential floor space, including retail, food and beverage and commercial floor space (Class A1/A2/A3/A4/B1 uses). There would also be a proportion of affordable work space. More detail is provided on this in the assessment section of this report. A full breakdown of the proposed non-residential uses proposed is provided in the table below.

**Table: Use class and floor space**

Use Class	Level	Quantum of Floor space (GIA)
A1, A2, A3, A4, B1	Ground Floor	854 sqm
B1	Ground Floor	289 sqm
A1, A2, A3, A4, B1	Mezzanine (First) Floor	236 sqm
B1	Mezzanine (First) Floor	717 sqm
<b>Total</b>		<b>2,096 sqm</b>

25. The non-residential uses are located on the ground and mezzanine/first floor levels. The retail/commercial spaces are split into different size units and positioned around three sides of the building. It is expected that the largest A class unit would occupy most of the ground floor fronting the road and would be accessed directly off Old Kent Road. Much of the ground floor frontage is of double height hence a mezzanine level is proposed within the central part of the ground floor. On the same level and to the north-east facing the new public park would be the commercial B1 class use.

**Image: Section showing retail and commercial at ground, mezzanine and first floor levels**



**Image: Section showing residential uses on the upper floors**



26. The ground floor would also comprise the following:

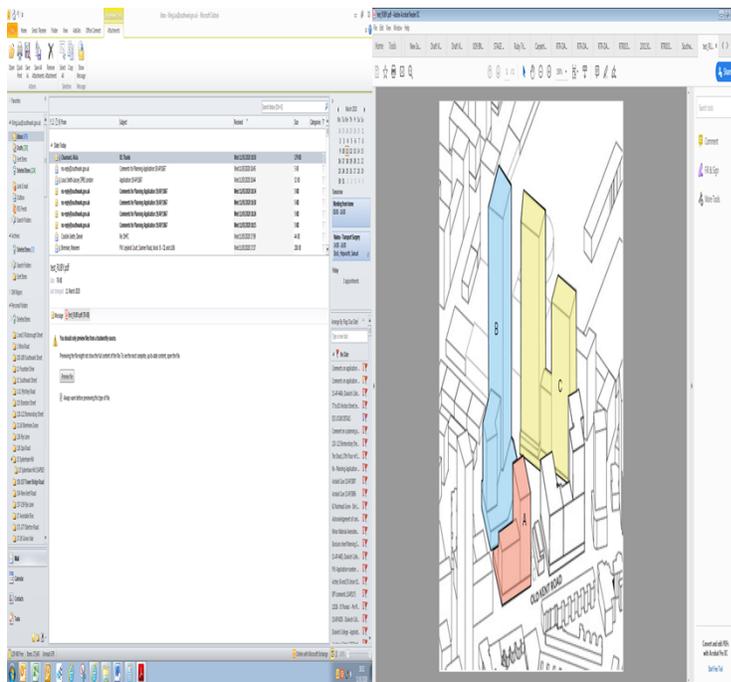
- Residential entrance and lobby on the corner of Old Kent Road and Hyndman Street to access the intermediate and private units;
- Residential entrance and lobby on the north-western façade facing No. 639-641 Old Kent Road to provide access to the social rented units;
- Refuse store and UKPN substation; and
- 8 No. wheelchair parking spaces facing the new public park.

27. The proposals comprise a building of 11 storeys (or 9 storeys plus ground and mezzanine) in height fronting the Old Kent Road and extending to 20 storeys on the corner of Old Kent Road and Hyndman Street. The 11 storey element would be a maximum of up to 38.900m AOD and the taller element up to 71.500m AOD, (68.2m above ground level). The building covers the whole of the existing Carpetright building footprint at ground level. From the first floor upwards, the building is arranged in a 'U' shape layout to allow for the communal amenity space on the podium level.

28.

29. It seeks to maintain the height datum along the Old Kent Road established by Block A of the adjoining Ruby Triangle proposals and steps down from Block C of the adjoining Ruby Triangle development which extends to 39 storeys in height.

**Image: Proposed height and massing with the approved Ruby Triangle scheme**



30. Private amenity space is provided in the form of balconies to each flat. Dedicated play space is provided on the podium level, above the first floor and is accessible to all tenures on this level. Further amenity space is also proposed at levels 10 and 19.
  
31. As explained above, this proposed development would 'complete' the Ruby Triangle Development by providing the rest of the public open space/park that is envisaged in the AAP. This is proposed to the rear of the site (to the north-west) and what was previously the retail car park. As part of the approved Ruby Triangle development, 4,310sqm of publicly accessible open space (3,792sqm of this a new park) had been approved. In the centre of the Ruby Triangle development would be a large grassed area, which has been described as the 'Green Heart'. This proposed development would therefore complete the public park in the centre of the Ruby Triangle space.

**Image: Approved Ruby Triangle development and new public park**



**Image: Proposed development and landscaping including Ruby Triangle development**



32. On the ground floor, the Green Heart would be accessible to all residents and the public. It is connected to the surrounding streets by open and legible green links. There would be pedestrianised links connecting the Green Heart to the Old Kent Road which have an 'Urban Lane' character.
33. The proposed development would be car free, with the exception of 8 car parking spaces for disabled residents. All long-stay cycle parking provision will be located at mezzanine level. Some Sheffield stands will also be provided such that at least 5% of all spaces are accessible. Residential long- stay provision and commercial long-stay

provision will be housed in separate rooms. Short stay cycle parking will all be provided in the form of Sheffield stands located within the public realm adjacent to the green space to the rear of the site.

34. Vehicular access to the development would be via Hyndman Street and for blue badge holders only. The arrangement would consolidate and replace the existing five crossovers serving the two commercial units and Carpetright car park. An inset loading bay is proposed on Hyndman Street to accommodate servicing vehicles and would be at grade and accessible for pedestrians when the bay is not in use. There would be a minimum 2.4m wide public footway around the loading bay.
35. Pre-application discussions were held in relation to the proposal under consideration now, under ref 18/EQ/0395. The main matters discussed were around the building line on Old Kent Road, building height, loading bay, provision of a lane into the centre of the Ruby Triangle and provision of active frontages. No formal response was issued.

### **Planning history**

36. There have been numerous planning permissions granted for the current and historic operation for retail uses on the site, including advertisement consents and the provision of the car repair shop with vehicle parts sales. However, there has not been any previous application made seeking to comprehensively redevelop the site. There has also not been any application seeking consent for residential uses.
37. An application to request for Environmental Impact Assessment (EIA) Screening Opinion was submitted (ref 19/AP/1475) for the complete redevelopment of the site, comprising of demolition of the existing building and construction of two interlocking buildings of 9 and 18 residential stories in height above a two-storey podium to provide up to 270 new residential units (Use Class C3), up to 2,500 sqm commercial floor space (Use Class A1-A3) at ground and mezzanine level including up to 100 sqm office (Use Class B1) floor space, and associated public realm, cycle parking, wheelchair accessible car parking spaces and refuse stores.
38. The proposed development was not considered to constitute EIA development.

### **Planning history of adjoining sites**

39. The most recent and relevant history on adjoining sites is the adjoining Ruby Triangle development at land bounded by Old Kent Road, Ruby Street and Sandgate Street:
40. Ref 18/AP/0897 Planning permission granted 6/06/2019  
Full planning permission is sought for demolition of existing buildings and structures on the site, and redevelopment consisting of three buildings at maximum heights of 17 storeys (including mezzanine) (+64.735m AOD), 48 Storeys (+170.830m AOD) and 40 storeys (including mezzanine) (+144.750m AOD), plus single storey basement under part of the site. Development would provide 1,152 residential dwellings (Class C3), retail, business and community spaces (Classes A1, A2, A3, A4, B1(a),(b),(c) and D1), public sports hall and gym (Class D2), public and private open space, formation of new accesses and alterations to existing accesses, energy centre, associated car and cycle

parking and other associated works.

This planning permission has not yet been implemented.

41. A number of recent planning applications have been made within the Old Kent Road Action Area boundary, including the following:

42. 18/AP/0196 Land bounded by Ruby Street, Murdoch Street and 685-695 Old Kent Road  
Application Type: FULL  
Demolition of existing buildings and erection of and construction of a part 3, part 7, part 22 storey building (76.6m) from ground level with roof top level amenity space, comprising 111 dwellings, 1,151 sqm (GIA) of D1 floorspace for a church with ancillary communal facilities, 2,173 sqm (GIA) of workspace (B1a and B1c) Use Class) and 87 sqm (GIA) of A1/A2/B1 floorspace, with associated landscaping, car and cycle parking, servicing and refuse and recycling facilities.

Decision: Planning Committee on 14<sup>th</sup> October 2019 resolved to grant planning permission subject to conditions set out in the report, referral to the Mayor of London, and the applicant entering into an appropriate legal agreement by no later than 8 April 2020.

43. 17/AP/4596 13-14 Frensham Street, (Nyes Wharf)  
Application Type: FULL  
Demolition of existing buildings and erection of mixed-use scheme comprising 321sqm (GIA) of flexible A1, A2, A3, A4, B1, D1 and D2 floorspace and 882sqm (GIA) of B1 floor space at ground and mezzanine levels; with 153 Residential units (Class C3) above in two blocks ranging from 9 to 18 storeys with hard and soft landscaping and associated infrastructure works, including three disabled spaces and cycle parking.

Decision: Resolution to grant, subject to a legal agreement and referral to the GLA (3rd September 2018)

44. 17/AP/4508 6-12 Verney Road  
Application Type: FULL  
Redevelopment of the site for a mixed use development comprising three buildings (Building 1: basement, ground, ground mezzanine plus 17 storeys (AOD 66.975m); Building 2: basement, ground, ground mezzanine plus 22 storeys (AOD 81.975m); Building 3: basement, ground, ground mezzanine plus 16 storeys (AOD 62.675m) to accommodate 338 residential units, B1 and B1c office use/workspace (5234.15sqm GEA), associated cycle and car parking, servicing, refuse and recycling, landscaping including contribution towards the new Surrey Canal linear park, and private and communal residential amenity space and children's play space. (This application represents a departure from strategic policy 10 'Jobs and businesses' of the Core Strategy (2011) and saved policy 1.2 'strategic and local preferred industrial locations' of the Southwark Plan (2007) by virtue of proposing to introduce residential accommodation in a preferred industrial location).

Planning Committee gave resolution to grant, subject to the applicant entering into an appropriate legal agreement by no later than 17 January 2020 and referral to the Mayor of London.

44. 17/AP/2773 Malt Street regeneration site, land bounded by Bianca road, Latona Road, Haymerle Road, Frensham Street and Malt Street

Application type: HYBRID

Hybrid application comprising a full planning application for Phase 1 (the Detailed Component”) and outline planning permission (the “Outline Component”) for Phases 2 & 3:

Detailed Component (Phase 1):

Full planning permission for the demolition of existing buildings and structures and redevelopment of the central area for the erection of a total of 4 buildings, two at 7 storeys (Buildings B9&B12), one at 15 storeys (Building B10), and one at 44 storeys (Building B4) (max height 147.12m AOD) to provide 420 homes, 1,197 sqm GEA of Class B1(c) floor space and 785 sqm GEA of non-residential floor space within classes A1-A4 (retail), Class B1 (business) and Class D1 (public services) and D2 (entertainment and leisure) use, an energy centre (750 sqm) and new public open space and public realm with on street and basement car parking spaces and cycle spaces.

Outline Component (Phase 2 & 3):

Outline planning permission (scale, layout, landscaping, access and appearance reserved) for the demolition of existing buildings and structures and the erection of a seven buildings (B1, B2, B3, B5, B6, B7, B11) ranging in height from 5 to 39 storeys (max height 132.9m AOD) to provide up to 88,052sqm floor space GEA, comprising up to 880 residential units, up to 3,316 sqm GEA of Class B1(c) floor space and up to 1,702sqm GEA of non-residential floor space within Classes A1-A4 (retail), Class B1 (business), Class D1 (public services) and D2 (entertainment and leisure) use and car parking spaces at ground level and cycle spaces, with associated new open space, public realm, car parking and associated works.

Totals: Up to 1,300 homes and up to 7,000sqm commercial floor space.

Decision: Planning Committee gave resolution to grant (3<sup>rd</sup> June 2019) subject to conditions and referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an appropriate legal agreement by no later than 3 December 2019.

45. 17/AP/1646 634-636 Old Kent Road

Demolition of the existing buildings to facilitate the redevelopment of the site to create 42x residential units and 272 sqm (GIA) of flexible commercial floor space (Class A1/A2/A3/B1) in a new building of between three and six storeys in height, together with disabled car parking, cycle parking, landscaping, plant, and associated works.

Decision: Granted with legal agreement 30/11/2017

46. 18/AP/3246 Land at Cantium Retail Park, Old Kent Road

Application type: FULL

Demolition of existing buildings and redevelopment of the site to provide a new basement level and buildings ranging from 3 to 48 storeys in height (max height 159.05m above ground level) comprising up to 1,113 residential units (Class C3), up to 5,659 sq. m of office floor space (Class B1(a)), up to 2,228 sq. m of retail floor space (Class A1), up to 2,336 sq. m of flexible space including use within Classes A1, A3, D1, D2 and / or Sui Generis (Theatre) within Block B and up to 596 sq. m of flexible space within Classes A1, A2 and / or A3 within Block C together with associated access, car parking, landscaping and infrastructure works.

Decision by Planning Committee on 5 March 2019: Resolve to grant subject to the conditions, referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an appropriate legal agreement by no later than 5 September

2019.

47. 18/AP/3551 Southernwood Retail park, 2 Humphrey Street

Application type: FULL

Hybrid planning application for detailed permission for Phase 1 and outline planning permission for Phase 2 comprising:

Application for full planning permission for 'Phase 1' comprising demolition of existing buildings and the erection of a part 9, part 14, part 15, part 48 storey development (plus basement) up to 161.25m AOD, with 940 sqm GIA of (Class A1) retail use, 541 sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use, 8717sqm GIA (Class C1) hotel; 541 (class C3) residential units (51,757 sqm GIA); landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Application for outline planning permission (with details of internal layouts and external appearance reserved) for 'Phase 2' comprising demolition of existing buildings and the erection of a part 9, part 12, storey development (plus basement) up to 45.80m AOD, with 1049sqm GIA of flexible (Class A1/A2/A3) retail/financial and professional services/restaurant and café use; 183 (Class C3) residential units (17,847sqm GIA), 1141sqm GIA (Class D2) cinema and the creation of a 475sqm GIA (Class C1) hotel service area at basement level; landscaping, public realm and highway works, car and cycle parking and servicing area, plant and associated works.

Decision: On 28 May 2019, Planning Committee resolved to grant permission subject to conditions and referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an appropriate legal agreement by no later than 28 November 2019.

48. 18/AP/3284 (and associated Listed Building Consent 18/AP/3285) 596 - 608 Old Kent Road and land at Livesey Place

Application type: FULL

Mixed-use redevelopment comprising the demolition of all existing buildings and structures (listed mural to be removed and stored prior to demolition, and incorporated into proposed development); construction of three buildings arranged around a central plinth ranging in height from 10 to 38 storeys (maximum height +144.2m AOD) above single basement, ground and mezzanines floors, to provide a range of uses including 372 residential units (Use Class C3), place of worship (Use Class D1), retail (Use Classes A1-A4), and office / light industrial (Use Classes B1(a)/B1(c)); means of access, public realm and landscaping works, parking and cycle storage provision, energy centre / plant and servicing areas, and associated ancillary works.

Decision: On 5 November 2019 Planning Committee resolved to grant permission subject to conditions, referral to the Mayor of London, referral to the Secretary of State and the applicant entering into an appropriate legal agreement by no later than 5 May 2020.

## **SUMMARY OF CONSULTATION RESPONSES**

### Public consultation

49. At the time of writing, a total of one objection has been received from a local business on Ruby Street.
50. The main issues raised by residents objecting to the proposed development are:  
Detrimental to nearby businesses and loss of jobs;  
Potentially new tenants or neighbours would start complaining about having late night/early morning car traffic;  
Existing commercial industrial units have worked well with their business for many years as there are no residential uses;  
Insufficient car parking on an already busy Old Kent Road.

### Officer response:

51. It is considered that the proposed non-residential floor space would be likely to be more compatible with residential uses than the existing uses on and adjoining the application site. It is considered that the proposed development would integrate well with existing businesses surrounding the site. The position of residential uses at first floor and above would go some way to ensuring that any noise nuisance would be mitigated for example. Furthermore, with the approval of the Ruby Triangle development providing over 1,000 homes, the proposed development under consideration would be more compatible with the future uses, in line with the aspirations of the OKRAAP. The noise transmission would be controlled by planning conditions, as recommended by the council's Environmental Protection Team. Further discussions on the 'Agent of Change' are discussed under the section on impact on amenity.

### Statutory consultees

52. Representations have also been received from the following external and statutory consultees.

### Greater London Authority (GLA)

53. The GLA's Stage 1 response considers that the application does not comply with the London Plan and draft New London Plan. The reasons for this, along with Office responses, are set out below. It should be noted that the GEA of the non-residential uses have been updated since consultation and receipt of the GLA's Stage 1 report. However, Officers have included GLA's original report below.
54. GLA officers accept that this site is suitable for SIL release. However, as Southwark is considered to be a 'no net loss borough' in line with Policy 4.4 of the London Plan and Policy E7 of the draft London Plan, any release of land from SIL should ensure no net loss of industrial capacity. It is reiterated that industrial floor space should be re-provided at a rate equivalent to the existing floor space which exists on site, or which could be accommodated on the existing site at a 65% plot ratio, whichever is greater. It was noted that re-provision of 1,430sqm of industrial floor space is required. The GLA points out that the flexible commercial floor space is not designed to accommodate B1 uses and would inadequately secure use of these areas as replacement industrial land use. The GLA

therefore requested further detail that B1(c) uses can be accommodated within the scheme. The alternative was that the council must ensure that the lost industrial capacity on the site can be re-provided elsewhere within the Opportunity Area.

55. Officer response: Since the GLA's Stage 1 report, the Secretary of State had written to the Mayor of London directing that this section of the policy for no net loss be deleted from the new London Plan. Notwithstanding this, the area of the site that is actually within SIL is only the car park to the rear of the existing retail warehouse. The allocation specifically excludes the existing retail warehouse itself. The proposals, which also include the delivery of the rest of the public park as proposed by the adjoining Ruby Triangle development, will occupy the part of the site that is located within SIL. The benefits of the proposals, which include a new park, new homes, replacement retail and commercial floor space, public amenity, leisure, health and biodiversity benefits will outweigh the SIL policy objectives. In addition, Officers can confirm that the lost industrial capacity can be provided for elsewhere in the Opportunity Area.
56. The council together with Lewisham Council and Network Rail commissioned a feasibility study to assess the development potential of Bermondsey Trading Estate, and the land around the new 'Bermondsey Dive Under', with the intention to intensify B1(c), B2 and B8 uses within the study site. The Bermondsey Trading Estate is a thriving industrial estate offering good-quality space that is in demand. The study demonstrates that there are opportunities for intensification via infill development both within the existing estate and on the newly available Bermondsey Dive Under land. Therefore, this demonstrates that the lost industrial capacity can be re-provided elsewhere in the Opportunity Area or the borough and 25,023sqm of additional space of which 18,273sqm is in Southwark.
57. The GLA points out that as the site is believed to be located within the designated Consultation Distance of a Major Hazard Site (Old Kent Road Gas Holder Station) the Health and Safety Executive (HSE) should be consulted. Further, the applicant must confirm whether the site lies within the designated Consultation Distance of a Major Hazard Site and, if so, what measures have been implemented to ensure public safety.
58. Officer response: The HSE was consulted as part of the consultation exercise and raises no objection to the grant of planning permission. This is further discussed below.
59. The GLA points out that of the entire development, just 8% is considered to be family sized units, which rises to 24% within the affordable tenure. In strategic planning terms the mix (outlined above) is acceptable, the provision of family housing has been appropriately prioritised within the social/affordable rent component of the mix.
60. Officer response: The housing mix is discussed in the assessment section of this report and confirms that overall it is considered acceptable.
61. The GLA has made a comment on the shortfall in play space provision. The scheme would generate a child yield of 135.1 and therefore a requirement to provide 1,351.1sqm of play space. The application indicates the provision of 1,030sqm of play space and therefore has a shortfall of 321sqm.
62. Officer response: The applicant has recalculated the play space requirement against the current GLA play space standards calculator (June 2019 version), which gives a new total of 1,117sqm. The applicant has submitted revised plans to ensure that a minimum of this

1,117sqm is provided on site.

63. The GLA has made a comment that the residential entrance will be located on Hyndman Street, but the 'spill out space' onto the pavement here is tight to the footway within the context of surrounding buildings, ambitions for improved public realm, connections and higher footfall of residents and visitors' optimum and most comfortable pedestrian flows in this area are encouraged. The applicant should explore opportunities to optimise this space and its generosity.
64. Officer response: The available footway on Hyndman Street (kerb face to building line) varies between approximately 6.6m (at the junction) and 8m+ (by the substation and bicycle racks). Even if the 3m width for the service bay is deducted, which will be at grade and only be in use occasionally and for a short period of time, the available widths are still considered fairly generous. This will be between 4.6m and 5.3m. The footway width at the 'pinch point' area (by the substation) excluding the loading bay is approximately 2.5m. This compares to the minimum footway width accepted by Southwark of 2.4m. The loading bay would also be at grade, which allows for the spill out space to provide comfortable pedestrian flow in this area.
65. The GLA highlights that consideration will need to be given to the 'Agent of Change' principles and the applicant must demonstrate that the scheme has been designed to enable existing noise generating uses and activities to remain viable, and fully detail any required mitigation measures.
66. Officer response: The Agent of Change principles are discussed in other sections of this report.
67. The GLA has requested that the applicant must confirm the carbon dioxide reduction for the residential and non-residential components of the scheme prior to the Mayor's decision-making stage.
68. Officer response: The energy statement submitted by the applicant confirms the carbon savings and is discussed in the energy section of this report.
69. The GLA points out that the surface water drainage strategy does not comply with London Plan policies and that further details on how SuDS measures will be integrated with the site landscaping should be provided.
70. Officer response: The drainage strategy has been reviewed by the council's own Flood and Drainage engineers and raises no objections. They do note however that the strategy is in outline form and that a more detailed strategy would be required and will be conditioned.
71. The applicant should embed urban greening as a fundamental element of site and building design. Features such as street trees, green roofs, green walls, rain gardens, wild flower meadows, woodland and hedgerows should all be considered for inclusion. The applicant should embed urban greening as a fundamental element of site and building design and calculate the proposed development's Urban Greening Factor and aim to achieve the specified target.

72. Officer response: The existing site is a brownfield site with limited scattered scrub and perennial vegetation which currently does not benefit from any urban greening. The proposals include the delivery of a new public park, new public realm and roof terraces, as well as a Healthy Streets commitment which will include new street trees and a Sustainable Drainage System which incorporates green and blue roofs, rainwater harvesting and filter drains will result in significant urban greening of this site. Urban greening of the site will be significantly enhanced as a result of these proposals. Since GLA' comments the Urban greening factor has been further enhanced by incorporating flower rich perennial planting.
73. The GLA notes that the movement of people through the 'green heart' of the scheme should be considered in further detail alongside the Healthy Streets approach, with the public spaces accessible for pedestrians and cyclists, with links to Canal Grove, Sandgate Street and Hyndman Street. The applicant should further demonstrate how this and the consented Ruby Triangle scheme will interact both once built out and during construction phases.
74. Officer response: The proposals have been designed with the 10 Healthy Streets design considerations in mind. Officers are happy that this application will not prevent the council's future healthy street vision being delivered.
75. The GLA has sought clarification on the number of residential cycle parking space. A total of 70 spaces are proposed for the flexible commercial uses, however this must be revised to reflect the worst case scenario. A contribution towards the provision of a Cycle Hire Docking Station should be secured as part of any future s106 agreement. The GLA has also requested an additional 7% (18) Blue Badge spaces should future demand exceed the initial provision and requires the council should to secure the implementation of a Controlled Parking Zone and a permit free agreement.
76. Officer response: This level of provision is less than the London Plan standards however the applicant will also provide Brompton style lockers for residents and the work force which equates to a further 20 accessible cycles a number of which will be E-bikes (quantum to be confirmed). It is also required that the applicant contributes towards the provision of a future Santander system. These mitigation measures are considered acceptable. The quantum of car parking is considered sufficient because although slightly below the emerging guidance, currently there is no restriction in the surrounding borough highway for blue badge parking.
77. The GLA comments that until the BLE is delivered, buses will be the main mode of public transport for users of the proposed development and therefore a contribution of £2,700 per residential unit is sought towards improvements to the bus network over a five-year initial period, commensurate with the impact of the development.
78. Officer response: The applicant has agreed to the contribution and this will be secured through a s106 agreement.
79. The GLA has commented that a full construction logistics plan, travel plan, car parking design and management plan and delivery and servicing plan should be secured by condition.
80. Officer response: Southwark Transport Planning Officers no longer require Travel Plans.

The proposed Delivery Service Plan (DSP) bond is considered a more robust approach. A final Construction Management Plan, car parking management plan and a delivery and servicing plan will be secured by the s106 Legal Agreement.

Health and Safety Executive (HSE)

81. The HSE had originally provided comments to confirm that they would not advise against the granting of planning permission if a condition were to be attached to the permission, so as to prevent the occupation of any of the buildings until the hazardous substances consent for the Old Kent Road Gas Holder Station has been formally revoked.
82. Since those comments, HSE was notified by the council, the hazardous substances authority, that the hazardous substances consent for the Old Kent Road Gas Holder Station has been formally revoked in accordance with The Planning (Hazardous Substances) Act 1990. As a result of the revocation of the hazardous substances consent, HSE has removed the consultation distance around the Old Kent Road Gas Golder Station site and there is no longer a requirement for HSE to be consulted on proposed developments in that area.
83. In light of the above, HSE's original advice is withdrawn. HSE no longer advises against the granting of planning permission and the suggested planning condition is no longer required.
84. Officer response: This is noted and no condition will be imposed.

85. TfL London Underground Infrastructure Protection

No comments to make.

Network Rail

86. No comments to make.

National Air Traffic Safeguarding

87. Examined from a technical safeguarding aspect and does not conflict with their safeguarding criteria. Accordingly, no safeguarding objection to the proposal.

Arqiva - digital communications

88. This particular site is sufficiently north of the line of sight and no objection to raise against this proposal.

Thames Water

89. Thames Water does not have any objection with regard to the combined water network infrastructure capacity. Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. As such,

they have requested a condition preventing any properties being occupied until confirmation has been provided that either all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water.

90. Internal consultation

The advice received from other Southwark Officers has been summarised in the table below. Further detail is provided throughout this report.

91. Table: Internal consultee comments

<b>Consultee</b>	<b>Summary of Comments</b>	<b>Officer response</b>
Environmental Protection Team (EPT)	No objections subject to conditions relating to noise control and insulation, contamination, odour and ventilation details for any A3 use and construction environmental management plan.	Recommended conditions included.
Archaeology Officer	The 651-657 Old Kent Road site has the potential to contain significant archaeological remains which should be appropriately managed. The development is not likely to cause such harm as to justify refusal of planning permission on the grounds of archaeological interest provided that robust archaeological conditions are applied to any grant of consent.	Recommended conditions included.
Urban Forester	Development requires the removal of all three trees and one group on and adjacent to the site. The proposed landscaping more than adequately mitigates any loss of amenity or canopy cover.	Recommended conditions included.

	The overall design adheres to the outline landscape masterplan across the development phases. Condition recommended.	
Ecology Officer	The Preliminary Ecological appraisal is fine. Nest boxes and bat tubes are advised. Inclusion of Insect homes would be good. Conditions are recommended.	Recommended conditions included.
Local Economy Team	<p>Policy P28 (affordable workspace) includes a requirement for development proposing over 500sqm of employment space to include 10% affordable workspace on site. Therefore if the final B1 use is over 500sqm, this Policy should be enforced.</p> <p>Requires a relocation strategy for The Garage Only Ltd Van Sales &amp; Car Wash in the s106.</p> <p>There will be construction phase jobs / skills and employment requirements and End use of the development jobs / requirements in the s106.</p> <p>This development would be expected to deliver 54 sustained jobs to unemployed Southwark residents, 54 short courses, and take on 13 construction industry</p>	<p>Recommended obligations to be included in the s106.</p> <p>The strategy is no longer required following additional information received from the applicant.</p>

	apprentices during the construction phase, or meet the Employment and Training Contribution.	
Transport Planning team	No objections subject to conditions and s106 obligations.	Recommended conditions and obligations to be included in the s106.
Highways development management team	No objections subject to the applicant entering into a Section 278 agreement for highway works. The loading bay design should include a kerb upstand to protect pedestrians and should have a dropped kerb for access.	Recommended obligations to be included in the s106.
Flood and Drainage team	No objections to the application however the scheme is currently submitted in outline form and therefore the final strategy will need to be confirmed at detailed design stage and submitted to the LPA.	Recommended conditions included.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

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

Principle of the proposed land use, including emerging policy for the Old Kent Road;  
Environmental Impact Assessment;  
Design;  
Townscape and impact upon the setting of adjacent listed buildings;  
Density;  
Affordable housing;  
Housing mix;  
Quality of accommodation;  
Wheelchair accessible housing;  
Impact of proposed development on amenity of adjoining occupiers and surrounding area;  
Transport;  
Noise and vibration;

Trees and landscaping;  
Planning obligations (S.106 undertaking or agreement);  
Southwark and Mayoral Community Infrastructure levy;  
Sustainable development implications;  
Ecology;  
Contaminated land;  
Air quality;  
Water resources and flood risk;  
Archaeology;  
Wind;  
Equalities and human rights; and  
Statement of community involvement

### **Legal context**

93. 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.
94. 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**

95. National Planning Policy Framework (NPPF)

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.

96. Paragraph 215 states that the policies in the Framework are material considerations which should be taken into account in dealing with applications.

Chapter 2 Achieving sustainable development  
Chapter 5 Delivering a sufficient supply of homes  
Chapter 6 Building a strong, competitive economy  
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

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

Policy 2.17 Strategic Industrial locations  
 Policy 3.3 Increasing housing supply  
 Policy 3.5 Quality and design of housing developments  
 Policy 3.6 Children and young people's play and informal recreation facilities  
 Policy 3.8 Housing choice  
 Policy 3.9 Mixed and balanced communities  
 Policy 3.10 Definition of affordable housing  
 Policy 3.11 Affordable housing targets  
 Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
 Policy 3.13 Affordable housing thresholds  
 Policy 4.3 Mixed use development and offices  
 Policy 4.4 Managing industrial land and premises  
 Policy 4.7 Retail and town centre development  
 Policy 4.8 Supporting a successful and diverse retail sector and related facilities and services  
 Policy 5.7 Renewable energy  
 Policy 5.8 Innovative energy technologies  
 Policy 5.11 Green roofs and development site environs  
 Policy 5.12 Flood risk management  
 Policy 5.13 Sustainable drainage  
 Policy 5.21 Contaminated land  
 Policy 6.9 Cycling  
 Policy 6.10 Walking  
 Policy 6.13 Parking  
 Policy 7.2 An inclusive environment  
 Policy 7.3 Designing out crime  
 Policy 7.4 Local character  
 Policy 7.6 Architecture  
 Policy 7.8 Heritage assets and archaeology  
 Policy 7.21 Trees and woodlands  
 Policy 8.2 Planning obligations  
 Policy 8.3 Community infrastructure levy

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

## Core Strategy 2011

100. 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 3 - Shopping, leisure and entertainment  
Strategic policy 5 - Providing new homes  
Strategic policy 6 - Homes for people on different incomes  
Strategic policy 7 - Family homes  
Strategic policy 10 - Jobs and businesses  
Strategic policy 11 - Open spaces and wildlife  
Strategic policy 12 - Design and conservation  
Strategic policy 13 - High environmental standards  
Strategic policy 14 - Implementation and delivery

## Southwark Plan 2007 (saved policies)

101. 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:

Access to employment opportunities  
Strategic and local preferred industrial locations  
1.5 - Small businesses  
1.10 - Small Scale Shops And Services Outside The Town And Local Centres And Protected Shopping Frontages  
2.5 - Planning obligations  
3.2 - Protection of amenity  
3.3 - Sustainability assessment  
3.4 - Energy efficiency  
3.6 - Air quality  
3.7 - Waste reduction  
3.9 - Water  
3.11 - Efficient use of land  
3.12 - Quality in design  
3.13 - Urban design  
3.14 - Designing out crime  
3.15 - Conservation of the Historic Environment  
3.18 – Setting of Listed Buildings, Conservation Areas and World Heritage Sites  
3.19 – Archaeology  
3.20 – Tall Buildings  
3.22 – Important Local Views  
3.28 - Biodiversity

- 4.2 - Quality of residential accommodation
- 4.3 - Mix of dwellings
- 4.4 - Affordable housing
- 4.5 - Wheelchair affordable housing
- 5.2 - Transport impacts
- 5.3 - Walking and cycling
- 5.6 - Car parking
- 5.7 - Parking standards for disabled people and the mobility impaired

Council's Supplementary Planning Document (SPD)

- 102. Sustainable design and construction SPD (2009)
- Sustainability assessments SPD (2009)
- Sustainable Transport SPD (2010)
- Affordable housing SPD (2008 - Adopted and 2011 - Draft)
- Residential Design Standards SPD (2015)
- Section 106 Planning Obligations and Community Infrastructure Levy (2015)
- Development Viability SPD (2016)

Greater London Authority Supplementary Guidance

- 103. Housing SPG (2016)
- Providing for Children and Young People's Play and Informal Recreation (2008)
- London View Management Framework (2012)
- London's World Heritage Sites SPG (2012)
- Use of planning obligations in the funding of Crossrail (2010)
- Affordable Housing and Viability SPG (2017)

**Emerging planning policy**

Draft New London Plan

- 104. The draft New London Plan was published on 30 November 2017 and the first and only stage of consultation closed on 2 March 2018. Minor suggested changes to the plan were published on 13 August 2018 and an Examination in Public (EIP) began on 15 January 2019 and closed in May 2019. The Inspector's report and Panel Recommendations were issued to the Mayor of London in October 2019. The Mayor then issued his intentions to publish the London Plan along with a statement of reasons for not including all of the Inspector's recommendations to the Secretary of State. The Secretary of State has responded to the Mayor and has directed a series of amendments. Until the London Plan reaches formal adoption it can only be attributed limited weight.

The draft New London Plan identifies the Old Kent Road as having a minimum capacity for 12,000 homes and a jobs target of 5,000, which increases the capacity of the adopted London Plan of 2,500 homes and 1,000 jobs.

Old Kent Road Area Action Plan (OKR AAP)

- 105. The council is preparing an Area Action Plan/Opportunity Area Planning Framework for Old Kent Road (AAP/OAPF) which proposes significant transformation of the Old Kent

Road area over the next 20 years, including the extension of the Bakerloo Line with new stations along the Old Kent Road towards New Cross and Lewisham. Consultation has been underway for 3 years, with a first draft published in 2016. A further preferred option of the Old Kent Road AAP (Regulation 18) was published in December 2017 and concluded consultation on 21st March 2018. As the document is still in draft form, it can only be attributed very limited weight.

106. Whilst acknowledging this very limited weight, members are advised that the draft OKR AAP places the application site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate Street, Verney Road and Old Kent road (South) area. Requirements for this allocation site include replacement of existing employment floor space and provision of a range of employment spaces, replacement of existing retail space and activation of frontages on the Old Kent Road through provision of retail, provision of housing, provision of a new sports hall, provision of a new park at the Ruby Triangle site and provision of on-site servicing.

#### New Southwark Plan

107. 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 Proposed Submission version (Regulation 19) on 27 February 2018. The New Southwark Plan Proposed Submission Version: Amended Policies January 2019 consultation closed in May 2019.
108. The NSP Submission Version – Proposed Modifications for Examination was submitted to the Secretary of State in January 2020 for Local Plan Examination. It is anticipated that the plan will be adopted in late 2020 following an Examination in Public (EIP). 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.
109. The site is within the part of the site allocation NSP65 'Sandgate Street and Verney Road'. The vision for this area is for new homes (Class C3), retail (Classes A1-A4 on the Old Kent Road frontage, community uses (Class D), employment (Class B uses) and public open space including Surrey Canal Linear Park.

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

110. The site is partially located in the Core Strategy's Preferred Industrial Location-Strategic (SPIL) and also within the London Plan's Strategic Industrial Location (SIL) which is an industrial location of strategic importance as identified in the Core Strategy and the London Plan (2016). Introducing housing here would therefore represent a departure from the adopted Southwark and London Plan. Strategic Policy 10 of the Core Strategy states that SPIL will be protected for industrial and warehousing uses. Saved Southwark Plan policy 1.2 states that the only developments that will be permitted in SPIL are B class uses and other sui generis uses which are inappropriate in residential areas. The proposed development would represent a departure from these policies by introducing residential uses into the SPIL.

The proposed development would result in the overall non-residential floor space on the site from an existing 2,243sqm (GIA) to 2,096sqm (GIA). Of the non-residential floor space that is currently on the site, 2,179sqm is in A1 class with 64sqm as Sui generis. This is located outside of the SIL as it fronts Old Kent Road. The car park to the rear is within SIL and whilst its lawful use might be A1 class as it is associated with the retail warehouse, there are no buildings within the SIL.

111. The commercial areas have been revised and there is an increase in proposed B1 class floor space which is welcomed. For ease, the breakdown of the proposed non-residential floor space can be seen again in the table below:

Use Class	Level	Quantum of Floor space (GIA sqm)
A1, A2, A3, A4, B1	Ground floor	854
B1	Ground floor	289
A1, A2, A3, A4, B1	Mezzanine	236
B1	Mezzanine	717
<b>Total</b>		<b>2,096</b>

112. As can be seen in the table above, there will be a very slight net loss in non-residential floor space. However, as further discussed below there are acceptable justifications for this.
113. Recognising that the site is located in the OKROA where the draft OKR AAP sets an aspiration to deliver 20,000 new homes alongside industrial and other uses, Officers have worked closely with the GLA to agree on the release of significant areas of the SIL to allow for mixed use redevelopments to come forward and have agreed a geography of the strategic industrial land release and consolidation. The agreed maps propose the release of the site from the SIL to allow for the provision of new homes. The agreed maps have been included in the emerging NSP.
114. Members should however note that even with this agreement in place the draft OKR AAP and NSP would still need to be subject to an Examination in Public (EiP) and the Secretary of State's approval before they become the adopted development plan position. It should also be noted that there have been a number of objections to the proposed release of industrial land from third parties which would need to be considered at the EiP.

The Old Kent Road Area Action Plan (OKR AAP)

115. As stated above, the OKR AAP places the site within the proposed Action Area Core, and within proposal site OKR 13 which covers the Sandgate and Verney Road area.
116. Emerging policy AAP6 of the OKR AAP states that development must retain or increase the amount of B Class floor space on site, accommodate existing businesses on site or in the wider Old Kent Road Opportunity Area or provide relocation options for businesses that would be displaced by redevelopment and result in an increase in the number of jobs provided. It also requires the workspace to be managed by a specialist provider and for an element of affordable workspace to be provided.

117. The GLA had noted in their Stage 1 report that Southwark is considered to be a 'no net loss borough' in line with policy 4.4 of the London Plan and Policy E7 of the draft London Plan and that any release of land should ensure that there is no net loss of industrial capacity. The GLA points out that in accordance with the principles of 'no net loss', industrial floor space should be re-provided at a rate equivalent to the existing floor space which exists on the site, or which could be accommodated on the existing site at a 65% plot ratio, whichever is greater. Where the 65% plot ratio is applied to the 2,200sqm of industrial land on site, it is noted that re-provision of 1,430sqm of industrial floor space is required. The alternative is that the council must ensure that the lost industrial capacity on the site can be re-provided elsewhere within the Opportunity Area in the first instance of elsewhere in the borough.
118. However on the 13 March 2020 the Secretary of State directed that this policy be deleted from the new London Plan, although he did note that local authorities would need to provide for workspace within their plans. Having directed this change the council will also need to consider its commitments within the NSP in order to ensure general conformity with the New London Plan.
119. Officers would like to highlight that there is capacity elsewhere and prior to the Secretary of State's direction this was confirmed to the GLA. The council had commissioned a feasibility study to assess the development potential of Bermondsey Trading Estate and the land around the new Bermondsey Dive Under. This 'South Bermondsey Dive Under' study demonstrate that the lost industrial capacity can be re-provided elsewhere in the Opportunity Area or the borough and 25,023sqm of additional space of which 18,273sqm is in Southwark.
120. The Bermondsey Trading Estate is adjacent to the dive-under land. The existing trading estate houses an extremely diverse range of Industrial B class uses. Construction of the Bermondsey Dive Under formed part of the ongoing Southwark and Lewisham's local plan. It comprises a series of new structures built along the line of operational railway viaducts, allowing the Thameslink lines to cross over the Kent lines on their approach into London Bridge station. There are opportunities for intensification via infill development both within the existing estate and on the newly available Bermondsey Dive Under land. Therefore, notwithstanding the removal of the 'no net loss' industrial requirement, Officers consider that this demonstrates that the lost capacity on the site can be re-provided elsewhere within the Opportunity Area.
121. As indicated in the table above, there will now be a total of 1,006sqm of B1 class floor space located partly on the ground floor and the majority of this on the first floor level. Prior to the Secretary of State's directions, the applicant had committed to agree that the internal B1(c) fit out of the proposed commercial units would be secured through condition and a clause in the s106 agreement.
122. Notwithstanding the above, in determining whether the principle of the proposed development would be acceptable in land use terms, specifically the introduction of housing in the SIL, Members need to consider whether the wider regeneration benefits of the scheme would outweigh any harm caused, and whether those benefits would therefore justify a departure from the adopted planning policy.
123. Officers consider that the key benefits arising from the proposal would be as follows.

### Regeneration of industrial areas

124. There is a need for the borough to balance the protection and enhancement of industrial sites with the delivery of other aspirations and requirements, including increasing housing provision. A workspace demand study on the Old Kent Road area was carried out by GVA in 2019 on behalf of the council. It concluded that there is significant potential for the OKR to grow its employment base, both in terms of its scale and range of uses. Based on the analysis in the future the economy is likely to be based on a range of productive, creative and service activities that are seeking a different nature of space and location – moving away from city-centre style offices towards spaces that mix office, studio, production and distribution space. This will present opportunities for (and require) development innovation to intensify employment activity through the delivery of space across multiple floors, the mixing of typologies and the integration of ‘industrial’ workspace into residential buildings to create new mixed use environments.

### Employment floor space

125. As explained above, there would still be the provision of employment use (B1 class) on the ground and first floor levels. As the new floor space would provide a mix of retail and B1 uses this combines to reinforce the role of Old Kent Road as a town centre and significantly increases the intensity and number of employment opportunities available. This would have beneficial effect. It should also be noted that the existing lawful use on the site is A1 and Sui Generis not B class floor space. The submission advises that there were previously 25 employees working on the site. It is estimated that the development could accommodate 123 jobs on-site once operational, depending on how the flexible use is occupied. There would therefore potentially be a net gain of approximately 98 jobs and is a positive aspect of the proposal.
126. The LET have also set out further requirements in order to ensure that this development delivers employment and training for local people. All will be secured through the s106 and is set out in the s106 section of this report.

### Business relocation and retention

127. The site currently has the one tenant which is the garage and car wash business. Their lease on the site had expired in October 2019, but been kept on a temporary rolling contract in the full knowledge that they can be asked to cease occupation of the site at any stage.
128. The garage (64sqm) occupies the land between the retail warehouse boundary and Hyndman Road. Following consultation with the council’s Local economy team (LET), it was recommended that there should be an appropriate relocation strategy for this garage, which is a small business. However, as the business is on a short term lease they are fully aware that their occupation of this site has only ever been on a short term basis and their relocation inevitable at some stage. Evidence of their end of lease has been supplied by the applicant and the LET are satisfied that an exit strategy is no longer required.

#### Affordable workspace

129. The applicant has agreed to provide an element of affordable workspace within the scheme comprising 10% of the commercial floor space. The applicant has agreed the rents to be at £8 per sqft (exclusive of service charge) over a 30 year period, which is considered appropriate and is comparable to those levels that have been agreed on other sites in the Old Kent Road area. The level of rent would make the space affordable to creative industries and businesses and ensure businesses that require low rents have the opportunity to lease space within the area.

#### Specialist workspace provider

130. The employment space has been designed to be flexible so that it could accommodate a range of different unit sizes and shared workspaces. Details of a specialist workspace provider could be secured through a s106 planning obligation.

#### Provision of housing, including affordable housing

131. The scheme would provide 262 new residential units, including policy compliant affordable housing comprising social rented and intermediate units in terms of habitable rooms. There is a pressing need for housing in the borough. The adopted London Plan (2016) requires the provision of a range of housing and sets the borough a target of 27,362 new homes between 2015 and 2025. This is reinforced through Strategic Policy 5 of the Core Strategy which requires development to meet the housing needs of people who want to live in Southwark and London by providing high quality new homes in attractive areas, particularly growth areas. It would also be in accordance with emerging policy for the OKROA and the expectation of significant new housing provision.

#### Provision of a new park

132. The proposed development would deliver high quality public realm of 1,485sqm, including a new park of approximately 1,200 sqm. This is essentially an extension to the already approved Ruby Triangle lawn and is over 50% of that space. It was always envisaged that this current application would provide the remaining public park as desired in the AAP and masterplan. This public park would therefore be enlarged and 'complete', providing a triangular shaped space that could be used for a range of activities.
133. The proposal would increase park and open space provision in line with the strategic objectives of the council's Open Space Strategy (2013). The Strategy identifies the 'Bermondsey and Old Kent Road sub-area' as having the lowest level of local park provision in the Borough with a total of 0.17ha of park provision per 1,000 population. The provision of this new park is therefore considered a significant positive aspect of the scheme, which would be of benefit to the existing and new communities.

#### Re-Instatement of Retail Frontage to the Old Kent Road

134. Although it is outside the SIL, and therefore not a departure from the adopted plan, it is worth noting that the proposal to re-introduce active retail uses along the Old Kent Road is also considered a positive benefit of the proposed development. Not only would this contribute positively to the character of the area by reinstating the 'High Street' character

of the Old Kent Road and creating an active frontage, it would also contribute to the employment opportunities identified above.

#### Town centre uses

135. In order to provide a mixed use place, the proposals under consideration would incorporate a mix of residential, retail and commercial uses. The non-residential uses would be concentrated on the lower floors of the proposed buildings, where they would contribute to the creation of a vibrant, well animated street scene. In summary, the proposed development would provide 2,096sqm (GIA) of non-residential floor space, which are flexible between A1, A2, A3 and A4 retail uses and commercial B1 use. These are all considered to be town centre uses.
136. The revised NPPF (2019) identifies that local planning authorities should be promoting competitive town centres. In paragraph 86, the NPPF advises that “Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan”. Paragraph 89 of the NPPF states that local authorities should require a retail and leisure impact assessment if the proposed development is not in accordance with an up-to-date plan and where the quantum of retail and leisure uses proposed would be over a proportionate, locally set floor space threshold (if there is no locally set threshold, the default threshold is 2,500 sqm). Paragraph 90 goes on to state that where an application fails to satisfy the sequential test or is likely to have a significant adverse impact, it should be refused. The London Plan (2016) is consistent with the policy guidance of the NPPF. In this proposed development, the retail floor space would be under 2,500sqm.
137. Strategic Policy 3 of the Southwark Core Strategy relates specifically to shopping, leisure and entertainment and aims to maintain Southwark’s network of successful designated town centres. As part of this, the policy identifies a hierarchy of town and local centres, reflecting their size and role in the borough. In the adopted Core Strategy, the Old Kent Road is not identified as one of these designated town centres, despite the significant retail offer that it provides. The policy then goes on to identify the tests set out in national planning policy and the London Plan for new shopping and leisure space which are proposed outside designated town and local centres.
138. Southwark Plan Saved Policy 1.7 relates to development within town centres, and states that most new development for town centre uses should be accommodated within existing town centres and local centres. Policy 1.8 (Location of retail outside town centres) was not found to be in conformity with the NPPF and was accordingly not saved when the plan was revised in 2013.
139. The emerging Policy P35 of the NSP, Development Outside Town Centres state that development providing town centre uses outside town and local centres must comply with the sequential test. Large development proposals, over 1,000 sqm (gross) will require an impact assessment and demonstrate that they would not harm the vitality and viability of centres or planned investment in centres.
140. Notwithstanding the above, the emerging Policy P34, Town and Local Centres of the draft NSP proposes the Old Kent Road as a new Major Town Centre and that town centre uses will be permitted in town centres where:

141. The scale and nature is appropriate to the role and catchment of the centre; and
- A Use Classes are retained or replaced by an alternative use that provides a service to the general public, and would not harm the vitality and viability of the centre; and:
- The development would not harm the amenity of surrounding occupiers or result in a concentration of uses that harms the character of the area; and
- The development provides an active use at ground floor in locations with high footfall; and:
- Large schemes for town centre uses that are 1,000 sqm or more provide public toilets, public drinking fountains and public seating.
142. The Southwark Retail Study was published in 2015 (and updated in 2018) to provide a robust and credible evidence base to inform the council's work on the New Southwark Plan. This identified that Old Kent Road is the dominant destination for comparison shopping in the borough, and that as it is not currently a designated town centre it is vulnerable. It identifies that the area has been designated as an Opportunity Area and that there is a potential for a new town and/or local centres.
143. As previously noted, in terms of the allocation sites identified in the draft NSP, the application site is contained within the boundary of NSP 65: Sandgate Street and Verney Road. The NSP states that development here should provide a new part of the town centre and identifies that the site is appropriate for new homes (Class C3) retail (A1, A2, A3 and A4) on the Old Kent Road frontage, employment (Class B) and community (Class D) uses. It also supports the provision of new public open space and states that comprehensive mixed-use redevelopment of the site could include taller buildings subject to consideration of impacts on existing character, heritage and townscape.
144. Again, acknowledging its very limited weight, draft OKR AAP, Emerging Policy AAP7, 'Town Centres, Leisure and Entertainment', identifies the area as a major town centre and identifies the uses that would be appropriate, including retail, community, leisure, cultural and offices above shops. The site sits within OKR 13 and is identified as appropriate for new and re-provided homes, employment, retail and community uses.
145. The lawful use of the existing building is predominantly A1 and sui generis. As discussed above, the emerging policy and existing evidence base for the OKR Opportunity Area support mixed use development and the designation of the Old Kent Road as a high street and Major Town Centre. As the proposed development would essentially replace what exists on the site, the flexible retail A class uses would be acceptable in land use terms.
146. The main town centre uses are necessary to create an active and vibrant frontage to the Old Kent Road along the site's southern boundary. Furthermore, this continues the retail frontage that has been approved in the Ruby Triangle development and provides that high street function. Therefore, the proposals are considered to comply with the sequential approach to development as required in the Core Strategy and the NPPF.
147. The GLA concludes that given the scale of the proposed retail uses at the site it would not prejudice the vitality or viability of the borough's Town Centre locations and would

ensure future residents of the site have access to on-site retail provision. Whilst the site is not currently located in a town centre, in line with the aspirations set out in the London Plan and draft London Plan for Opportunity Areas the proposed retail uses are acceptable at this site.

### Prematurity

148. Legal Advice received in relation to this issue highlights the following from the National Planning Policy Guidance “arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:
- the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or neighbourhood planning; and
  - the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.
149. Refusal of planning permission on grounds of prematurity would seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.”
150. The most up to date development plan pertinent to the Old Kent Road area is the 2016 London Plan. This identifies the Old Kent Road Opportunity Area as having significant potential for housing led growth. The draft OKR AAP has been developed in response to this adopted plan and has also sought to address the emerging policy position of the draft New London Plan including the increased housing target for the opportunity area and the need to ensure that the New London Plan aspirations for industrial land and employment are addressed. This scheme is not considered to undermine either the strategic or local plan making process, and reflects the adopted statutory development plan position of the 2016 London plan and the direction of travel of the draft New Southwark Plan and the 2016 and 2017 draft OKR AAPs and the 2018 draft New London Plan. It is not therefore considered to be premature.

### **Conclusion on land use**

151. To conclude in relation to land uses, the proposed development would be contrary to strategic policy 10 of the Core Strategy and saved policy 1.2 of the Southwark Plan owing to the introduction of residential and retail into the SIL would represent a departure from the adopted development plan.
152. This must therefore be weighed against the benefits of the scheme which include the provision of housing, of which 39.8% would be:

affordable;  
re-provision of enhanced retail floor space;  
the provision of good quality, flexible commercial space including affordable workspace;  
job creation;  
repair and improved physical environment;  
active frontage and improved pedestrian access;  
provision of new open space and park; and  
Optimised use of the site.

153. Some limited weight can be attached to the NSP and OKR AAP at present, given that they have been subject of extensive consultation and the emerging policies would support the proposal. Given the changing character of the area and in particular the adjoining Ruby Triangle development and its future uses, it is not felt that the introduction of housing would prejudice the operation of existing businesses in the area. For these reasons, officers consider that the principle of the proposed development in land use terms should be supported in this instance.

### **Environmental impact assessment**

154. It is noted that the approved Ruby Triangle development was considered to be an Environmental Impact Assessment (EIA) development and an Environmental Statement (ES) was submitted. The ES concluded that, in most cases, the approved development would provide beneficial impacts to residents, businesses and the general public.
155. Prior to the submission of this application, the applicant had submitted a request for an EIA Screening opinion (ref 19/AP/1475) under Regulation 6(1) of the EIA Regulations. This was to ascertain whether the Local Planning Authority considered there would be significant environmental effects are likely to arise from the proposed development. Officers considered that the proposed development did not fall within the definition of Schedule 1 development.
156. The proposed development would be an 'Urban Development Project' and consequently it would constitute Schedule 2 development within the meaning of the EIA Regulations. It would also include more than 150 dwelling houses and therefore it was necessary to assess the potential impact of the proposal against Schedule 3 of regulations. A checklist used for screening Schedule 2 projects was assessed by Officers.
157. Based on the assessment, no significant likely effects have been identified and accordingly it was concluded that the proposed development would not be likely to have significant effects upon the environment virtue of factors such as its nature, size or location. The matters to be considered can be adequately assessed through the submission of technical reports submitted with the planning application. The proposed development is therefore not considered to constitute EIA development and an ES was not submitted with this current application.

### **Provision of housing and affordable housing**

158. Strategic Policy 6 of the Core Strategy 'Homes for People on Different Incomes' requires at least 35% of the residential units to be affordable. For developments of 15 or more units affordable housing is calculated as a percentage of the habitable rooms. All of the

affordable units should be provided on site and a mix of housing types and sizes is required. In accordance with Saved Policy 4.5 of the Southwark Plan, for every affordable housing unit which complies with the wheelchair design standards one less affordable habitable room will be required.

159. The Southwark Plan saved policy 4.4 requires at least 35% of all new housing as affordable housing. Of that 35%, there is a requirement for 50% social housing and 50% intermediate housing in the Old Kent Road Action Area. The adopted London Plan 2016 sets a strategic requirement of 60% social housing and 40% intermediate housing. The emerging NSP Policy P1 sets a requirement for a minimum of 25% of all the housing to be provided as social rented and a minimum of 10% intermediate housing to be provided when calculated by habitable rooms, this equates to 71.5% social housing and 28.5% intermediate housing.
160. In total, 908 habitable rooms would be provided in the development. The development would provide a total of 362 affordable habitable rooms which would equate to an overall provision of 39.8%. The level of provision is therefore acceptable and policy compliant.
161. Southwark's Development Viability SPD requires a financial viability appraisal to be submitted for all planning applications which trigger a requirement to provide affordable housing. The financial viability appraisal should identify the maximum level of affordable housing that can be sustained and justify any proposed departures from planning policy requirements. This application is therefore accompanied by viability report, which was reviewed by independent consultants on behalf of the council. Following discussions over the assumptions, the applicant has submitted an updated viability appraisal. The conclusion of the consultant's review is that based on the updated appraisal the proposed scheme demonstrates that it cannot support any additional affordable housing above the minimum policy compliant level that is being offered. The scheme is effectively in a breakeven position and is considered marginally viable on this basis.
162. A standard policy compliant 35% habitable rooms offer would equate to 317.8 affordable habitable rooms, with 25% social rent at 227 habitable rooms, and 10% Intermediate at 90.8 habitable rooms.
163. The proposed 39.8% habitable rooms offered would have a split of 260 social rent habitable rooms (28.6%) and 102 Intermediate habitable rooms (11.2%) as seen in the table below. This meets the emerging NSP policy requirement.

**Table: Affordable mix**

Number of bedrooms	Affordable tenure (habitable rooms)		Number of habitable rooms	Percentage (%)
	Social	Intermediate		
Studio	0	0	0	0
One bedroom	24	10	34	9.4
Two bedrooms	120	92	212	58.5
Three bedrooms	80	0	80	22.1
Four bedrooms	36	0	36	10
<b>Total</b>	<b>260</b>	<b>102</b>	<b>362</b>	<b>100</b>

164. Overall, the proposal would provide a total of 92 affordable units in a mix of unit sizes. A s106 agreement is recommended to secure the delivery of these units, including a clause preventing the occupation of more than 50% of the private apartments until 50% of the affordable units are completed, and a clause to prevent more than 90% of the private sale apartments being occupied across the development until 100% of the affordable housing is complete. In line with the Mayor's Affordable Housing and Viability SPG, an early review mechanism would be secured by the s106 agreement, which would come into effect if the development does not substantially commence within 24 months. The review would determine whether the viability of the development has improved during that time, and accordingly whether it could deliver any more affordable housing.
165. A contribution of £12,176 (a charge of £132.35 per affordable unit) has been agreed towards affordable housing monitoring and maintained provision of these units, and would be secured by the s106 Agreement.
166. Due to the 'U' shaped footprint of the building and the length of the façade on Old Kent Road, there would be two main residential entrance and cores. The social rented units (total of 64 units) would be accessed from the north-western entrance, which is along the pedestrianised street located between Nos. 639 and 641 Old Kent Road and the proposed building. The intermediate and private units (total of 198 units) are accessed from the corner of Old Kent Road and Hyndman Street.
167. There is however, no distinction in design quality for the two entrances, both having double height entrances and along active frontages of the building. The affordable housing would be owned and managed by A2Dominion Housing Association.
168. As members are aware GLA are promoting a revised Mortgagee in Possession (MIP) clause in legal agreements and the council will shortly be consulting on how and in what circumstances that clause will be applied in a revised affordable housing SPD. In advance of the revised SPD and in advance of confirmation as to who the RP will be in this scheme the assumed default MIP clause will be the standard LBS one. This will be reviewed once new supplementary guidance been produced and adopted.

### Housing mix

169. Core Strategy Strategic Policy 7, 'Family Homes', requires a housing mix of at least 60%

dwellings with two or more bedrooms, with 20% having at least three bedrooms. No more than 5% of the units should be studios, and these can only be for private housing. This is reiterated in emerging policy in the draft OKR AAP and the NSP.

170. For ease, the proposed housing mix for the whole scheme is summarised again in the table.

**Table: Proposed Housing Mix**

Unit type	Number of units	Percentage (%)
Studio	2	0.7
1 bedroom unit	82	31.3
2 bedroom unit	156	60
3 bedroom unit	16	6
4 bedroom unit	6	2
<b>Total</b>	<b>262</b>	<b>100</b>

**Table: Proposed Housing Mix Across Affordable Tenures (by unit)**

Unit type	Social Rented units	Intermediate units	Total units	Percentage (%)
Studio	0	0	0	0
1 bed	12	5	17	18.5
2 bed	30	23	53	57.6
3 bed	16	0	16	17.4
4 bed	6	0	6	6.5
<b>Total</b>	<b>64</b>	<b>28</b>	<b>92</b>	<b>100</b>

171. At 0.7%, the proposed proportion of studio units is well under the policy maximum of 5%. The proposal would also provide more than 60% of two or more bedrooms (at 68.5%). It is noted that there would be 8% of three bedrooms or more, falling short of the minimum 20%. For the affordable housing however, the mix is much improved to the policy position, with 81.5% having two or more bedrooms and 23.9% having three bedrooms. This affordable mix is welcomed despite the shortfall for the scheme overall.
172. Members must consider whether this overall shortfall of two and three bedroom units is of such concern that it would outweigh the other significant regeneration benefits of the scheme. Officers have identified these regeneration benefits elsewhere in this report.

### Wheelchair accommodation

173. The London Plan Policy 3.8 requires 10% of new housing to be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users (Building Regulations requirement M4 (3) 'wheelchair user dwellings'). Saved Policy 4.3 of the Southwark Plan support this, requiring 10% of new dwellings to be suitable for wheelchair users, except where this is not possible due to the physical constraints of the site. London Plan Policy 3.8 also requires 90% of new housing meets Building Regulations requirement M4 (2) 'accessible and adaptable'. This is reiterated in emerging policy in the draft OKR AAP and the NSP.
174. The applicant has confirmed that a total of 31 units would be wheelchair accessible, which equates to 11.8%, exceeding the 10% requirement. This would be split into the following tenures:
- 8 x Social rented  
5 x Intermediate  
18 Private.
175. The wheelchair housing would be secured through the s106 Agreement. Level and safe access would also be provided throughout the proposed public realm and new park.

### Density

176. Policy 3.4 Optimising Housing Potential of the London Plan 2016 states that development should optimise housing output for different types of location within the relevant density range. It also requires local context, the design principles and public transport capacity to be taken into account. Strategic Policy 5 - Providing New Homes of the Core Strategy sets out the density ranges that residential and mixed use developments would be expected to meet and is in line with the London Plan.
177. As the site is located within the Urban Zone, a density range of 200 to 700 habitable rooms per hectare (HR/Ha) would be sought. Emerging Policy P9 of the New Southwark Plan seeks development within the OKROA Core to provide 650-1,100HR/Ha. The development would need to meet the criteria for exceptional design as set out in section 2.2 of the Residential Design Standards SPD 2015.
178. The development as a whole (not including the commercial floor space) would have a density of approximately 1,931HR/Ha. To include the commercial floor space would give a density figure of 2,085HR/Ha. It should also be noted that whilst this still represents higher density development above the typical ranges set out in policy, the draft New London Plan intends to delete reference to any density matrix and to replace it with reliance on improved design approaches focusing on design quality and urban greening. The sustainable location of the site means the proposed higher density is entirely appropriate and consistent with the surrounding urban grain. Officers however, have also assessed the scheme against the design criteria since the maximum upper limit of 700HR/Ha would be significantly exceeded. The development would need to demonstrate that it would be excellent in relation to housing and design quality. If it can be demonstrated that an excellent standard of accommodation would be provided, makes an exceptional contribution to the regeneration of the area, and the response to context and impact on amenity to existing occupiers is acceptable, then it is considered

that the high density in this Opportunity Area location would not raise any issues to warrant withholding permission. There is a pressing need to optimise the use of land in London, particularly in Opportunity Areas. The proposal would result in a good standard of accommodation, with many of the 'exemplary' requirements of the Southwark Residential Design Standards SPD 2015 met. This is summarised in the table below with full assessment and commentary provided in other sections of the report.

Exemplary residential design criteria from Southwark Residential Design Standards SPD	Commentary
Provide for bulk storage	Each of the proposed units would provide for built in storage that would meet or exceed the standards set in the Residential Design SPD. In addition to this, bulk storage is proposed on the mezzanine level.
Exceed minimum privacy distances	Minimum privacy distances would be exceeded between habitable rooms.
Good sunlight and daylight standards	The majority of the units would have good sunlight and daylight standards achieved. This is further explained in this report.
Exceed minimum ceiling heights of 2.3m	All rooms within the proposed dwelling would exceed the minimum 2.3 metre floor-to- ceiling height.
Exceed amenity space standards (both private and communal)	The amenity space proposed is set out in the subsequent section on Outdoor amenity space, Children's Play Space and Public Open Space section of this report. Where the recommended 10 sqm private amenity space has not been met, the shortfall has been included as communal amenity space in line with the Residential Design Standards SPD.
Secure by Design certification	No objections raised. The scheme would have a positive impact upon the development from a safety and security perspective. This scheme would achieve Secured by Design Accreditation. Conditions to require this are recommended
No more than 5% studio flats	Only 2 studio flats are proposed, equating to 0.7% of the total scheme.
Maximise the potential of the site	The potential of this site would be maximised, delivering improved commercial and retail floor space, new dwellings, outdoor space and play

	space and a new park without compromising local visual or residential amenity.
Include a minimum 10% of units that are suitable for wheelchair users	11.8% of the proposed units would be suitable for wheelchair users.
Excellent accessibility within buildings	The accessibility within the buildings would be excellent.
Exceptional environmental performance	The development is capable of achieving BREEAM “excellent” upon fit out of the commercial units; a condition to this effect has been included. The development would need to make a carbon off set payment contribution as the residential element is not capable of delivering zero carbon homes. The applicant has agreed to make the payment which makes this aspect of the scheme fully policy compliant. The development would exceed the minimum policy requirement for the non-domestic part of the scheme.
Minimised of noise nuisance between flats through vertical stacking of similar room types	The plans submitted demonstrate that a very good level of stacking has been achieved where kitchens are stacked above kitchens and bedrooms over bedrooms. The noise impact assessment demonstrates that the internal noise levels could be achieved and as such is considered to be acceptable. This is explained in further detail in this report.
Make a positive contribution to local context, character and communities	The proposed development would make a positive contribution to local context, character and communities in terms of its quality of design and regeneration benefits including affordable housing, workspace and investment in local transport and public space.
Include a predominance of dual aspects units	51.5% of the total units (135 units) proposed would be dual aspect. 51% of the affordable units would be dual aspect with the private units offering 52%.
Have natural light and ventilation in all kitchens and bathrooms	All kitchens would benefit from natural light and ventilation due to their open plan configuration. Bathrooms on the other hand would not achieve this as all bathrooms would be internalised but will benefit from mechanical ventilation.
At least 60% of units contain two or more bedrooms	The proposed development proposes that 68.5% of the total number of units across all tenures

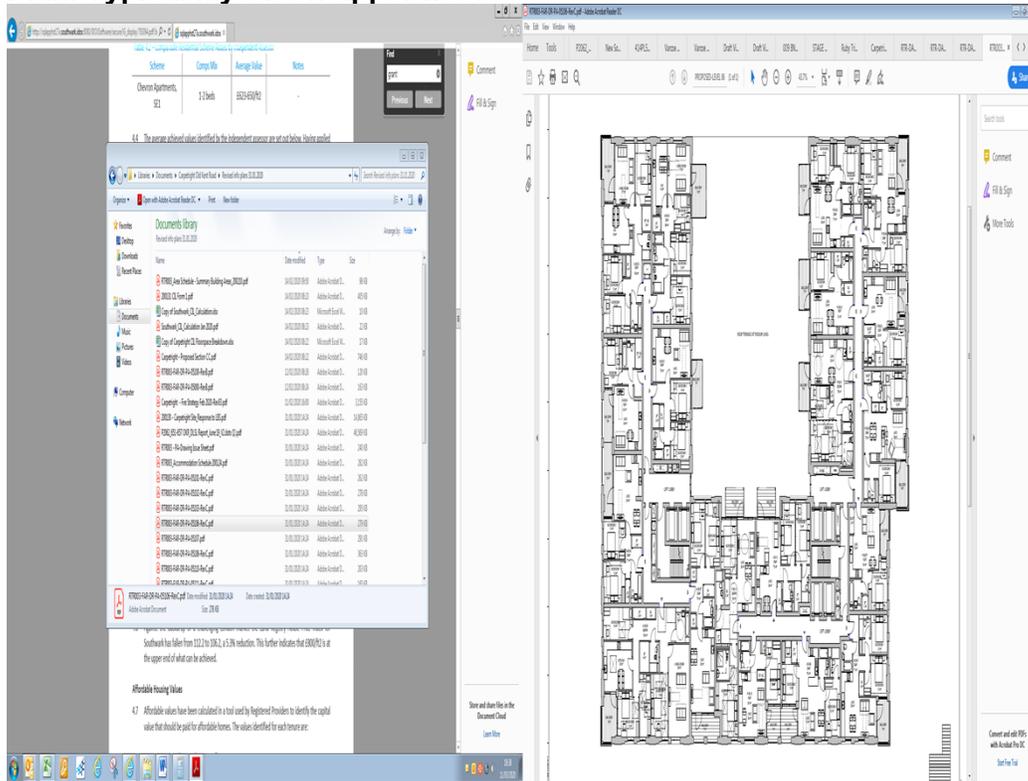
	would have two or more bedrooms.
Significantly exceed the minimum floor space standards	All units would meet the minimum space standards.
Minimise corridor lengths by having additional cores	No more than 8 flats per core is proposed, complying with the Mayor's Housing Design SPG which advises no more than 8 flats per core.

179. For the reasons detailed in the paragraphs below and table, the higher density proposed would not significantly compromise the quality of accommodation and the impacts of the development would be acceptable. It is therefore considered that the exceedance of the density threshold would not warrant withholding permission.

Quality of accommodation

180. Saved Policy 4.2 of the Southwark Plan advises that planning permission will be granted provided the proposal achieves good quality living conditions. The standards in relation to internal layout are set out in the adopted Residential Design Standards SPD 2015 (the "SPD" in this report) and include guidance on overlooking standards as well as requiring the minimum size. The above table summarised some elements of the design and how it is considered to be of exemplary standard. The following paragraphs discuss the internal daylight and dual aspect within the proposed residential units, overlooking issues, amenity space, child play space and noise implications.

## Plan: Typical layout on upper floors



### Unit sizes

181. All proposed homes would meet or exceed the standards as set out in the SPD. The following table sets out the minimum flat size requirements as set out in the SPD, and also the flat sizes that would be achieved:

**Table: Unit types and proposed size of units**

Unit Type	SPD Requirement (sqm)	Size range proposed (sqm)*
1 Bed 1 Person (studio)	39	42
1 Bed 2 Person (flat)	50	51 – 58
2 Bed 3 Person (flat)	61	76
2 Bed 4 Person (flat)	70	70 – 92
3 Bed 5 Person (flat)	86	98
4 Bed 6 Person (Flat)	99	130-150

### Internal daylight within the proposed residential units

182. A daylight and sunlight report based on the Building Research Establishment (BRE) Guidance has been submitted which considers daylight to the proposed dwellings:

using the Average Daylight Factor (ADF). ADF is a measure of the overall amount of diffuse daylight within a room. It is the average of the daylight factors across the working

plane within a room. ADF determines the natural internal light or daylight appearance of a room and the BRE guidance recommends an ADF of 1% for bedrooms, 1.5% for living rooms and 2% for kitchens. This also adopts an ADF of 2% for shared open plan living room/kitchens/dining.

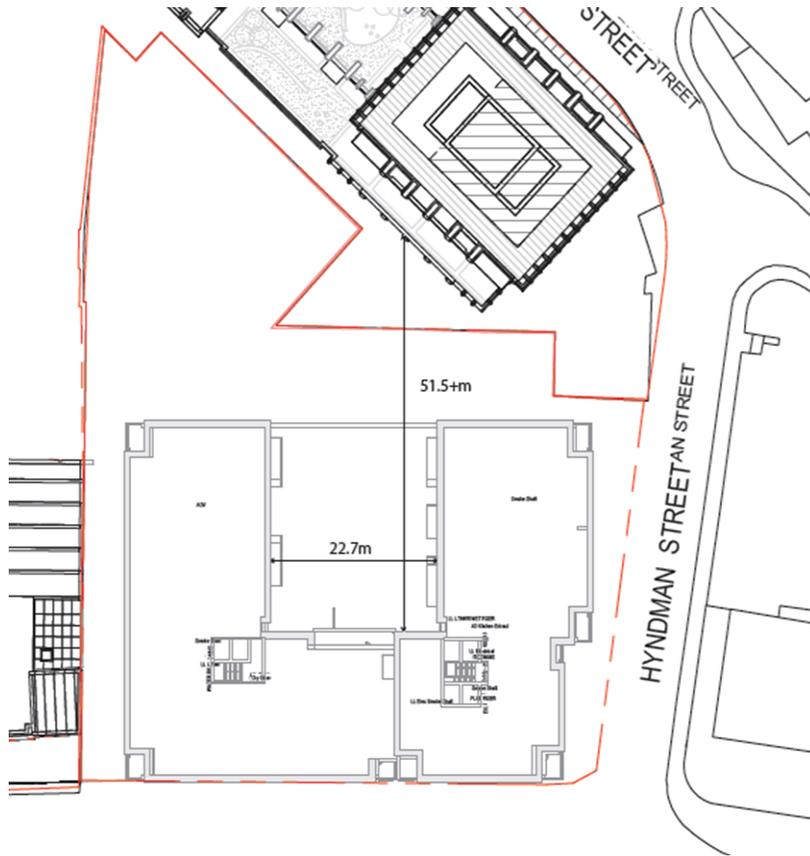
183. Every habitable room within the proposed development has been considered. The analysis shows that 621 out of 751 rooms tested (83%) will either meet or exceed the recommended ADF targets. Where there are rooms that do not meet the strict application of the BRE Guidelines, this is in many instances a product of providing private amenity in the form of balconies.
184. The main rooms affected are those that look into the courtyard and are due to the configuration of the building and its orientation. The outlook from those rooms that do not meet the BRE recommended levels are very good with views into the courtyard or the new public park. The requirement for private amenity space in the form of balconies have meant that these would overhang above those living room windows and it is considered that having private outdoor space would be a benefit of these higher density schemes. As such and on balance, the lower ADFs for some of the units are justified in this instance.

#### Overlooking

185. The Residential Design Standards SPD recommends a minimum of 21m between the backs of properties to prevent any overlooking, and 12m where properties would face each other across a highway or other public realm.
186. There would be at least 21m from the front elevation to the properties opposite on Old Kent Road, exceeding the council's SPD. Windows are proposed on the north-western elevation facing No. 641 Old Kent Road, but there are no habitable room windows on this building. The windows fronting Hyndman Street are at least 12m from the building at No. 671-679 Old Kent Road.

This building is currently occupied by KFC (an A3 class use restaurant) and therefore is not subject to the normal privacy distances as it is not a residential building. However, should this be developed in the future, there would be the minimum 12m from the proposed windows to this KFC site. There are windows proposed on the north-eastern façade which would be located close to the consented Block C of the Ruby Triangle development. However, as the proposed building and windows are positioned obliquely to the approved Block C windows, there would not be any direct overlooking.

**Image: Overlooking and separation distances**



187. The U shaped building is designed to avoid internal overlooking. There is at least 22.7m from the internal facades of the proposed block which is of sufficient distance to prevent direct overlooking. No residential units are proposed at ground floor directly adjacent to the public realm, so there is no concern about defensible space at this level. Where residential units overlook communal roof terraces, each would be provided with a defensible space in the form of private terrace to ensure privacy. Where balconies sit immediately adjacent to each other they would have privacy screens between them and it is recommended that a compliance condition is imposed to ensure that at least 1.7m high privacy screen is maintained.
188. It is considered that the proposed occupiers of the residential development would have good levels of privacy.

Units per core

189. Standard 12 of the Mayor's Housing Design SPG requires that each vertical circulation core should be accessible to generally no more than eight units on each floor. As stated in the Exemplary Design Standards table, none of the cores in the proposed scheme would have more than 8 flats per core. This is a positive aspect of the design of the scheme.

### Aspect and outlook

190. The scheme would have 51.5% of the total units (135 units) be of dual aspect. Looking at this by tenures, 51% of the affordable units would be dual aspect with the private units offering 52.9%. Whilst there is a relatively high proportion of single aspect units, the outlook of these units are very good. The units have good views out onto the podium, the new public park and there are no physical obstructions immediately in front of the single aspect units.
191. Overall, it is considered that there is a low proportion of single aspect north facing units (none of which would be for social rent). All of the 3 or 4 bed family dwellings would have dual aspect. Mitigation is also proposed in the form of full height glazing, large opening windows and well laid out dwellings and exceeding minimum flat sizes.
192. Members must consider whether this proportion of single aspect units is of such concern that it would outweigh the other significant regeneration benefits of the scheme, which have been discussed earlier in this report. Officers consider that the wider benefits of the scheme would outweigh any harm caused by this proportion of single aspect units.

### Amenity space and play space

193. All new residential development must provide an adequate amount of useable outdoor amenity space. The SPD sets out the required amenity space standards which can take the form of private gardens and balconies, shared terraces and roof gardens. Policy 3.6 of the adopted London Plan requires new developments to make provision for play areas based on the expected child population of the development. Children's play areas should be provided at a rate of 10sqm per child bed space (covering a range of age groups). The emerging OKR AAP requires 5sqm of public open space per dwelling as per policy AAP 10.
194. Four categories of open space are required in major planning applications in the Old Kent Road Opportunity Area:

Private amenity space;  
Communal amenity space (usually courtyards, podium gardens or roof terraces);  
Children's play space; and  
Public open space

### Private amenity space

195. The following amount of amenity space would need to be provided as clarified further in the council's SPD:

For units containing 3 or more bedrooms, 10sqm of private amenity space as required by the SPD;

For units containing 2 bedrooms or less, ideally 10sqm of private amenity space, with the balance added to the communal space;

50sqm communal amenity space per block as required by the SPD;

10sqm of children's play space for every child space in the development as required by the London Plan;

5sqm of public open space per dwelling as required by the OKR AAP. If it is not feasible to deliver the open space on site, a financial contribution will be required.

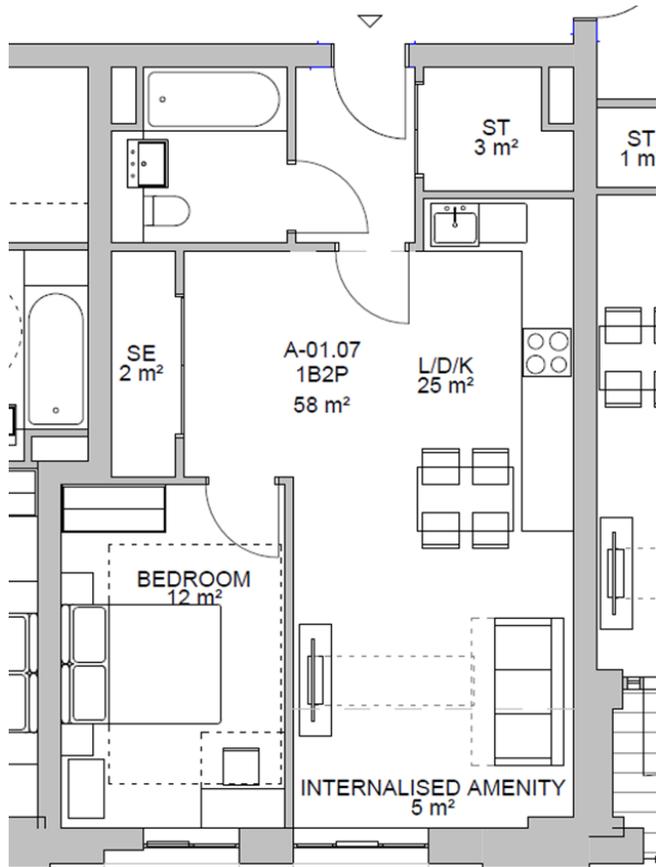
196. In the proposed development, private amenity would be provided for the majority of residential units in the form of balconies. Communal amenity spaces for residents would be provided in the form of roof terraces and podium level above the first floor.
197. In this case, a total of 2,620sqm of private amenity space would need to be provided between the 262 units in accordance with the SPD. In this instance 1,991sqm of private amenity space is proposed which is short of the required amount.
198. All of the 3 and 4 bedroom units have a minimum 10sqm balcony. There are three types of balconies in the proposed development:

Inset balconies

Internalised balconies

Bolt-on balconies

**Image: Internalised balcony within a unit**



199. Only 5 units out of the total 262 have internalised balconies and these are located in the smaller one bedroom/2 person flats in the social rented tenure. Like the approved Ruby Triangle development, it would be acceptable to have no private external balcony, but rather provide larger internal living spaces. Where no private balcony is proposed, all living spaces would exceed the minimum floor space required. This is proposed as 58sqm for the one bedroom flat (where the minimum standard should be 50sqm). As with the Ruby Triangle development, this approach has been design-led, and the omission of a balcony was only agreed in exceptional circumstances. This would continue the design concept and this is agreed here for those 5 units.

In this instance:

The additional amenity space being included into the living areas of the flat creates a more spacious, better laid out flat and gives more options to future residents;

It allows for higher levels of natural light by not overhanging over windows below; there are other amenity space available within the development such as the podium and roof terraces.

200. It should be noted that this only occurs for 0.2 % of the whole scheme and are for the smaller one bedroom/2 person flats. All family sized dwellings in all tenures would have

access to private amenity space in the form of external balconies.

### Communal amenity space

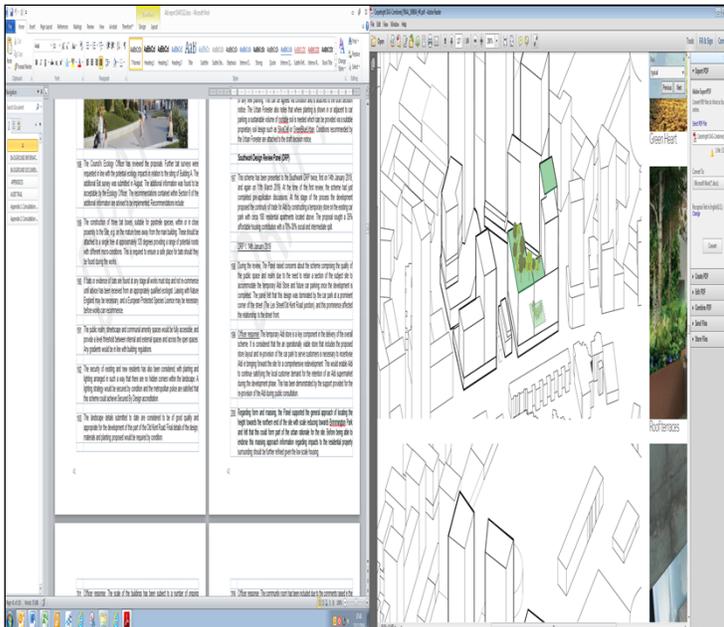
- 201. Where the full recommended provision of 10sqm per residential unit has not been provided, the shortfall has been added to the communal requirement. In this instance, there is a shortfall of 651sqm (not including those that exceed 10sqm). A provision of 651sqm of communal amenity space, plus the minimum of 50sqm would have been required (a total of 701sqm).
- 202. There is a diverse range of communal amenity space proposed and all amenity terraces would also provide water attenuation, as 'green blue roofs'. Below is a summary of the communal amenity space proposed:
- 203. At level 1 (or podium level), there is a communal children play space that equates to 490sqm and is accessible to all tenures;

At level 10, a communal roof terrace at 851sqm is proposed characterised by richly planted with seating and play elements. This is accessible to all tenures; and

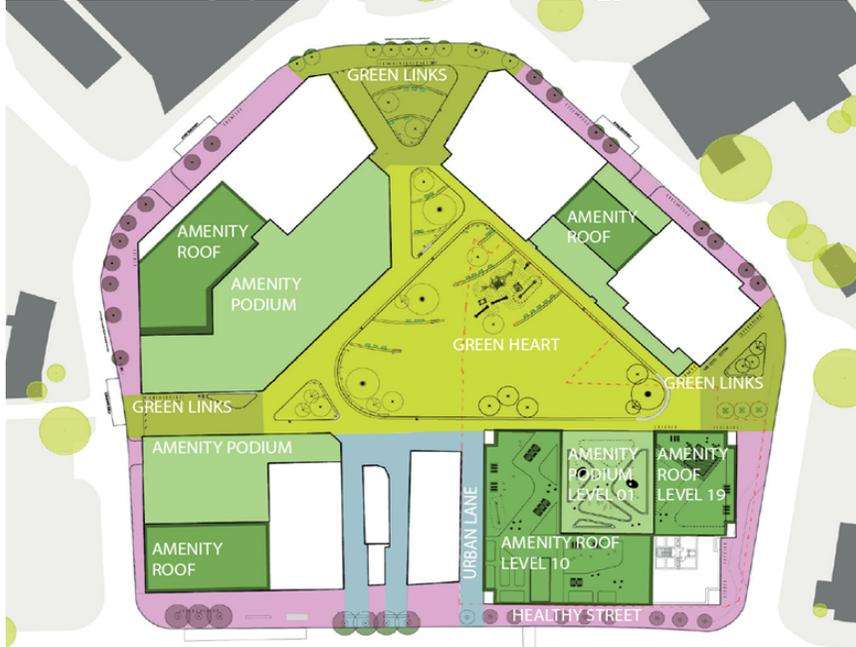
At level 19, a communal roof terrace at 470sqm is proposed.

- 204. The total communal amenity space at levels 10 and 19 at 1,321sqm therefore exceeds the minimum required when taking into account the shortfall of private amenity space.

### **Image: Amenity space strategy, Podium, Level 10 and Level 19**



**Image: Amenity space, public space strategy for the whole site**



Children's play space

- 205. In line with the Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (using the June 2019 calculator) the development would be required to provide 1,117sqm of children's play space.
- 206. The Mayor's SPG sets out the intended strategic approach to delivering new and enhanced play space both on and off-site in new developments. It explains that 'doorstep' play (Under 5s) should usually be provided on-site, unless there is existing provision within 100 metres. For 5-11 year olds and children over 12 years old, it recommends that off-site provision is acceptable, if there is existing provision within 100-400 metres and 400-800 metres respectively. This is summarised in Table 4.5 of the SPG, reproduced below.

Table 4.5 Provision of play space to meet the needs of new development

		Under 5s	5-11	12+
<b>Existing provision</b>	within 100 m	On site or off-site contribution	Off-site contribution	Off-site contribution
	within 100-400m	On-site	On site or off-site contribution	On site or off-site contribution
	within 400-800m	On-site	On-site	On-site or off-site contribution
<b>No existing provision</b>	within 100 m	On-site	Off-site provision	Off-site provision
	within 100-400m	On-site	On-site	On site or off-site provision
	within 400-800m	On-site	On-site	On-site

207. Revised plans have been submitted to show 1,117sqm of play space across the site within the communal amenity area and part of the proposed public park.
208. The location of the play space would be on the podium (Level 1) in the centre of the building and has an area of approximately 490sqm. The location of the play space within the U shaped layout would be shielded from Old Kent Road and have views of the new public park. This design would provide good shelter for the space. The submission material sets out the type of play provision, including formal play structures, incidental play features and informal play/playable landscape features is identified. The space would be welcoming for children and young people of all ages and abilities, but also for parents and carers as well as any resident of the development.
209. In order to achieve the required build-ups for trees planting, raised edges are proposed along the planters, which also have the potential to become seating edges. Additional seating is provided with timber top cube and long benches in the central area. It is envisaged that this podium space would be dedicated to the 0-5 age group of doorstep play. The proposed approach to dedicated play space provision has been to maximise 'doorstep' play for under 5's on-site, in line with the Mayor's SPG. However, it is possible that some areas could provide for older children on-site. The play area on this level has not yet been designed in detail and a condition requiring detailed design is recommended.

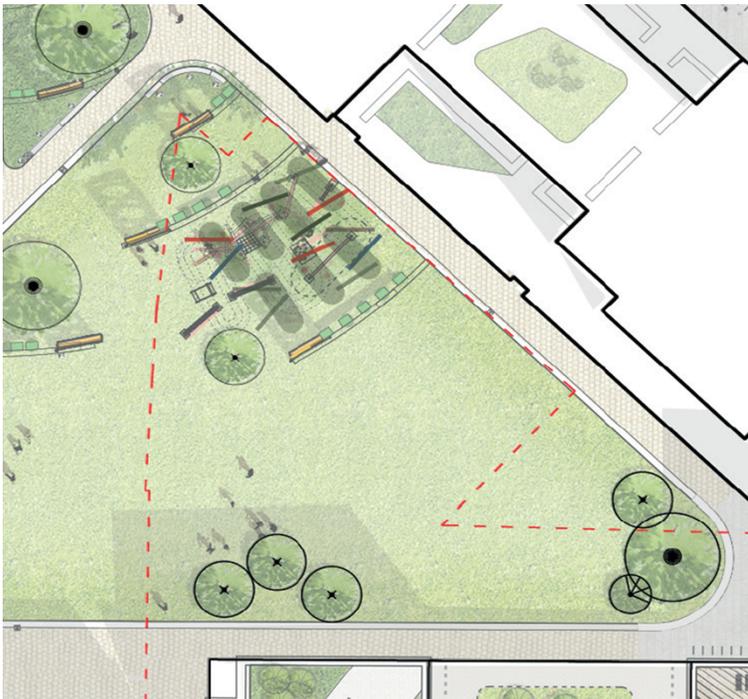
**Image: Podium play space under 5's example**



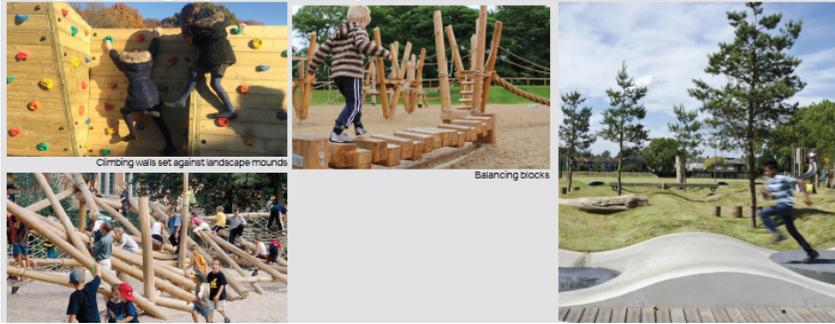


210. It is also proposed that approximately 627.1sqm of the new public park at ground level would provide the remaining play space. The large amenity grass space within this planning application boundary will enlarge the lawn area proposed within the consented Ruby Triangle. It will also host a generous area for play space and playable landscape primarily for older children (above 5 years), but will also provide an inclusive playable landscape for all. This area located to the northern part of the new park would also be publicly available and accessible, providing opportunities for 'doorstep' social encounters and contribute to a sense of community through shared amenity spaces.

**Image: Opportunities for playable space in the northern part of the park**



**Images: Play space examples for above 5's**



Public Open Space

211. In addition to the existing amenity space requirements set out above, emerging Policy AAP10 of the draft OKR AAP requires the provision of 5sqm of public open space per dwelling or a financial contribution in lieu. This would equate to 1,310sqm of public open space for the scheme.
212. The proposal would provide a total of 1,485sqm of public open space. A large part of this would be providing the remaining piece of the Ruby Triangle's 'Green Heart'. This large useable lawn space and play area would complement the proposed green space within the Ruby Triangle consented planning site, thus enhancing the green oasis highlighted in the AAP. The central lawn area outside of the playspace remains usable and offers a large space for additional events, markets, movie screening.
213. It is connected to the surrounding streets by open and legible links. The other public areas proposed as part of this current application include the pedestrianised routes into the site and into the park. New improved paving and links into and out of the site provide other kinds of public open space including seating, spill out space for the commercial uses and activity. The new 'Ruby link' (located between Nos. 639-641 and this proposed building), which connects the Green Heart to the Old Kent Road provides clear connections which have a more urban character of a pedestrianised street.
214. The applicant had paid towards the cost of saving a number of steel structural elements from Gas Holder 12 from the Old Kent Road Gas Works as part of the Ruby Triangle application. These steels would be re-used in the new park at the centre of the proposed development as sculptural wind baffles, providing an interesting sculptural feature.

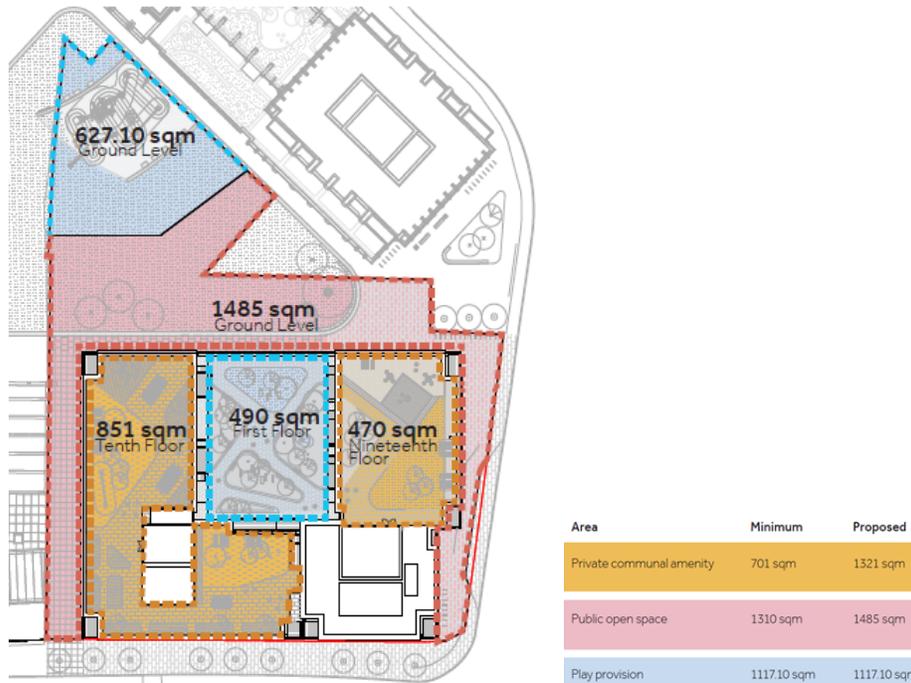
**Image: View of public park with wind baffles**



**Table: Play space and amenity space proposed against policy requirement:**

	<b>Policy requirement</b>	<b>Proposal</b>	<b>Difference</b>
<b>Communal</b>	50sqm + shortfall of 651	1,321sqm	+620sqm
<b>Private</b>	2,620sqm	2,046sqm	547sqm
<b>Dedicated children’s play space</b>	1,117sqm required by the June 2019 GLA calculator	1,117sqm	0sqm

**Image: Quantum and allocation of communal amenity space, play space and open space**



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

- 215. Sufficient outdoor space has been designated to meet the private amenity, communal amenity and children play space requirements of the Residential Design SPD and the Mayor’s Providing for Children and Young People’s Play and Informal Recreation SPG.
- 216. In respect of the public open space as required by the draft AAP, the scheme would provide the policy compliant areas, fully complimenting the wider Ruby Triangle development.
- 217. Service charge costs to social rent tenants would be capped within social rent cap levels and this would be secured by a s106 agreement.

Secure By Design

- 218. The Metropolitan Police design adviser was consulted and considered that the scheme would result in a positive impact upon the development from a safety and security perspective. Continued liaison with a designing out crime officer will enhance this.
- 219. The design of the development has considered opportunity for natural surveillance, incorporates excellent lines of site and the development should ‘activate’ this area and are all excellent crime prevention measures. Comments relating to residential visitor access, planting and landscape design and lighting have been made.

220. The police advised that with continued consultation with the designing out crime officer and the use of correctly accredited and third party certificated products that this development would be able to achieve a Secured by Design award. Details of secured by design measures can be secured by a condition.

#### Noise

221. Part of the site is located within the SIL with existing B class uses to the rear of the site. This includes a scrap metal yard and an industrial estate. The proposed residential units would adjoin existing retail and commercial units to the east and south.
222. In their Stage 1 report, the GLA made a comment that the draft London Plan Policy D12 requires the applicant to demonstrate that there would be sufficient mitigation measures in place to ensure that:

the proposed combination of future flexible commercial and residential uses at the site would successfully coexist as part of the proposed co-location; and, because of the close proximity to existing industrial uses it must be demonstrated that surrounding businesses/industrial areas would not be compromised by the proposed development in terms of their function, access, servicing and hours of operation.

223. Paragraph 182 of the NPPF defines the Agent of Change principle as follows: "Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established."
224. It is considered that the proposed development would integrate well with existing businesses surrounding the site. The approved Ruby Triangle development would have a mix of uses including B1 commercial, D1, sports hall, residential and retail. The proposed development would be of similar mix of uses and would be compatible with the future uses of the surrounding site. A noise impact assessment was undertaken to assess whether the site would be suitable for residential development.
225. Current Government advice to Local Planning Authorities refers to British Standard BS 4142 as being the appropriate guidance for assessing commercial operations and fixed building services plant noise. This British Standard provides an objective method for rating the likelihood of complaint from industrial and commercial operations. BS 8233: 2014 provides guidance for control of noise in and around buildings, and suggests appropriate criteria and limits for different situations. The criteria and limits are primarily intended to guide the design of new or refurbished buildings undergoing a change of use. The applicant has based their assessment on these standards.
226. The report has been reviewed by EPT and a condition to secure appropriate internal noise levels is recommended, which should minimise the likelihood of noise complaints against the existing industrial occupiers (notwithstanding that the surrounding context would change in the near future). Mitigation measures such as alternative ventilation for all habitable rooms and higher than standard specification glazing have been recommended by the applicants. EPT has also recommended a condition that limits

sound level from any plant to not exceed the background sound level.

#### Conclusion on quality of accommodation

227. In summary, the proposed development would provide good quality of residential accommodation and would justify the high density of the scheme. It is noted that approximately half of the residential units would be single aspect and some would have lower levels of internal daylight. However, the design would include measures to mitigate these concerns including:

Large unit sizes

Floor-to-ceiling height that exceed the minimum

Good outlook and views; having no more than 8 units per core.

228. The units would have access to private amenity and communal amenity space and where this is not achieved, the units are designed to have a larger floor area. Mitigation measures are proposed to ensure noise impacts from surrounding uses are limited.

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

229. London Plan (2016) Policy 7.6 states that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and micro-climate. London Plan (2016) Policy 7.7 notes that large buildings should not adversely affect their surroundings in terms of overshadowing and solar reflected glare. Strategic Policy 13 of the Core Strategy 'High Environmental Standards' seeks to ensure that development sets high standards for reducing air, land, noise and light pollution and avoiding amenity and environmental problems that affect how we enjoy the environment in which we live and work. Saved Policy 3.2 of the Southwark Plan states that permission will not be granted for developments where a loss of amenity, including disturbance from noise, would be caused. The adopted Residential Design Standards SPD expands on policy and sets out guidance for protecting amenity in relation to privacy, daylight and sunlight.

#### Impact of the proposed uses

230. For many years, the application site has operated as a retail warehouse. The uses to the rear comprise of industrial and storage and warehouse, but it should be noted that the approved Ruby Triangle development would change the context of the surrounding site. The proposed residential uses in this application would also be more fitting with the approved surrounding residential blocks and other non-residential floor space with the approved mix of uses (retail, commercial and sports and leisure).
231. To the south east of the site is the stand-alone building currently occupied by the KFC restaurant and on the opposite side of Old Kent Road are ground floor retail with residential above. Further to the south of the site is the Christ Church on Old Kent Road. It is not considered that the proposed development would impact on their operations.
232. The noise transmission would be controlled by planning conditions, as recommended by the council's EPT. Overall it is not considered that any of the uses proposed would result

in any significant loss of amenity to neighbouring residential occupiers, nor would they hinder the operation of the neighbouring industrial and warehousing units on Ruby Street or the rest of the Gasworks and Devon Street cluster.

#### Privacy and overlooking

233. As stated previously, in order to avoid harmful overlooking and ensure no harm to privacy, Southwark's Residential Design Standards SPD recommends a minimum of 21m between the backs of properties and 12m where properties would face each other across a highway.
234. The closest existing residential properties to the site are the row of properties on the opposite side of Old Kent Road (Nos. 644 - 672 Old Kent Road). These comprise of retail/commercial on the ground floor with residential above. There would be at least 12m between the proposed development and these neighbouring windows and would comply with the SPD.
235. In terms of privacy distances and impacts to the consented Ruby Triangle scheme, this was discussed earlier. It was demonstrated that there would be acceptable distance between the proposed development and the consented residential blocks.
236. The north-western elevation of the proposed building would front the retained 639-641 Old Kent Road building, but this would be in commercial use and would therefore not raise any significant privacy issues.

#### Daylight and sunlight impact to existing residential units

237. A daylight and sunlight impact assessment was submitted with the planning application to assess the impact on nearby existing residential properties. The assessment utilised the following methodologies.

#### 25 degree line

238. To determine whether a neighbouring existing building may be adversely affected, the initial test provided by the BRE is to establish if any part of the proposal subtends an angle of more than 25° from the lowest window serving the existing building. If this is the case then there may be an adverse effect and a more detailed assessment involving the Vertical Sky Component of the affected window would need to be carried out.

#### Vertical Sky Component (VSC)

239. VSC is a measure of the direct skylight reaching a point from an overcast sky. It is the ratio of the illuminance at a point on a given vertical plane to the illuminance at a point on a horizontal plane due to an unobstructed sky. For existing buildings, the BRE guideline is based on the loss of VSC at a point at the centre of a window, on the outer plane of the wall. The BRE guidelines state that if the VSC at the centre of a window is less than 27%, and it is less than 0.8 times its former value (i.e. the proportional reduction is greater than 20%), then the reduction in skylight will be noticeable, and the existing building may be adversely affected.

### No Sky Line (NSL)

240. The second method is the No Sky Line (NSL) or Daylight Distribution (DD) method which assesses the proportion of the room where the sky is visible, and plots the change in the No Sky Line between the existing and proposed situation. It advises that if there is a reduction of 20% in the area of sky visibility, daylight may be affected.

### Annual Probable Sunlight Hours (APSH)

241. In relation to sunlight, the BRE recommends that the APSH received at a given window in the proposed case should be at least 25% of the total available, including at least 5% in winter. Where the proposed values fall short of these, and the absolute loss is greater than 4%, then the proposed values should not be less than 0.8 times their previous value in each period (i.e. the proportional reductions should not be greater than 20%). The BRE guidelines state that *'...all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block out too much sun'*. The APSH figures are calculated for each window, and where a room is served by more than one window the contribution of each is accounted for in the overall figures for the room. The acceptability criteria are applied to overall room based figures.

### Overshadowing sunlight to amenity spaces

242. Open spaces should retain a reasonable amount of sunlight throughout the year. The BRE states that for an amenity space to “appear adequately sunlit throughout the year, at least half of the area should receive at least two hours of sunlight on 21 March”. Where this is not achieved, the difference between the area achieving two hours of sun on 21 March should be no less than 0.8 times its former value.
243. There are two tests for overshadowing, or the availability of sunlight; the ‘Sun on Ground’ test and the ‘Transient Overshadowing’ test. The first assesses the proportion on an area where the sun would reach the ground on March 21 each year. The BRE advises that at least half (50%) of the area tested should receive a minimum of two hours of sunlight on the 21 March each year. The second assesses the shadows cast over open spaces at the following key dates through the year:

21 March (Spring Equinox);  
21 June (Summer Solstice); and  
21 December (Winter Solstice)

244. In relation to daylight, sunlight and overshadowing, Members should note that the BRE Guidelines are based on a suburban environment, and as such a degree of flexibility needs to be applied when considering an urban environment such as the application site. It is also important to note that the existing scale of development on the application site is exceptionally low for an urban location. As a result, the baseline conditions tend to exceed normal expectations for an urban area, and reductions would be expected to result from any development here. Paragraph 123 of the NPPF (2019) also states that:

“Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context,

when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards).”

245. The BRE Guidelines also state that residential properties warrant detailed consideration in terms of daylight and sunlight effects, but that properties of a commercial nature have a lower requirement. As such, the submitted daylight and sunlight assessments relate to existing residential properties only.
246. The neighbouring residential units that have the potential to be impacted in terms of daylight and sunlight are located at:

17 Canal Grove  
14 Ruby Street  
2A Ruby Street  
681 Old Kent Road  
635 Old Kent Road  
Ruby Triangle, Block A  
Ruby Triangle, Block B  
Ruby Triangle, Block C  
670-672 Old Kent Road  
644-668 (even) Old Kent Road  
1-36 Ethnard Road  
1-30 Lynn House  
Lewes House  
610-636(even) Old Kent Road  
1-3 (odd) Peckham Park Road  
399 Rotherhithe New Road

**Plan showing residential (aqua) and commercial (dark blue) properties**



247. An addendum daylight and sunlight assessment (August 2019) has also been submitted. It is acknowledged that the local context is developing rapidly with a number of schemes coming forward within the vicinity of the application site and therefore there needs to be

an assessment of cumulative impacts to neighbouring residential properties. The extent of the following schemes forms the cumulative baseline against which any potential changes in light are considered:

- i) Ruby Triangle Site (planning ref: 18/AP/0897)
- ii) Nyes Wharf, Frensham Street, SE15 6TH (planning ref: 17/AP/4596)
- iii) 2-10 Verney Road, SE16 3DH (planning ref: 17/AP/4508)
- iv) Malt Street Regeneration Site, SE1 (planning ref: 17/AP/2773)
- v) Land at Cantium Retail Park, SE1 5BA (planning ref: 18/AP/3246)
- vi) 596-608 Old Kent Road, London, SE15 1JB (planning ref: 18/AP/3284)

**Image: Surrounding developments setting cumulative baseline (existing building retained in blue and future developments in purple)**



**Image: Surrounding developments setting cumulative baseline (proposed development in place)**



248. Professional judgement has been used to determine whether the impact would result in adverse or beneficial daylight and sunlight effects. The numerical criteria for determining

the scale of effect is based on percentage alterations, as follows:

- 0-19.9% alteration = negligible
- 20-29.9% alteration = minor
- 30-39.9% alteration = moderate; and
- 40% alteration = major

#### Assessment

249. There are therefore two scenarios provided whereby the first main BRE report looks at the impacts of the scheme with just the development of the Ruby Triangle site ('True Existing Baseline'). The second scenario (as shown in the addendum report) includes the cumulative baseline as a result of the emerging schemes in the surrounding area. It is considered appropriate to consider both scenarios. The BRE guidelines state that different targets may be used based on the special requirements of the proposed development or its location.
250. Officers will first consider the impacts against the True Existing Baseline and will summarise the cumulative impacts in the latter part of this section of the report.

#### Summary of VSC impacts against existing baseline

A total of 1,140 windows serving habitable rooms in the neighbouring buildings have been assessed for daylight. The VSC results show that 931 out of 1,140 windows (82%) meet the recommendations of the BRE Guidelines. Their impact will be discussed in detail in the following paragraphs.

#### Summary of NSL impacts against existing baseline

The NSL effects were also carried out and 549 rooms were tested. The NSL results show that 508 out of 549 windows (93%) meet the recommendations of the BRE Guidelines. Their impact will be discussed in detail in the following paragraphs.

251. The proposed development would result in BRE compliant VSC and NSL reductions (i.e. not less than 0.8 times their former value) to the windows and rooms of the following properties:
  - 1 - 13 Canal Grove
  - 1 - 36 Ethnard Road
  - Lewes House
  - 610-636 Old Kent Road
  - 1 - 3 Peckham Park Road
  - 399 Rotherhithe New Road
252. The remaining properties listed below would experience a degree of harm in excess of the BRE guidelines. It is recognised that there would be a degree of harm to the daylight amenity of residents, but this harm would be minor and acceptable in an urban location. Although the amount of skylight reaching the windows would be reduced, given the urban context of the site and the low level of existing development on the application site, these results are indicative of a relatively good retained level of daylight

#### 14-17 Canal Grove

253. All the windows tested would pass the VSC test. In terms of the NSL impacts, there would be a loss of between 21.2% and 29.7%. This range is considered broadly acceptable for an urban location. The effect to daylight within this residential building is considered to be minor.
254. 8 out of 8 windows tested would fall below the guidelines for VSC. It is considered that the loss of between 21.37% and 24.88%, which is within 5% of the suggested 20% reduction from former value is minor and acceptable.

#### 2A Ruby Street

255. This two storey dwelling is to the east of the site and has an oblique view of the proposed development over the existing KFC restaurant. Whilst all of the 4 windows would fail the VSC test and having losses over 29%, the retained VSC values are between 18-20%, which is considered good for an urban environment.

#### 644-672 Old Kent Road

256. 157 out of the 299 windows tested would fall below the guidelines for VSC. The alteration would be between 0-33.5%. It is noted however that many of the windows tested are of a bay window configuration where several windows serve the same room. The NSL test show that 28 out of the 68 rooms tested would fall below the guidelines, but this is a maximum of 33.5%, which is considered moderate.

#### 681 Old Kent Road

257. A total of 13 windows were tested and 11 of these would fall below the guidelines. However, the losses are between 0-28.1% which is considered to be a minor effect. The retained VSC values would range from 18-26% which is considered to be very good for an urban environment. The NSL test shows that out of the 10 rooms assessed, 7 of these would fall below the BRE criteria. The loss ranges from 9-42.8%, but given the good levels of retained VSCs, the overall effect on daylight is considered moderate.

#### 1-30 Lynn House

258. Lynn House is located south of the site, to the rear of Ethnard Road. Out of the 178 windows tested, 29 would fall below the VSC guidelines. There would be a maximum loss of 42.11%, but it should be noted that the majority of the windows record low existing VSC values in the existing condition mainly by the presence of overhanging features (such as the deck access walkways) which already limit their view of the sky. Furthermore, it should be noted that the NSL tests show there would be good retained levels of daylight to Lynn House. Only 1 room fail the BRE criteria and the loss is 20.1%, which is only 0.1% short of the suggested target.

#### Conclusion on daylight impacts

259. The results of the daylight assessment do reveal that there would be a number of rooms that would not meet the relevant daylighting standards of the BRE. In these instances it is

recognised that there would be a degree of harm to the daylight amenity of residents, but this harm is considered on balance to be acceptable in this urban location. Given the context of the site, these results are indicative of a relatively good retained level of daylight.

### Sunlight

260. The BRE guide states that if a window can receive 25% of summer sunlight, including at least 5% of winter sunlight between the hours of 21 September and 21 March, then the room would be adequately sunlit.
261. A total of 580 predominantly south-facing rooms have been tested for sunlight amenity using the Annual Probable Sunlight Hours (APSH) methodology including those in the consented Ruby Triangle development.
262. The sunlight conditions in the baseline scenario show that 513 (88%) out of the 580 rooms assessed within the surrounding sensitive receptors meet the BRE criteria for both total and winter APSH. This level of compliance is considered very good.
263. Those properties that fail the BRE Guidelines are mainly to the consented Ruby Triangle development, 652 Old Kent Road and 658 Old Kent Road. The rooms tested on the two abovementioned Old Kent Road properties would not fail the BRE guidelines significantly.
264. In terms of the consented Ruby Triangle scheme, 291 were tested and 227 of those rooms would meet the BRE criteria. The majority of the alterations are to the winter sunlight amenity, which is largely a product of the low positioning of the sun during these months. It is noted that there will be minor instances where the living rooms of the lower floors of the Ruby Triangle blocks would have large losses to the annual APSH, but this is a result of the configuration of the blocks needing to look into the site. Overall, it is considered that the sunlight effects to the consented Ruby Triangle would be moderate by virtue of the retained annual APSH values.

### Overshadowing

265. The BRE guidelines state that for an amenity area to appear adequately sunlit throughout the year, at least 50% of the area should receive at least two hours of sunlight on 21st March.
266. The submitted assessment looked at 6 amenity spaces outside of the site boundary, which mainly comprise the consented Ruby Triangle scheme. The results show that there would be little change to the sun reaching the ground surface for the majority of the amenity areas surrounding the site. 4 out of the 6 amenity areas will continue to receive at least 2 hours of sunlight to over 50% of their areas on March 21 and achieving full BRE compliance.

The remaining two amenity areas that fail are:

The proposed podium communal amenity space on consented Block A  
The new public park in the centre of the site

267. Whilst the loss of sunlight would be noticeable, it should be noted that the amenity space

on the roof of block A is not the only garden available for the future residents. The applicant has also carried out a test on the sunlight potential for these amenity areas in the summer period (21<sup>st</sup> June), which is likely to be the time that would be used more frequently. This is acknowledged in the BRE guidance. The results of the 21<sup>st</sup> June ground assessment show that the amenity areas would achieve a minimum of 2 hours for at least 79.3% of the area, which is very good.

Transient overshadowing

- 268. Transient Overshadowing study mapping the extent of the shadow on the amenity spaces comprising the consented Ruby Triangle development was carried out.
- 269. The results demonstrate that the Ruby Triangle amenity space will receive sunlight throughout the morning (08:00 to 12:00) on 21 June (Summer Solstice). There will be some minor shadow effects between 12:00 to 17:00.
- 270. With regards to 21 March (Spring Equinox), the Ruby Triangle amenity space will receive direct sunlight throughout the day with some minor shadow effects between 10:00 to 15:00.
- 271. When considering 21 December (Winter Solstice), the results demonstrate that there will be little change to the sunlight availability when compared to the existing condition, but the effects would be most prominent between 10:00 to 13:00.

Cumulative Impacts on daylight, sunlight and overshadowing

- 272. As discussed above, the applicant has submitted an addendum daylight and sunlight report which assesses the cumulative impacts of the development plus the emerging developments in the surrounding area.
- 273. The table below summarises the VSC, NSL and APSH results from the cumulative assessment. The results against the true existing baseline (as presented in the main daylight and sunlight assessment report) are also shown for comparative purposes.

**Table: Comparison of results between true existing baseline and cumulative baseline**

<b>Percentage (%) meet BRE Recommended daylight and sunlight amenity levels</b>			
	VSC	NSL	APSH
True Existing Baseline	82%	93%	88%
Cumulative Baseline	81%	88%	90%

- 274. It can be seen that there is no significant difference when this comparison is made. The proposed development will continue to achieve a relatively high level of compliance with the emerging scheme proposals in place. The emerging schemes considered within the cumulative assessment are not located in close proximity to the proposed development and will therefore not lead to a material impact to neighbouring amenity when compared to the findings based on the true existing baseline scenario.

### Conclusion on daylight, sunlight and overshadowing

275. Overall, the impacts on daylight and sunlight to neighbouring buildings and amenity space are acceptable in this urban location.

### **Transport issues**

276. Core Strategy Strategic Policy 2 encourages walking, cycling and the use of public transport rather than travel by car. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highway conditions; 5.3 require that the needs of pedestrians and cyclists to be considered and 5.6 establish maximum parking standards.
277. Southwark have recently adopted the Movement Plan, a people, place and experience approach to transport planning. This application has been assessed on how we will contribute to the delivery of the Movement Plan.
278. The Mayors Transport Strategy (MTS) includes three strategic challenges that are of significant importance to assessing this application:

Vision Zero  
Healthy Streets  
Air Quality

279. A Transport Assessment (TA) has been submitted with this application and complies with TfL guidance. The submitted TA is considered to provide an adequate appraisal of the relevant transport and highway related matters including an assessment of the potential for journeys to be made by sustainable modes of transport as well as detailed estimates of vehicular trips resulting from the development. The submission also considers the wider Ruby Triangle development, ensuring that both schemes would be delivered comprehensively and ensuring cumulative transport impacts are considered and minimised.
280. Existing condition

The rear of the site is currently occupied by a hardstanding car park accommodating approximately 60 car parking spaces, along with a small car wash and garage. The vehicular access to the Carpetright car park and four additional crossovers associated with the smaller commercial units are located on Hyndman Street.

### Accessibility and trip generation

281. The site has an official PTAL (public transport accessibility level) of 4, which is moderate to good access to public transport. The Old Kent Road is managed by TfL as part of the Transport for London Road Network (TLRN). Sandgate, Ruby and Hyndman Streets are all Council roads. The application site is approximately 0.8km south west of South Bermondsey Station, 3.2km south east of London Bridge Station and 4.8km south east of the City of London.

282. Members should note that the council is developing plans for changing the traffic management on Sandgate, Hyndman and Ruby Streets. The proposed development would not prevent those changes from being actioned, but would work satisfactorily within the existing arrangements.
283. To accommodate the proposed access requirements, Southwark's Highways are looking at changes to the traffic management in the area and will be detailed up as part of the Section 278 agreement (s278). Hyndman Street is being considered as a possible location for future bus stands and is situated adjacent to the site. The possibility of a one-way system has been considered as part of the design process to ensure the proposed development will work with the existing and future highway arrangement. Officers are happy that this application will not prevent the council's future healthy street vision being delivered.
284. Works on the public realm include improving footway quality along the Old Kent Road and Hyndman Street adjacent to the site. The proposals have been designed with the 10 Healthy Streets design considerations in mind. New improved footways and landscaping will be provided as part of the s278 works associated with the proposals and a clause in the s106 will secure this. As identified above, a minimum footway width of 2.4m will be provided on Hyndman Street while the footway on the Old Kent Road would be retained as part of the proposals. All works within the extent of the s278 agreement for Southwark will be done in accordance with Southwark Street Design Manual SSDM and TfL's Healthy Streets design guidance.
285. The proposed access arrangements from Hyndman Street are considered to be acceptable, and would enable all delivery vehicles to enter and exit the site in a forward gear, including fire engines and rigid HGVs of up to 12m length.
286. The current use records a daily average motorised vehicular trip rate of 241 movements per day. Site access surveys were carried out over two weeks commencing 04 December 2017. Once occupied the estimated two way motorised vehicle trip generation from the site would be 52 per 07:00 – 19:00 day this includes retail and commercial servicing as well as residential.
287. The consented Ruby Triangle development predicted vehicular trips per day were estimated to be 221 daily (07:00 – 19:00). The cumulative impact with this scheme is acceptable at this location. (273 per 12 hour period equates to 22 per hour).
288. With only one of the churches returning and the site's change of uses from a MOT centre and vehicle hire company the site as a whole would have significantly reduce the proportion of vehicle trips.
289. These vehicle movements would not generate any significant adverse impact on the existing movements on the adjoining roads. It is not considered that the proposed development would impact on the local highway network in terms of trip generation.

#### Car parking

290. The proposed development would essentially be car free, bar the disabled parking bays for the residential element of the scheme. The ground floor car park is accessed from

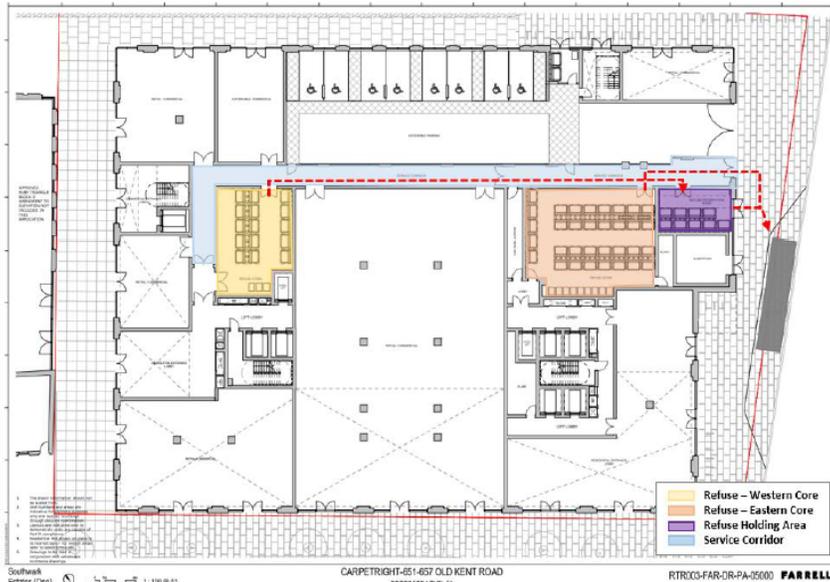
Hyndman Street. This is approximately 30% of the 10% wheelchair adaptable units and reflects average car ownership levels in the area. All proposals for off-street arrangements have been tracked and will enter and exit safely from the building. It should be noted that in the approved Ruby Triangle scheme, the existing Enterprise car hire business would be re-provided. Two of the spaces would be used for a car club. It is expected that future residents of this proposed development would be offered 3 years membership.

291. The site is not located in a designated Controlled Parking Zone (CPZ) and there are sections of unrestricted on-street parking available on Ruby Street and Hyndman Street in the immediate vicinity of the site.
292. A condition would also ensure that no future residents or occupiers of the proposed development could obtain resident parking permits for any future CPZ. It is also recommended that a condition to ensure all marketing of the development promotes car-free living, to ensure the occupants are well aware they will not be entitled to permits. 20% of the proposed car parking spaces would have electric vehicle charging points. This too would be secured through the s106.

#### Servicing

293. The inset loading bay would accommodate refuse and servicing vehicles while maintaining the existing carriageway width to accommodate through traffic in the existing arrangement and one-way traffic with bus stands in the future scenario. Furthermore, the loading pad would be at grade and accessible for pedestrians to use in the absence of service vehicles.
294. Recycling and refuse generated by the commercial and retail units will be undertaken by a private contractor and individual tenants will be required to procure such services themselves.
295. The bin stores are located adjacent to each of the cores at ground floor and can be accessed via an internal service corridor; residents will carry their own refuse and recyclables to their local bin store. Owing to the location of the loading pad on Hyndman Street and the two internal cores, refuse from the western core will be transferred by on-site management to the on-site internal holding area adjacent to the private units bin store. Refuse will then be collected from the private bin store and holding area by the appointed LBS operator. As with the approved Ruby Triangle development it is considered reasonable that an obligation in an s106 requiring a comprehensive and robust servicing and management plan be secured.

**Image: Waste strategy**



296. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the council is recommending that applicants in the OKR OA enter into Delivery Service Plan Bonds against their baseline figures for all daily servicing and delivery trips. These bonds would be calculated at £100 per residential unit and £100 per 500 sqm of non-residential floor-space. In accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010, this is not intended as a financial penalty, but as a means of mitigating any harmful impacts from the proposed development and ensuring a better quality of life for current and future residents. As such, it is considered to meet the CIL Regulations 122 test, in that it would be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

297. The proposal is for the management of the new development to monitor the daily vehicular activity of the site both commercial and residential, quarterly for a period of 2 years from 75% occupancy. If the site meets or betters its own baseline target the bond will be returned within 6 months of the end of the monitoring period. If the site fails to meet its own baseline the bonded sum will be made available for the council to utilise for sustainable transport projects in the ward of the development. The council will retain £1,600.00 for assessing the quarterly monitoring. The bond in this instance would be £26,600.00 based on the 262 residential units and 2,096sqm of non-residential floor space. The applicant has agreed to the contribution which can be collected via the legal agreement.

**Table: Delivery Service Bond**

Type	Quantum	Bond Amount
Residential	262	£26,200.00
Non Residential	2,096 sqm	£400.00
Daily Trips	Approximately 20	£26,600.00

The baseline will be established considering the Ruby Triangle DSP as part of the s106 negotiations.

#### Public Transport

298. The site has convenient access to public bus services. The main bus routes running along the Old Kent Road connect the area to New Cross, Elephant and Castle, London Bridge, Waterloo and Kings Cross. It has convenient access to the P12 bus route a single decker linking Canada Water to Peckham via the Old Kent Road, which calls at the stops on both Ilderton Road and Old Kent Road which are understood to provide capacity for approximately 60 passengers (including standing capacity) during morning and evening peak (information from the TA acquired summer 2018).
299. As a borough the council agree with TfL that bus services will need to be increased in the area ahead of the Bakerloo Line extension (BLE) to accommodate the demand generated by additional homes and jobs generally in the Old Kent Road area in advance of the opening of the planned BLE which, subject to the granting of powers and availability of funding, would be 2029/2030 at the earliest. The requirement for TfL to provide evidence to prove both previous contributions has been spent appropriately and the evidence for the further draw is the fairest way this could be managed. The proposal is that there is a maximum cap for TfL to call on which is £2,700 per unit. This will be able to be requested in stages between 3 - 5 years.
300. Within the next ten years the area is likely to benefit from the BLE, this site will be in walking distance of both proposed new stations. Highways and transport infrastructure requirements are covered under CIL and the public highway improvements in the OKR Action Area would be delivered from a combination of land gain, s278 and CIL.

#### Walking and public realm

301. The TA included a Pedestrian Environment Review System (PERS) audit undertaken in January 2018 which encompassed the streets surrounding the site including; routes from Old Kent Road to Queen's Road Peckham, South Bermondsey Station and to local schools and bus stops. It indicated that pedestrian environment within the vicinity of the site benefitted from a 'green score' which is overall positive.
302. The site will be in close walking distance of the proposed new linear park, and the proposed Livesey Park. The site fronts onto the Old Kent Road will be set back to match the Ruby Triangle consented Block A and will provide active frontages.
303. The central open space would be car free (with the exception of emergency vehicles). It is noted that automatic bollards were proposed in the Ruby Triangle development and it

is considered appropriate to ensure that this would also be provided for this development to prevent vehicular access whilst allowing emergency access to the heart of the site. Again, this could be secured by the s106.

304. The improvements to the pedestrian environment as part of the development are anticipated to encourage active travel and the close proximity of a variety of new parks and public realm, supported by the application will offer good quality walking options in the area.

#### Cycle parking

305. The bicycle is going to be of critical importance in the movement of people throughout central London therefore the provision of cycle parking and other cycle enabling opportunities plays a significant part in the OKR OA. A balance is sort between the London plan cycle parking standards, quality of infrastructure and other cycle opportunities.

306. London Plan standards require the following cycle parking provision:

Long stay:

1 No. space for studio or one bedroom residential units

2 No. spaces for all other residential units

Short stay:

1 No. space per 40 residential units

307. The proposed non-residential use will be flexible mix of uses, but the worse-case scenario would be for A2-A4 uses. The standard is from a threshold of 100sqm and requires 1 long stay cycle parking space per 175sqm. Based on a GIA of 2,096sqm, this would equate to a requirement of 12 spaces.

308. This application provides the following number of cycle parking spaces for the different uses:

Residential: 262 long stay spaces and 7 short stay spaces

Non-residential: 18 long stay spaces and 67 short stay spaces

309. This gives a total of 280 long stay spaces and the cycle parking is segregated in different rooms between the different uses. Some Sheffield stands will also be provided such that at least 5% of all spaces are accessible. The short stay cycle parking will all be provided in the form of Sheffield stands located within the public realm adjacent to the green space to the rear of the site and would be convenient and easily accessible.

310. This level of provision does not meet the London Plan standards. However, it is also noted that there would be a cycle hub in the Ruby Triangle scheme which would provide a multi functional space, including a workshop for cycle repairs, a cycle shop and showroom, cycle training services, a bike fitting studio and a food and coffee bar. It is anticipated that there would be equal access to this facility once completed.

311. The s106 Agreement will include a contribution towards the delivery of the first phase of extension of the Santander Cycle Hire Docking station of £50 per residential unit and is

considered a benefit.

#### Construction management

312. A draft Construction Environmental Management Plan (CEMP) has been submitted. It has been developed to provide the management framework required for the planning and implementation of construction activities on site. This plan has to be viewed in conjunction with the concurrent construction of the adjacent Ruby Triangle site. Both highways and environment officers have reviewed this and do not raise any objections. However, it is considered reasonable and necessary to require a final version of the CEMP through the s106.
313. Due to the cumulative impact of construction in the Old Kent Road AAP area, a Contribution of £40 per residential unit will be required to enable the highway authority and EPT to manage this. This equates to £10,480 for this application and will be secured through the s106.

#### Conclusion on Transport and Highways

314. The development is supported because it provides good quality pedestrian and cycle permeability and will contribute to delivering some of the Movement Plans 9 missions, Vision Zero and Healthy Streets. It would have appropriate management to reduce the impact of servicing and delivery, subject to the s106 obligations and conditions.
315. The development of this site would provide the necessary pedestrian connections through the Ruby Triangle site and would deliver the aspirations of the AAP for opening up routes through the Ruby Triangle, the creation of the green links and park.

#### **Design issues**

316. Strategic Policy 12 of the Core Strategy states that all development in the borough will be expected to "achieve the highest possible standards of design for buildings and public spaces to help create attractive and distinctive places which are safe, easy to get around and a pleasure to be in". Saved Policy 3.12 'Quality in design' of the Southwark Plan asserts that developments should achieve a high quality of both architectural and urban design, enhancing the quality of the built environment in order to create attractive, high amenity environments people will choose to live in, work in and visit. Saved Policy 3.13 of the Southwark Plan asserts that the principles of good urban design must be taken into account in all developments which includes height, scale and massing of buildings, consideration of the local context, its character and townscape as well as the local views and resultant streetscape. With specific reference to tall buildings, Policy 7.7 of the London Plan (2016), 'Location and Design of Tall and Large Buildings' and Saved Policy 3.20 of the Southwark Plan sets out design requirements for tall buildings, both of which are discussed in further detail in the following paragraphs.
317. The emerging design policy in the NSP includes P13, Design Quality and P16 Tall Buildings. P13 states that development must provide, amongst other things, high standards of design with appropriate fabric, function and composition. P16 sets out a series of tests for tall buildings (defined as significantly taller than surrounding buildings or their context). It also states that the highest tall buildings will be located in areas where there is the greatest opportunity for regeneration, including Opportunity Areas, such as

the Old Kent Road.

318. The emerging policy in the AAP sets out a vision for the Old Kent Road that would see substantial change in the area over the next twenty years, whilst seeking design that responds well to its existing character and sense of place.

#### Site layout

319. The proposed site layout would sit fronting Old Kent Road, completing the 'triangle' of the three other blocks already approved at the Ruby Triangle development. These approved blocks are referred to as A, B and C around a new park space. The current proposal has been purposefully designed to fit in with these blocks, ensuring that all frontages are active and providing the necessary pedestrian links through the site. The new park space would be for pedestrians and cyclists only, although there would be thoughtfully designed access for emergency vehicles.
320. The ground floor layout would be outward-looking, with active frontages along Old Kent Road, Hyndman Street as well as fronting the new park space. The Old Kent Road would be activated by new retail units of double height ground floor. The shop front design would contribute to the reinstatement of a high street character along the Old Kent Road. A third of the Old Kent Road frontage will also comprise the residential lobby, but this would align with the double height retail units and would contribute to that active frontage.
321. The 'lane' between the proposed building and the existing building No. 639- 641 Old Kent Road will provide additional link through the site into the new park. This is designed with adequate pedestrian comfort levels, and high quality hard landscaping and public realm. Again, this elevation is proposed with smaller retail and commercial units along with a residential entrance lobby that would make this lane active and function well with the retained building at 639-641 Old Kent Road.
322. The elevation facing the new park would be made up of commercial units and the ground floor residential parking. Whilst this may be less active, this is mitigated to a degree with a well articulated brick detailing. It would also only be one third of this ground floor elevation.

#### Height, Scale and Massing and consideration of tall buildings

323. The proposed building would be 11 storeys to the north-western part of the site, stepping up to 20 storeys on the corner of Old Kent Road and Hyndman Street.
324. The building would measure up to 38.900m AOD on the lower side and rises up to 71.500m AOD. From the finished ground level, the building would measure a maximum height of 68.2m (to the lift overrun).
325. It should be noted that the scheme has been designed with the Ruby Triangle development and the OKRAAP in mind so that the height and scale are cohesive for the wider site. The consented Block A, fronting onto the Old Kent Road, would be part 8 and part 15 residential storeys on top of the ground and mezzanine floors. Block B, fronting Sandgate Street, would be part 12 and part 45 residential storeys on top of the ground and first floor podium and second floor commercial uses. Block C, fronting onto Ruby Street would be part 38, part 28 and part 10 residential storeys on top of ground and

mezzanine floors.

**Image: Indicative massing with approved Ruby Triangle scheme**



326. It was considered under the application 18/AP/0897 for the Ruby Triangle development that the heights proposed would result in a well articulated composition of a three stepping buildings defining the new park. They would step away from the Old Kent Road in response to the existing lower context. It was considered that essentially they would be of high architectural quality thanks to strong vertical emphasis, well defined bases, middles and tops and well considered fenestration and detailing that would lengthen the buildings as they get higher to both reduce the perception of scale and ensure the buildings lighten towards the top.

**Image: View of the existing site with the approved Ruby Triangle completed in the background.**



327. Policy 8 of the draft OKR AAP sets out a tall building strategy, the OKR 'Stations and Crossings' that should be adhered to in order to maximise the potential of the Old Kent Road. 'Tier One' buildings represent developments that exceed 30 storeys in height. These developments are proposed to be sited in the vicinity of the proposed BLE stations, to mark their city wide significance and optimise the use of land in the most accessible locations. A 'Tier Two' development proposes building heights within the range of 16 to 25 storeys. The strategic locations of Tier Two buildings located along important crossings and junctions of the Old Kent Road, and near to the boundary between Ilderton Road, New Bermondsey and the Old Kent Road. Tier Three buildings are those that are up to 16 storeys and will act as markers within the street scene and at appropriate corners and junctions.

**Image: The ‘Stations and Crossings Strategy in the draft OKR AAP**



328. The draft AAP proposed a Tier 3 tall building (up to 16 storeys) in the location of this application site. At its tallest proposed (20 storeys), the building would now in this location exceed this definition. However, it is important to look at this scheme not only in isolation, but how this fits in with the wider Ruby Triangle scheme. It is acknowledged that the height of the buildings proposed marks a step change in the scale of development in the area. The massing strategy for the approved Ruby Triangle development is however in line with the emerging policy set out in the draft AAP (acknowledging the very limited weight of that document).
329. The proposed development under this current application would sit well with the approved Block A fronting Old Kent Road providing a good sense of continuity. It acts as a pair or partner announcing the Ruby Triangle development and is logically spaced to give a coherent break to the two buildings. Together they create a strong street frontage with related character and rhythms in form, detail and material. It should also be noted that the AAP envisages a tall building on the KFC restaurant site (No. 671-679 Old Kent Road) (as seen in the image below) and then stepping up further south on Old Kent Road and Ruby Street. The current proposal would sit comfortably and provide an appropriate scale and transition for this part of Old Kent Road.



**Image: Approved Block A and the proposed development on Old Kent Road**



332. As the development would be substantially taller than its existing surroundings (not including the approved Ruby Triangle buildings) and would be over 30m in height, it would be defined as a tall building in the adopted London Plan (2016). Policy 7.7 of the 2016 London Plan, 'Location and Design of Tall and Large Buildings', states that tall buildings should be limited to sites in the Central Activity Zone (CAZ), opportunity areas, areas of intensification or town centres that have good access to public transport. Furthermore, London Plan Policy 2.13 requires development in Opportunity Areas to optimise residential and non residential output densities, meet or exceed minimum housing and employment guidelines and support wider regeneration objectives. Annexe 1 of the 2016 London Plan sets out the specific requirements for the Old Kent Road Opportunity Area, identifying it as having significant potential for residential- led redevelopment. As such, it is considered that the Old Kent Road Opportunity Area is, in principle, an acceptable location for tall buildings which optimise housing delivery and regeneration benefits. As with the approved Ruby Triangle development, the proposed scheme is considered to achieve both, whilst also meeting the other requirements of Policy 7.7. Southwark's own saved policy on tall building requires any building over 30 metres tall to ensure that it:

- Makes a positive contribution to the landscape; and
- Is located at a point of landmark significance; and
- Is of the highest architectural standard; and
- Relates well to its surroundings, particularly at street level; and
- Contributes positively to the London skyline as a whole consolidating a cluster within that skyline or providing key focus within views

333. It is considered that the 'big box retail shed' nature of the existing townscape character is not worthy of protection with dead frontages, and its replacement with a scheme of this high quality architectural and urban design is considered a significant public benefit of the proposals.
334. In line with the draft OKR AAP, the design of the tall building would be exemplary, with careful consideration of their impact on the skyline. The separation distance between the other consented blocks A, B and C above the ground floor successfully enables the development to provide amenity and play space on the podium and roof levels, with the distances between the buildings permitting daylight to penetrate in between the blocks to proposed residential properties and the new park.
335. London Plan policy also states that the impact of tall buildings proposed in sensitive locations, including the settings of conservation areas and listed buildings should be given particular consideration. This site is not considered to be within the direct setting of a conservation area. The terrace of Grade II listed buildings (the Canal Grove Cottages), is located further north and would be situated behind what is the consented Block B building of the Ruby Triangle scheme and the proposed development would not impact on their setting.
336. It is however important to note that, given the heights of the buildings proposed, they would be visible from a number of sensitive locations. This is discussed in more detail below, where the submitted Townscape and Visual Impact Analysis (TVIA) is considered. The following paragraphs take each of the other requirements of London Plan Policy 7.7 in turn.
337. The proposed tall buildings would relate well to their surroundings, particularly at street level. The new urban block would create active frontages, increased connectivity and permeability and contribute to the creation of a new public open space, and an improved public park at the rear of the site. The retail and flexible unit uses proposed on the ground floor along the Old Kent Road itself would contribute to the 'high street' character envisaged in the draft AAP. The urban grain of the surrounding area would be enhanced as the site would be better presented on the Old Kent Road and provides new open spaces.
338. It was noted under the Ruby Triangle application, that as a group, the proposed tall buildings would mark the presence of the new park and public sports hall within the development and the potential secondary school to the north. As a result of this cluster of community spaces and the repair of this site on the Old Kent Road frontage, it is likely that the proposed development would become a focus of activity for both existing and new communities and, as a result become a point of civic significance. It is considered appropriate, and in line with the requirements of London Plan Policy 7.7 therefore, for this site and uses to be marked on the skyline in order to improve the legibility of the area. The design proposed together with the consented scheme would enhance the skyline and image of London with the three tallest buildings forming a well considered composition of varying heights, each with a strong vertical articulation and characterful top creating a visually interesting silhouette.
339. It is considered that the proposals demonstrate the highest standards of architectural design and incorporate the highest quality materials. In order to secure this design

quality, planning condition requiring detailed drawings, material samples and full scale mock ups are recommended.

340. The proposed development would not incorporate any publicly accessible areas on the upper floors. The access to the upper floors to the general public may raise Secure by Design issues and therefore not appropriate in this instance. It is noted however, that the London Plan (2016) only requires this “where appropriate”. A number of communal terraces for the new residents would be introduced, giving a soft, green layer of articulation to the appearance of the buildings.
341. The contribution that the scheme would make to local regeneration would be very significant as has already been identified throughout this report. The impact of the proposed development on microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference are assessed and presented elsewhere in this report. In each case it is concluded that there would be no significant adverse impacts.
342. Finally, it is also considered that there would be no unjustifiably harmful impact on local or strategic views, although as identified in the following paragraphs, there would be a small number of sensitive locations from which this needs a carefully balanced view.

**Image: New public park against the proposed development**



Architectural design and materiality

343. The proposed buildings would be of masonry character, referencing the solidity and robustness of the existing architecture found in the area. The concept is for strong street buildings derived from the local context of Old Kent Road in its well detailed red brick frontages, defined ground level shop fronts and entrances as well as articulated roof edges and tops. In keeping with the principles of the AAP for taller buildings in this area a strong vertical emphasis is adopted throughout.

344. The building follows the architectural design principles of consented Block A of the Ruby Triangle development. It follows that these two buildings appearing as ‘partners’ would front Old Kent Road and would therefore have a solid appearance. It would be clad in brick with punched windows and varied reveal depths. A base, middle and top is defined through a combination of string courses, variations in bay width and the form and treatment of windows, including their vertical grouping. The vertical emphasis of façade elements is defined with the building coming strongly to ground. There is a mixture of inset and projecting balconies in these buildings. Windows and balconies stack as elements to reinforce the vertical reading.
345. Being part of the lowest buildings on the redevelopment site it would be of the most traditional appearance. Along the Old Kent Road frontage, although the proposed shop fronts would be taller than the older shop fronts elsewhere in the Opportunity Area, their rhythm, proportion and detailing would respond well to the existing high street character. They are organised and ordered between the brick pilasters. They would be defined by strong brick pilasters coming to ground and deep, lighter, contrasting terracotta or stone reveals. Modern interpretations of traditional cornices and corbel details would be incorporated in the detailing.
346. The buildings have threaded horizontal datums at key points, sitting back from the primary vertical elements, to define the base, middle and top as well as grouped windows that lengthen as the buildings get higher to both reduce the scale reading of the forms and lighten to the top.

**Image: Design and material: Building middle**



347. The tops of these buildings would be articulated through elongated window groupings, a finer grained grouping of pilasters and a strong horizontal cornice line, with subtle dentil detailing.

**Image: Design and material: building top**



348. A very high quality material palette is proposed across the development and compliments the Ruby Triangle development. Whilst each building would differ in the ways described above, there would also be a strong sense of commonality between them, largely derived from the materials proposed:

Brick cladding and detailing;  
Metal framed windows;  
Metal balustrades and balcony framing;  
Glass balustrades and glazed screens to balconies;  
Metal panelling and ventilation louvres;  
Terracotta / reconstituted stone facings;  
Glazed shop fronts;  
Corten steel facing panels;  
Terracotta / PC metal / GRC facings; and  
Metal / opaque glass plant screens.

349. The brick colour will differ slightly from the adjacent Ruby Triangle building A, but sit within a complementary tonal range.
350. The predominantly masonry texture proposed would respond well to the rest of the existing buildings in the area and the adjacent approved buildings. The quality of these materials, including brick colour, would be assured by planning conditions requiring detailed design drawings and samples of all facing materials. The s106 Agreement for the approved Ruby Triangle development included a clause requiring the current architect (Farrell's) to be retained to complete the detailed design and construction phases of the project. It is considered necessary and reasonable that this is also imposed with this application to ensure high quality and a coherent architectural approach.

### Landscaping design

351. The amenity spaces, play spaces and the new public park was discussed earlier in this report. It highlighted that a large part of this would be providing the remaining piece of the Ruby Triangle's 'Green Heart'. This large useable lawn space and play area would complement the proposed green space within the Ruby Triangle consented planning site, thus enhancing the green oasis highlighted in the AAP.
352. The public realm would respond well to the activities planned for the ground floor of the proposed development. As noted previously, the industrial heritage of the area would be incorporated through the re-use of retained elements of one of the recently demolished Gas Holders from the neighbouring gas works site. The exact location and arrangement of these components will be developed further at the detailed design stages of the project.
353. The public realm and streetscape would be fully accessible, and would provide level thresholds between internal and external spaces and across the public realm. There would be no steps or ramps within the new park, and any gradients would be no steeper than 1:25 (in line with building regulations).
354. There is a strong framework of green spaces which are envisaged adjacent to Ruby Triangle which builds upon a context of mature trees and the listed gas holder to the east. The public realm and landscape proposals for the Carpetright site will build upon this framework but must also respond to the Ruby Triangle landscape principles.
355. The streets surrounding the whole site would be widened to provide an improved street scape and an appropriate setting for increased numbers of people using the area. The current application follows the same principle.
356. Old Kent Road is designed in line with the TFL Healthy Streets proposals and will provide a clear pedestrian route within the activated street, offering high street activities, whilst providing a new green, healthy street for both residents and visitors in line with the AAP streetscape principles. The entrance plaza on Hyndman Street would provide links into the site and new public park and would be a spacious spot for resting thus connecting to the wider Ruby Triangle.
357. The submission provides an indication of the hard landscape materials, but it is considered that to ensure a comprehensive and coherent material palette across the whole of the Ruby Triangle site, this would be conditioned to ensure it compliments the approved scheme.
358. The landscape proposals would also accommodate measures to mitigate harmful wind speeds in order to ensure pedestrian comfort. There would be:
  - 1 No. medium sized mature tree proposed within the green heart,
  - 6 No. trees of 5.5-7m in height are proposed in the park and;
  - 1 No. multi stem tree at 4-5.5m in height.
359. These would also contribute to the character of the proposed development, provide natural structure that will develop over time and support natural habitats and biodiversity.

A substantial number of new street trees are proposed and will be secured through the Section 278 Legal Agreements with TfL and the council.

360. As mentioned above the details of the landscape proposals would be secured by planning conditions. As with the approved Ruby Triangle development, a separate tree planting condition is also necessary to ensure street trees are provided as proposed.

#### Design Review Panel

361. The Applicant presented a relatively early version of their proposals to the Southwark Design Review Panel (DRP) on 9<sup>th</sup> April 2019. The Panel were generally supportive of this proposal. They recognised the important role that this site plays in completing the comprehensive development of the Ruby Triangle site and they supported the involvement of the same design team across the site as a whole. Nevertheless, they raised a number of comments on the matter of public realm, quality of design and sustainability strategy. The comments the Panel made, and the changes proposed to the scheme in response are summarised below. Members should however note that the scheme has changed since the pre-application discussions.
362. The Panel noted that the proposal relied on the quality of design achieved in the consented Ruby Triangle scheme and the suggestion that the proposal would have a 'familial' relationship with the Ruby Triangle proposal. More architectural details and drawings to demonstrate the quality of design achieved as well as how the proposal on this site will distinguish itself from the consented scheme was requested.

#### Officer response:

As discussed in the earlier paragraphs, the proposed building would partner the approved Block A on Old Kent Road. However, there are subtle differences including a slight different tone of brick, the position of balconies and the way the 'pairing' of windows work on the front elevation. It is considered appropriate to have a familiar design relationship with Block A, with the slight differences so that it is a coherent development, announcing the gateway into the new public park. The buildings are not identical and the design itself is of high quality.

363. The Panel noted that the shared communal gardens are north-facing and flanked to the south, east and west by 10-storey blocks. They needed more information to assess the quality of the courtyard including BRE assessment and landscape proposals. The Panel also raised how the roof top communal gardens would be designed and landscaped and how these would be accessed by all residents of all tenures.

#### Officer response:

364. The applicant has since submitted landscaping details and a BRE assessment to show the overshadowing of sun on the ground in these podium communal gardens.
365. The landscape proposals indicate a high quality space that uses much of natural materials to provide interactive play areas. The space has a woodland character, proposed with trees and planting. Additional details of the podium play space would be secured by condition. It should also be acknowledged that the residents have access to the level 10 and 19 roof terraces as well as the play area located in the green heart of the

new public park. The BRE assessment also demonstrates that there would be acceptable levels of sunlight potential for these amenity areas in the summer period (21<sup>st</sup> June), which is likely to be the time that would be used more frequently.

366. The Panel highlighted the existing retained building Nos. 639 and 641 Old Kent Road which the consented Ruby Triangle proposal seeks to retain and extend and its relationship with the proposed development. The Panel questioned the stepped design of this important frontage and suggested the applicant refer more closely to the architectural proportions and urban grain of the existing buildings.

Officer response

The applicant separated the retained buildings and the new building and created a pedestrian route through to the new park. This is a welcomed approach, improving the permeability of the development and creating a new piece of public realm.

367. The Panel recognised that the sustainability strategy was at the very early stages of its development. However, they felt more could be done to develop a comprehensive strategy for the site as a whole.

Officer response:

The sustainability and energy assessment is discussed in the energy section of this report and is considered satisfactory.

368. The Panel welcomed the high level of dual aspect units, but also questioned the outlook and aspect of certain flats. They encouraged the designers to review these and make localised adjustments to improve the outlook of these compromised units.

Officer response:

The design has evolved since then that would improve the outlook and aspect to these units (as discussed under the amenity section of this report).

## **Heritage and townscape considerations**

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

369. London Plan (2016) Policy 7.4, Local Character, states that development proposals should respond to their context, including buildings, open spaces, street patterns and the historic environment and Policy 7.8, Heritage Assets and Archaeology, seeks to record, maintain and protect London's heritage assets in order to utilise their potential within the community. It states that development should conserve the significance of any heritage asset it affects. Southwark Core Strategy Strategic Policy 12, Design and Conservation, states that development should ensure that the significance of built heritage assets should be conserved. Saved Policy 3.15, Conservation of the Historic Environment of the Southwark Plan states that development should preserve or enhance the special interest or historic character or appearance of buildings or areas of historical or architectural significance and Saved Policy 3.18, Setting of Listed Buildings, Conservation Areas and World Heritage Sites states that the immediate or wider settings of designated heritage assets must be preserved. This is reiterated in the draft NSP and

OKR AAP.

370. The NPPF requires Local Authorities to consider the impact of a proposed development on the significance of a designated heritage asset. Any harm to, or loss of, the significance of a designated heritage asset (including from development within its setting) should be categorised as either substantial or less than substantial. Substantial harm should only be permitted in exceptional circumstances. Less than substantial harm should be weighed against the public benefits of the proposal.
371. The application site does not sit in a conservation area and it contains no listed buildings. The nearest designated heritage assets are the Grade II Listed Camberwell Public Library and Livesey Museum and Gasholder No. 13. The existing buildings and structures on the application site share no historical relationship with these listed buildings and are not considered to contribute positively to their setting.
372. Also within the area surrounding the application site are the following Grade II listed buildings and structures:
- Statue of George Livesey;  
 Mural at the Civic Centre;  
 The Kentish Drovers Public House;  
 Canal Grove Cottages  
 12-14 Asylum Road, Licensed Victuallers' Almshouses; and  
 Numbers 1-50 Clifton Crescent.  
 Eveline Lowe School;  
 108-124 (evens) Peckham Park Road,  
 Doddington Cottages, Doddington Place, and 302 and 304 Commercial Way,  
 Church of Our Lady of Seven  
 Church of Our Lady of Seven Dolours,  
 121 and 123, 127-151 Friary Road,  
 218 Commercial Way
373. There are no conservation areas in the immediate vicinity of the site, but Caroline Gardens Conservation Area is nearby and could therefore be impacted upon.
374. Although of very limited weight, the draft OKR AAP also identifies buildings and features of townscape merit and buildings of architectural or historic interest. The following buildings, within the vicinity of the application site, are identified as such.

**Table: Building or features identified in the OKR AAP**

<b>Property</b>	<b>Description</b>
639 and 641 Old Kent Road	Building of Townscape Merit
Christ Church, Old Kent Road	Building of architectural or historical interest
644-672 (evens) Old Kent Road	Building of Townscape Merit
610-636 (evens) Old Kent Road	Buildings of Townscape Merit
Chimney, Builders' Merchants, Frensham Street	Building of architectural or historical interest

The houses on both sides of northern part of Ethnard Road and those on the west side of the southern part of Ethnard Road	Buildings of Townscape Merit
720A-726 (evens), 719-733 (Odds) Old Kent Road	Buildings of Townscape Merit
Livesey Place	Building of Townscape Merit
1-21 (odds) Peckham Park Road	Buildings of Townscape Merit
328 St James's Road	Buildings of Townscape Merit

375. The applicant has submitted a Heritage statement to assess the impact on heritage assets.
376. In terms of the closest statutory heritage assets, the redevelopment of the Carpetright site will alter the setting of the listed Gasholder and the former Library and Christ Church. However the proposals will not affect the legibility of the gasholder structure, nor its technological or historical values and association with related structures. Important elements of its setting, such as group value and historic relationship with the nearby buildings will also not be affected, resulting in a neutral impact to its significance.
377. The approved Ruby Triangle scheme is set to see a marked change in the built form in the area, including the introduction of tall buildings within approximately 120m of the Gasholder, which is currently the tallest structure in its immediate surroundings. However, it was considered this would have a negligible impact on the significance of this listed building. The introduction of the additional building by redeveloping the application site along with the approved Ruby Triangle scheme, would not have any further impacts to the significance of this heritage asset.
378. On balance, Officers consider that the replacement of the poor quality townscape that currently occupies the application site would enhance the settings of the surrounding heritage assets through the high quality detailed design and material palette proposed and the introduction of new routes and public spaces within the site. The wider settings of many of the assets do, however, already include varied built form, including tall buildings, and so the proposed development will not appear wholly incongruous in this densely developed urban area. The impact of this is discussed in greater detail in response to the submitted Townscape and Visual Impact Analysis (TVIA).

### **Townscape and Visual Impact Analysis (TVIA)**

379. The submitted TVIA reports on the impact of the proposed development on 20 views from the surrounding area. They represent a sub-set of the views considered for the consented Ruby Triangle planning application. The numbering of the views as presented in the Ruby Triangle application has been maintained for this application. In addition, an appendix to the TVIA contains versions of the rendered 'as proposed' views which show the proposed development together with other proposed schemes in the local area around the site and indicative massing for other sites identified within the AAP, providing an analysis of the overall effect of this potential 'cumulative' developments.
380. Officers have reviewed the TVIA and the views presented and will provide an analysis

and comment on those views that are most sensitive, have high heritage and townscape significance or prominence in this report.

View 5 - Burgess Park, looking over lake

This view is from the edge of the lake in Burgess Park, looking into the Cobourg Road Conservation Area, including some listed buildings, from some distance. It is therefore of some heritage and townscape importance.

381. The proposed development would be visible in the background of this view. As previously noted in the assessment of the consented Ruby Triangle development application, it would form a new distinct layer of townscape and skyline; clearly separate from the park in the foreground and other lower scale buildings (including those within the Cobourg Conservation Area) in the middle distance.
382. It is considered that the proposed composition would be visually interesting and the proposed elevations would ensure a sense of commonality with the approved scheme. The vertical emphasis of the taller buildings would result in elegant proportions, and a strong landmark presence. Considered cumulatively, the Malt Street scheme would also be visible in the middle distance of this view, adding to the new distinctive townscape layer and skyline.

**Image: View 5**



Views 6 and 7 – Burgess Park (Multi-route crossing and along line of canal park path)

383. These views are from Burgess Park, on important routes through the open space. The proposed development would appear in the middle distance, at the end of the routes through the park, forming a focal point on the skyline. As above, it would form a new, distinct layer of townscape and skyline. The proposed development would appear at a similar apparent height to the Old Kent Road block A within that scheme, and with a similar form and architecture, such that it would form a coherent addition to a wider area of redevelopment. In both views the Malt Street scheme would be visible in front of the proposed development, thus heightening the impacts described above. As the proposed

development would improve the legibility of the skyline at these key routes through the park, it could be considered beneficial.

**Image: View 7 Burgess Park, along line of canal park path**



View 12 - Caroline Gardens

384. This view is from Caroline Gardens, off Asylum Road. It is within the Caroline Gardens Conservation Area. The focus of the view is the Grade II listed Almshouses, central courtyard and mature trees. This specific viewpoint was chosen as it takes in both the central portico and the wider Almshouse complex.
385. The proposed development would be seen in the middle distance, and would appear close to the existing Ledbury Estate towers on the skyline, and in front of the consented Ruby Triangle scheme. The proposed development would appear well to one side of the central portico of the complex's central range from this viewpoint.
386. It would be partially screened by tree branches in winter, and largely obscured from sight by foliage in summer. It is however important to note that there would be other points around the square, particularly to the west (left), from where the proposed development would be less hidden by trees.
387. The proposed development would be read as the same background layer of townscape as the Ledbury Estate buildings. This layer is clearly distinct from the heritage assets in the foreground of the view. The addition to this layer of townscape would be of very high architectural quality, and therefore has the potential to improve the view. Considered cumulatively, the Malt Street scheme would appear to the left, directly behind the listed former Almshouses. Given the high architectural quality anticipated for the Malt Street scheme, it is considered that the cumulative impact would not be harmful.

**Image: View 12 Caroline Gardens, proposed view**



View 13 - Asylum Road

388. This view is from Asylum Road, opposite the junction with Studholme Street. Amongst the mix of building styles in this view are the Grade II listed Nos. 12 and 14 Asylum Road. The Grade II listed Office to the Licensed Victuallers Almshouses and Grade II listed South Lodge to Licensed Victuallers Benevolent Institution are also visible to the north. As a result, this view is of some heritage sensitivity.
389. The proposed development would be seen in the middle distance, screened by tree branches to a significant extent in the winter and would be almost completely obscured by foliage in summer. It would not be seen in direct relation to the listed buildings described above (from this viewing position). It is therefore not considered to result in any harm.

View 15 - Old Kent Road, opposite Sylvan Grove

390. This view is from Old Kent Road, opposite the junction with Sylvan Grove. It is of low heritage and townscape sensitivity.
391. The proposed development would appear in the middle distance, to the north of Old Kent Road and would appear in front of buildings within the consented Ruby Triangle scheme. It would contribute to the coherent development of a wider urban block together with that adjacent scheme, and a visually interesting composition in which buildings step up in height to the north. The impact is therefore considered beneficial.

**Image: View 15 Old Kent Road, opposite Sylvan Grove**



View 16 - Hunsdon Road

392. This view is from Hunsdon Road in the Hatcham Conservation Area in the London Borough of Lewisham. The Grade II listed Gasholder No. 13 near the site appears in the distance. The view is of relatively high heritage sensitivity.
393. The proposed development would appear adjacent to the Ruby Triangle scheme. It would complement this consented proposal, appearing at a similar scale and with a similar architectural approach to that of the Old Kent Road buildings within that scheme. As such, it would form a high quality focal point within this view.

View 19 – Roundabout adjacent to recycling facility

394. This view is taken next to the IWMF recycling facility to the east of the application site, looking directly towards the listed gasholder. It is therefore of some heritage sensitivity. The proposed development would appear in the middle distance, directly behind the listed gasholder.. As it would sit within the extent of the listed structure, and be perceived as being of lower height, it is not considered to detract from its appearance. Considered cumulatively, the Malt Street scheme would also appear in the middle distance, to the left of the listed gas holder and perceived as being of significantly lower height. Cumulatively, harm to the setting of the listed structure would therefore be avoided.

**Image: View 19 Roundabout adjacent to recycling facility**



View 26 - Canal Grove

395. This view is from the pedestrian footpath leading towards the site from Canal Grove. Although the Canal Grove Cottages are Grade II listed, only the gable is visible in this view to the left of the image. The cottages are understood in the context of a variety of types of development, primarily modern and post-war warehouse and retail units. The existing buildings on the site which are seen at the end of Canal Grove are a poor quality focus for the view. As a result, this view is of medium sensitivity.
396. The proposed building would be partially obscured by the consented Ruby Triangle scheme. The proposed development would define an east-west route from Ruby Street/Hyndman Street, and public space would be visible to its north; both the route and the location of the public space would align with those proposed for the Ruby Triangle site.
397. It has already been acknowledged in the application for the main Ruby Triangle scheme that the proposed development would be visually prominent on the other side of Sandgate Street. The route into the site from Sandgate Street would be aligned with Canal Grove and readily apparent in this view, inviting pedestrians into the proposed central open space.
398. The arrangement of the proposed building along with the wider Ruby Triangle buildings and their different heights would result in a visually interesting composition, with a general stepping up in height towards the north. The architecture would be of a high quality and the elevational strategy would ensure that visual coalescence is avoided, whilst creating visual interest. There would be no cumulative schemes visible in this view.
399. It was also acknowledged that the scale of the approved Ruby Triangle development would be substantially greater than that of the existing buildings on the site and would represent a considerable change to the local context and the setting of the listed Canal

Grove cottages, but it was noted that the cottages are a fragment of historic development, currently surrounded by other modern development. Officers are of the view that the harm caused by the proposed development under this current application and cumulatively with the approved scheme would be less than substantial and are satisfied that this harm would not undermine the heritage significance of the listed properties and that it would be outweighed by the wider regeneration benefits of the proposals.

**Image: View 26 Canal Grove**



Views 27 - Old Kent Road, Opposite St. James's Road

400. This view is from the southern side of Old Kent Road, looking south east towards the proposed development. The southern side of the road is occupied by the Civic Centre building, which has a grade II listed mural at ground floor level. The grade II listed Gasholder No. 13 appears in the middle distance, although it is partially obscured from this point. This view is therefore of some heritage significance, but as the surrounding townscape is of low quality it is not considered to contribute well to the settings of the heritage assets. The proposed development along with the consented Ruby Triangle development would be visually prominent, but given the low quality of the existing townscape and the high quality of the architecture proposed, it is not considered that this view would be harmed. Indeed, the impact could be considered beneficial with the ground floor uses animating Old Kent Road. Together with consented Block A, it would define this part of Old Kent Road in a coherent manner. There would be no cumulative schemes visible in this view.

**Image: View 27 Old Kent Road, Opposite St. James's Road**



View 28 - Old Kent Road Opposite Murdock Street

401. This view is from the southern side of Old Kent Road looking north-west. View 28 from the junction with Murdock Street, is in the vicinity of the Grade II listed Camberwell Public Library and Livesey Museum and other buildings of architectural or historic interest as identified in the draft OKR AAP. This view is therefore of some heritage significance. Again, as with View 27 above, the proposed development would help to define Old Kent Road with buildings of a scale commensurate with the road's importance, and its ground floor uses would animate it.
402. Being of similar height and scale to the consented Block A, it would help to provide a coherent frontage to Old Kent Road in combination with those buildings.

**Image: View 28 (Proposed) Old Kent Road opposite Murdock Street**



View 29 – Green Hundred Road, looking along Ethnard Road

403. This view is from western side of Green Hundred Road, looking north-east along Ethnard Road. The northern side of the road is lined by two storey Victorian terraced housing of coherent quality. These houses, and those visible at the end of the road, are identified as buildings of townscape merit in the OKR AAP. The view is therefore of some limited heritage and townscape sensitivity.
404. The proposed development under this application would be visible in the background of the view, in front of the consented Ruby Triangle scheme. When viewed cumulatively, the buildings would progressively increase in height towards the north within the site's urban block. The tops of the tallest buildings beyond this proposed development would still be distinctive on the skyline. It is not considered that they would result in any harm.

Borough views

405. Although of limited weight, the draft NSP, Policy P21, 'Borough Views', states that development must preserved or where possible positively enhance the borough views which have been identified. The Borough Views potentially impacted on by the proposed development are the London Panorama of St Paul's Cathedral from One Tree Hill and the linear view of St Paul's Cathedral from Nunhead Cemetery. The draft policy states in both cases that development must "maintain the view of St. Paul's Cathedral from the viewpoint place", "not exceed the threshold height of the view's Landmark Viewing Corridor", and "not compromise the sensitive Wider Assessment Area that is located either side of the Landmark Viewing Corridor to ensure the viewer's ability to recognise and appreciate St. Paul's Cathedral and its setting". It also states that a canyon effect of the view of St. Paul's Cathedral must be avoided.

### Nunhead Cemetery

406. The assessment of this view under the approved Ruby Triangle development concluded that it would be located well to the side of St. Paul's Cathedral in this view, and obscured by tree branches to such an extent that it would be virtually indiscernible, even in winter. It is considered that there would be no harm to this view.

### View 32 - One Tree Hill

407. This Borough View is from on One Tree Hill in Honor Oak Park, looking towards central London. The view towards central London is framed by trees. St. Paul's Cathedral is visible to the east of the Shard. The view is of high sensitivity.
408. As with the consented scheme, the proposed development would be visible in the distance, towards the centre of the view, some distance from St. Paul's Cathedral and the cluster of towers in central London. It would only be partial and limited. It would be read as part of an extensive panorama and would contribute to a layered townscape. In combination with the Ruby Triangle scheme, it would appear as a visually interesting grouping of buildings, comprising elements of different heights and with different elevational finishes. It is considered that there would be no harm to this view.

### London View Management Framework (LVMF) Views

409. London Plan (2016) Policy 7.11, London View Management Framework, and Policy 7.12, Implementing the London View Management Framework relates to the identified strategic views in London. They state that development should not harm, and where possible should make a positive contribution to the characteristics and composition of strategic views. The LVMF views likely to be impacted upon by the proposed development are 2A.1 from Parliament Hill, 3A.1 from Kenwood and 6A.1 from Blackheath Point.

### Blackheath Point (LVMF 6A.1)

410. This view is from LVMF viewing location 6A.1, at Blackheath Point. The view is a panorama towards the City of London. The view is of high sensitivity in respect of the visibility of St Paul's Cathedral.
411. The proposed development along with the consented Ruby Triangle scheme (which would be adjacent to) would be visible on the skyline at a significant distance from St Paul's Cathedral. It would appear consistent in form and scale with the Old Kent Road block within that scheme and appear as part of the layered townscape in this extensive panorama, composed as a visually interesting grouping of buildings, with distinctive tops read against the skyline. The Malt Street scheme would be visible to the west (left) of the proposed development, also contributing to this coherent layer of townscape within the view and together the schemes would help to mark the area of major regeneration around Old Kent Road. It is considered that there would be no harm to this strategic view. It should be noted that under the application for the consented Ruby Triangle, the GLA consider that the proposed development would create an additional point of interest in this viewpoint.

#### Parliament Hill (LVMF 2A.1)

412. This view is from LVMF viewing location 2A.1 at the summit of Parliament Hill. The view crosses a wide span of London. The tall buildings of central London appear in the distance, including the City of London cluster. The vista to St Paul's Cathedral in the centre of the view is protected. The view is of high sensitivity.
413. The proposed development would be visible in the background of the view to the right of Guys Hospital and would be of a lower apparent height. There would be no effect on the silhouette of St. Paul's Cathedral or the ability to appreciate St. Paul's in this view. It is not considered that the proposed development would result in any harm to this view. The GLA agrees that the scheme would not harm the composition of the view.

#### Kenwood (LVMF 3A.1)

414. This view is from LVMF viewing location 3A.1, at the viewing gazebo at Kenwood House, set within an estate bordering Hampstead Heath. Central London, and particularly the tall buildings of the City, is visible beyond, St Paul's Cathedral is visible and the vista towards St Paul's is protected. The view is of high sensitivity.
415. It was noted in the application 18/AP/0897 that the buildings would be barely noticeable. In practice, at this distance, it would be barely discernible without the aid of binoculars, and would have no effect on the viewer's ability to appreciate St. Paul's. It is therefore considered that there would be no harm to this view and this is also agreed by the GLA.

#### Conclusion on the Setting of Listed Buildings, Conservation Areas and Townscape

416. In conclusion in relation to the TVIA, it is clear from the assessment that the proposed development would have a impacts on many of the sensitive views assessed. However, in the majority of cases, the impact is not considered to be harmful. Indeed in some views it is considered beneficial. The quality of design would be high, with a good composition of buildings strong vertical emphasis and characterful tops creating new interest on the skyline.
417. While the scale and appearance of the proposed development (together with the consented scheme) would form a contrast with lower scale historic development in the local area, these historic buildings and structures are fragmentary in nature and seen in a varied urban context. It is considered that the provision by the proposed development of high quality architecture and urban design benefits would enhance the townscape context in which these buildings are experienced.

#### **Impact on trees**

418. Saved Policy 3.13 of the Southwark Plan requires high quality and appropriately designed streetscape and landscape proposals. The site comprises bare ground (tarmac), multiple buildings, and scattered scrub. The arboricultural impact assessment indicates the presence of 3 individual trees and one tree group. None of these trees are of category A grade.
419. The council's Urban Forester has reviewed the proposals and considers that the proposed landscaping more than adequately mitigates any loss of amenity or canopy

cover. The overall design adheres to the outline landscape masterplan and condition to ensure the number and quality of planting is provided is recommended.

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

420. Saved Policy 2.5 'Planning obligations' of the Southwark Plan and policy 8.2 of the London Plan advise that Local Planning Authorities should seek to enter into planning obligations to avoid or mitigate the adverse impacts of developments which cannot otherwise be adequately addressed through conditions, to secure or contribute towards the infrastructure, environment or site management necessary to support the development, or to secure an appropriate mix of uses within the development. Further information is contained within the council's adopted Planning Obligations and Community Infrastructure Levy SPD. A s106 Legal Agreement is currently being drafted which should include clauses to secure the following:

Archaeology: £11,171;

Affordable Housing Monitoring: £132.35 per affordable property, 92 x 132.35 = £12,176.20;

Carbon offset – green fund: £203,910 (unless the scheme connect to SELCHP District Heating prior to first occupation and a revised contribution will be made).

Contributions to the bus network: £707,400

DSP Bond: £26,600

Santander bicycle hire scheme: £13,100

Construction management plan review and monitoring: £10,480

Greenfield runoff rates: £0 (£366 per cubic metre shortfall against greenfield run off rates)

Section 106 admin charge at 2% of total (excluding the DSP and those contributions that are either separate monitoring contributions or a monitoring contribution is already being collected for this particular obligation)

421. In addition, the following non-financial contributions would be secured within the s106 Legal Agreement:

- Affordable housing provisions, including provision for an early stage review;
- Not more than 25% of the private apartments would be occupied until 50% of the affordable units are complete.
- At least 10% of dwellings to be fully wheelchair accessible (Marketing, allocation and fit out);
- Jobs, skills and training during construction period (including fall-back financial contribution if targets not met);

- Jobs, skills and training once the proposed development is operational (including fall-back financial contribution if targets not met);
- An employment, skills and business support plan;
- 101 sqm Affordable work space (see terms below);
- Appointment of workspace co-ordinator;
- Practical Completion of the commercial space to be at the same time, or before, Practical Completion of the residential units above. All commercial spaces to be completed with mechanical and electrical services fitted out, including heating and cooling / ventilation;
- 3 years car club membership for all eligible adult residents of the proposed development;
- Future SELCHP connection;
- Early stage Affordable Housing review;
- Demolition Environment Management Plan;
- Final Construction and Environment Management Plan;
- Social rent service charges within the rent cap;
- Service management plan;
- Public access to open space.

#### S278 Works Outline

422. The council's Highway Officers have indicated that works required through a S278 Agreement would include:

- The section of footway on Hyndman Street fronting the development site should be repaved with 600mm x 600mm x 72mm thick precast concrete slabs including replacing existing kerbs with new 150mm wide silver granite kerbs.
- The footway width on Hyndman Street fronting the development should have a continuous clear passing width of 2.4 metres provided throughout.
- The proposed loading bay should not be at the same grade as the footway; a kerb upstand of at least 60mm should be provided for pedestrian protection.
- A dropped kerb at the rear of the loading bay should be provided for access.
- Utility covers within the highway should be changed to recessed frame covers.

- The existing tree within the highway area must have a tree pit edging installed flush with the surrounding pavement.
- Promote a TRO to regulate loading bay.
- The loading bay design should include a kerb upstand to protect pedestrians and should have a dropped kerb for access.
- The proposed public realm trees should have tree pit edgings complying to SSDM standards.
- The applicant is to note that surface water from private areas is not permitted to flow onto public highway in accordance with Section 163 of the Highways Act 1980. Detailed drawings should be submitted as part of the s278 application confirming this requirement.

#### Affordable Workspace Terms

423. The final details of the affordable workspace offer are subject to negotiations of the s106 Agreement, but 101sqm GIA, would be secured subject to the following terms:

- £8 per sqft;
- The rental figure is based on Q1 2020 and would increase each year by RPI;
- Flexible Leases up to 5 years;
- The unit will only be available for a single premises business;
- Applicants must either have an existing business in LB Southwark or be a resident of LB Southwark;
- During the construction period, a database of interested parties will be compiled and maintained;
- On completion, the unit will be marketed using a website, newspapers, agencies, managing agent, database, and external signage;
- The order of eligibility will be as follows: Based in the OKR AAP for 9 months
- LB Southwark for 9 months;
- Following this process should any unit be unoccupied for more than 18 months, then it can be let on normal commercial terms (outside the 1954 Act) to any interested party for up to 5 years after which the process will start again. During this time the existing tenant can remain until an "Affordable Category" tenant is found;
- The day to day management of the space will be carried out by a suitably competent management company;

- The unit will remain as affordable units for a period of 30 years;
  - The specification of the unit would comprise screed floors, painted blockwork walls, exposed ceiling and partly glazed frontages. The services provided would include individually metered water, electricity, telecoms/data and heating/cooling/ventilation; and would have an accessible WC and kitchenette including a sink and cupboard space.
424. These terms would be secured through the s106 Legal Agreement and the provision of this space is considered to be a significant positive aspect of the proposal, adding to the vibrancy and mix of uses.
425. In the event that a satisfactory legal agreement has not been entered into by 1 July 2020 it is recommended that the director of planning refuses planning permission, if appropriate, for the following reason:

*“The proposal, by failing to provide for appropriate planning obligations secured through the completion of a S106 agreement, fails to ensure adequate provision of affordable housing and mitigation against the adverse impacts of the development through projects or contributions in accordance with saved policy 2.5 'Planning Obligations' of the Southwark Plan (2007), strategic policy 14 'Delivery and Implementation' of the Core Strategy (2011), policy 8.2 'Planning obligations' of the London Plan (2015) and the Planning Obligations and Community Infrastructure Levy SPD (2015)”.*

#### **Mayoral and Southwark Community Infrastructure Levy (CIL)**

426. 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 or Southwark CIL is therefore a material consideration. However, the weight attached is determined by the decision maker. The Mayoral CIL is required to contribute towards strategic transport investments in London as a whole, primarily Crossrail, while Southwark’s CIL will provide for infrastructure that supports growth in Southwark.
427. In this instance a Mayoral CIL payment of £1,500,912.50 and a Southwark CIL payment of £6,284,001.68 would be required. These are pre-social housing relief figures and accordingly would be reduced when the CIL Social Housing Relief claim is submitted after the grant of planning permission.

#### **Sustainable development implications**

428. Policy 5.2 of the London Plan requires major developments to provide an assessment of their energy demands and to demonstrate that they have taken steps to apply the Mayor's energy hierarchy. Policies 5.5 and 5.6 require consideration of decentralised energy networks and policy 5.7 requires the use of on-site renewable technologies, where feasible. Of note is that residential buildings must now be carbon zero, and non-domestic buildings must comply with the Building Regulations in terms of their carbon dioxide emissions (35% reduction against part L of the Building Regulations 2013). The applicant has carried out two versions of the energy strategy. The first statement was based on the scheme connecting to the off-site district heating network (DHN) South East London CHP (SELCHP). Investigation into the potential has been determined that a

connection to the SELCHP, which is operated and managed by Veolia, is technically feasible. The energy strategy addendum is a statement demonstrating the carbon savings without the connection. It is considered appropriate to consider both scenarios as these show different carbon savings and hence different carbon off-set payments.

429. It is predicted that when the scheme is connected to SELCHP in the future, the domestic part of the development would be almost carbon zero (100% savings over the baseline). In the same scenario, in terms of non-domestic element, the reduction in CO<sub>2</sub> emissions would be approximately 39% and would be policy compliant. In this scenario, there would be no requirement for any carbon off-set payments. The scheme would need to be designed to be future-proofed for connection to a future district heating system which would be secured through the s106 agreement.
430. The following paragraphs will look at the energy strategy without SELCHP in place.

Be lean (use less energy)

Energy efficiency measures include a range of passive and active measures including:

High-performance façade optimising levels of insulation and shading;  
Windows to balance daylight, heat loss and heat gain;  
Solar control measures;  
Efficient space heating and cooling;  
Efficient mechanical ventilation systems with heat recovering;  
Low energy lighting throughout.

The regulated carbon saving achieved in this step of the Energy Hierarchy is 9% for domestic element and 25% for non-domestic element.

Be clean (supply energy efficiently)

431. It is noted that the approved Ruby Triangle scheme had proposed a gas-fired CHP within the site wide energy centre. The site wide energy centre will be future proofed to allow connectivity to the SELCHP DHN when it becomes available in the future and would be secured through the s106 Agreement. It is expected that this will also be available for this proposed building.
432. Nevertheless, should this not become available, there will be no on-site Be Clean measures adopted in this scheme. The carbon savings at this stage would be 0%.

Be Green (low or carbon zero energy)

433. For the Be Green stage a number of renewable technologies have been appraised in terms of their technical, physical and financial feasibility, as potential renewable systems for use on the project. The technology which best suited is Photovoltaic (PV) panels and air source heat pump (ASPH) on-site. After the incorporation of the ASHP, the saving for the domestic element would be 57%. For the non-domestic elements, both the PVs and the ASPH would be utilised, which would be a 13% reduction over the site wide baseline level.
434. The overall predicted reduction in CO<sub>2</sub> emissions from the baseline development model (which is Part L 2013 compliant) is approximately 57% for the domestic element, which

represents an annual saving of approximately 150 tonnes of CO2. For the non-domestic element there would be a reduction of 37%, representing an annual saving of 16 tonnes of CO2.

435. To enable the domestic element to meet zero carbon target, a one-off carbon offset payment of approximately £203,910 will be required in line with Southwark's Core Strategy and London Plan Policy. This figure is based on a shortfall of 1 tonne CO2 per year for a period of 30 years at a rate of £60/ tonne of CO2. The Applicant has agreed to make this contribution, which would be secured through the s106 Agreement and would therefore make this aspect of the scheme fully policy compliant.

#### Overheating and Cooling

436. Policy 5.9 of the London Plan "Overheating and Cooling" states that major development proposals should reduce potential overheating and reliance on air conditioning systems and demonstrate this in accordance with the cooling hierarchy. This policy seeks to reduce the impact of the urban heat island effect.

437. The proposals to demonstrate compliance are as follows:

Minimise internal heat generation through energy efficient design;

Energy efficient enhanced ventilation systems, thermal insulation on pipework and low energy lighting;

Energy efficient facades with appropriate proportions of glazing;

Manage the heat within the building through exposed internal thermal mass and high ceilings;

Glazing shading to minimise solar gain in the summer, but also to maximise solar gain in winter;

Mechanical Ventilation with Heat Recovery (MVHR) units for background ventilation.

438. The building design and building services design have maximised all available measures to minimise heat generation within the dwellings, to reduce the amount of heat entering the building, and to passively and mechanically ventilate the dwellings in line with the cooling hierarchy in Policy 5.9 of the London Plan.

#### BREEAM

439. Strategic Policy 13 of the Core Strategy requires commercial units to achieve BREEAM "excellent". A BREEAM Pre-assessment report has been undertaken which demonstrates that a "Very Good" standard can be achieved. This does not meet the required "Excellent" standard that is required for the commercial element.

440. As with the consented Ruby Triangle development, the commercial spaces would not achieve "Excellent" because the applicant only assessed it on the basis that only the shell would be delivered. As set out above, heating and cooling systems would also be provided, which should address this. It is considered appropriate to follow the condition

imposed on the consented scheme, which would secure an independently verified BREAAAM report demonstrating that the 'Excellent' rating would be achieved prior to the fit out of any of the commercial premises as it is possible that commercial spaces could achieve a BREEAM "Excellent" following fit-out by future tenants.

#### Ecology

441. A Preliminary Ecological Assessment has been submitted in support of this application. The site in its current condition is of little or no ecological value and therefore its redevelopment offers the opportunity to enhance biodiversity opportunities.
442. The council's Ecology Officer has reviewed the proposals and concludes that there are no further surveys required. Conditions have been recommended to secure nest boxes and bat tubes. It was also recommended that insect homes would be a further enhancement for the biodiversity of the site. It is also considered reasonable to condition that there be the soft landscaping ecological enhancements and roofs recommended in the appraisal.

#### Flood risk and water resources

443. The application site is located within Flood Zone 3, which is considered to be 'High Risk' but does benefit from the Thames tidal defences.
444. The proposed development has been designed to ensure that the buildings would be protected from surface water flooding by raising ground levels and placing residential units at levels above the proposed podiums. The Environment Agency (EA) has not responded to the consultation. However, it is noted that they did not raise objections to the consented Ruby Triangle development. Conditions were recommended by the EA and it is considered prudent to impose these in this instance.
445. The report identifies that the site currently has a notable surface runoff rate at 64.4 l/s, to which the proposed development shall significantly reduce to a comparative greenfield runoff rate of 3.1 l/s.
446. Sustainable Drainage Systems (SuDS) in the form of Green/brown/blue roofs and permeable paving are also proposed in addition to the large area of lawn in the new park. There would be the incorporation of blue roofs at first floor level and a geocellular tank beneath the ground floor car parking area. A greenfield runoff rate offset of £366 per cubic metre will be secured in the event that there is a shortfall in attenuation required to limit surface water run off, which is required by the draft AAP 11.
447. The council's Flood Risk and Drainage team have also reviewed the submitted material and Drainage Strategy. They raise no objections to the application however the scheme is currently submitted in outline form and therefore the final strategy will need to be confirmed at detailed design stage. A condition is therefore recommended for the submission of a final drainage strategy for review and consideration if any changes are made at that stage.

#### Fire safety strategy

448. A high level fire safety strategy has been submitted and the recommendations noted that all apartments and corridors should be sprinklered and alarms installed. Residential ancillary areas would also be provided with alarm and detection system. This would operate the automatic smoke ventilation stem and to provide warning to the roof terrace areas. Each residential core is served by a single escape stair which will form part of a fire-fighting shaft. To permit the single stair approach in tall residential buildings enhancements may be required above the provisions set out in the British Safety standards. As the buildings are over 18m in height as measured from the Fire Service access level, each stair core that serves the residential accommodation should be designed as a fire-fighting shaft. The strategy also highlighted the minimum fire resistance requirements for the structural elements and minimum time for compartmentation.

It is considered reasonable to secure further details by condition.

### **Archaeology**

449. This large site lies within two borough designated Archaeological Priority Zones (APZs): 'Bermondsey Lake' and 'Old Kent Road'. The 'Bermondsey Lake' APZ is designed to protect the palaeoecological environment and prehistoric archaeology recovered from the shoreline and relict fills of the large Late Glacial Bermondsey Lake and the associated riverine geology and topology. The 'Old Kent Road' APZ has the potential to contain features associated with the former route of 'Watling Street', the major Roman road between London and Canterbury. Significant archaeological remains predominately of prehistoric and Roman date have been discovered along the Old Kent Road from a number of sites. These works have identified multi-period archaeological deposits including in situ prehistoric flint-work and Roman settlement features, as well as medieval and post-medieval archaeological deposits. When the NSP is adopted the site will lie within the newly extended 'North Southwark and Roman Roads ' Archaeological Priority Area (APA).
450. The application site has the potential to contain significant archaeological remains which should be appropriately managed.
451. The applicants have submitted an archaeological Desk Based Assessment (DBA) by CgMs (June 2017). The applicants then submitted a revised version and the results of a programme of geoarchaeological monitoring and the results of an evaluation of an adjacent site.
452. The council's Archaeology Officer has reviewed the assessment and concludes that there is now sufficient information to establish that the development is not likely to cause such harm as to justify refusal of planning permission on the grounds of archaeological interest provided that robust archaeological conditions are applied to any grant of consent. However, the Applicant must be mindful that for any archaeological remains that are encountered - if these cannot be preserved in situ under a foundation design condition - they must be prepared to pay for and manage the excavation of these remains entirely and/or potentially lift and preserve off-site or in the new development any previously unknown but important remains.
453. As with the approved Ruby Triangle development, other requirements will also be to

carry out full archaeological post-excavation mitigation. The required conditions are included with this recommendation and relate to:

Archaeological Evaluation  
Archaeological Mitigation  
Archaeological Foundation Design  
Archaeology Reporting Site Work

## **Environmental considerations**

### **Contaminated land**

454. The applicant has submitted a Phase 1 preliminary risk assessment given the past industrial and commercial uses on the site. The assessment confirms that on account of the site's previous industrial use, there are numerous sources of contamination recorded both on the site and in its vicinity. The site itself is considered to represent a moderate risk to all identified receptors, and accordingly further targeted ground investigation is required to quantify and assess plausible risks and contaminant deposits.
455. The submitted material has been reviewed by EPT. A condition has been recommended to deal with contaminated land which has been included with this recommendation. It includes an intrusive site investigation and associated risk assessment to fully characterise the nature and extent of any contamination of soils and ground water on the site.

### Hazardous Sites

456. Paragraph 45 of the NPPF states that local planning authorities should consult the appropriate bodies when planning, or determining applications, for development around major hazards. The site was located within the designated Consultation Distance of a Major Hazard Site (Old Kent Road Gasholder Station, 709 Old Kent Road) and as such the Health and Safety Executive (HSE) was a statutory consultee for this application. However, subsequent to HSE's comments, the council as the Hazardous Substances Authority made an order to the Secretary of State for Housing, Communities and Government to revoke the Hazardous Substances Consent on 5<sup>th</sup> February 2020.
457. HSE then confirmed in writing that the hazardous substances consent has been formally revoked and HSE has removed the consultation distance and has withdrawn their initial comments.

### Air Quality

458. The site lies within an Air Quality Management Area (AQMA). This means the air quality is poor, with high levels of pollutants including particulate matter (PM10) and nitrogen dioxide (NO2). Southwark Plan Policy 3.6, Air Quality, states that planning permission will not be granted for development that would "lead to a reduction in air quality." London Plan (2016) Policy 7.14 states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality.
459. The applicant has submitted an air quality assessment, reporting on the potential impacts

of the proposed development on local air quality.

460. This identified that there is a medium risk of both dust soiling impacts and increases in particulate matter concentrations due to construction activities. However, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced. These will be secured through the CEMP required by the s106 Agreement.
461. An assessment of the potential for future residents of the proposed development to be exposed to poor air quality showed that the proposed development would cause little or no discernible change in pollutant concentrations. It was therefore recommended that consideration be given to the provision of an alternative source of clean air (i.e. mechanical ventilation) at these locations facing Old Kent Road.
462. An air quality neutral assessment was also carried out and showed that the proposed development would be 'air quality neutral' and off-site mitigation will not be required. The council's EPT has reviewed the assessment and raised no concerns or objections relating to air quality.

#### Wind and Microclimate

463. The applicant has submitted a Wind Microclimate Assessment, which looks at the likely impacts of the proposed development on wind and microclimate in terms of pedestrian safety and comfort using a computer model.
464. Three scenarios have been analysed:  
  
Baseline: the existing wind environment at the site  
Proposed: the proposed development within the context of existing surrounds  
Cumulative: the proposed development within the context of future/consented surrounds
465. It concludes that in the different scenarios, the development would likely modify the local wind environment and create both improvements and some localised wind acceleration at pedestrian level potentially exceeding the recommended criteria. Generally, the majority of the areas within and adjacent to the site are safe and suitable for the intended uses, but there would be some areas that require mitigation to bring the comfort to the suitable level.
466. Therefore, whilst they establish the principle that the windiness could be reduced to a safe and comfortable level, the results of the submitted analysis do still show some very localised areas of windiness which will require further mitigation and additional testing. This will be carried out during detailed design, and evidence of the results will be required by a planning condition (included with landscape detailed design condition). This detailed testing will include assessing in detail the proposal to re-use some steel structural elements from Gas Holder 12 as wind baffles, whilst also ensuring a landscape design.

#### Aviation

467. National Air Traffic Services (NATS) were consulted and raises no objection to the scheme.

## Telecommunications and Electronic Interference

468. Arqiva (who own and operate the UK Terrestrial Television Broadcast network and supply the Freeview platform) was consulted and raised no objections to the proposed development as this particular site is sufficiently north of their line of sight. It is noted that a condition was imposed on the approved Ruby Triangle scheme to require details of any impact on television radio and other telecommunications services. However, given that the proposed development would be lower in height compared to the consented scheme and no objections raised there is no requirement for such a condition for this application.

### **Conclusion on planning issues**

469. The proposed development would result in the introduction of residential uses into the SIL and would therefore represent a departure from the adopted development plan. However, the adopted London Plan (the most up to date adopted development plan for the area) clearly identifies the Old Kent Road as an opportunity area which will undergo significant transformation with substantial growth including new housing. In advance of emerging policy being adopted, and SIL being formally released, this proposal must be weighed against the wider regeneration benefits of the scheme.
470. The proposed development would potentially increase the numbers of jobs on the site and deliver new housing, including circa 40% affordable housing in terms of habitable rooms. Affordable workspace has also been proposed. Recognising the changing character and uses carried out in the immediate area and the adjoining Ruby Triangle development, it is not felt that any harm to existing businesses would arise by the introduction of housing. In light of this it is considered that the principle of the proposed development should be supported in this instance.
471. In advance of adopted town/district centres in the Old Kent Road, the quantum of town centre uses including retail and flexible unit accords with the sequential approach to development and therefore can be supported. The retail frontage provides the active high street frontage envisaged in the OKRAAP.
472. The proposal would deliver a good standard of accommodation and would address the majority of standards as set out in the residential design standards.
473. A new publicly accessible park and associated public realm would improve permeability across the site allowing for the Ruby Triangle to achieve its full connectivity including pedestrians and cyclists.
474. The potential impacts identified are not considered to be significant to adversely impact on neighbouring residents. The existing nearby residents would have adequate outlook, privacy and access to daylight and sunlight.
475. The building height proposed would represent a step change in the existing scale of the area, but as an Opportunity Area site, it is considered that the height proposed would be in accordance with the objectives of the London Plan (2016), in that it would optimise the development potential of the site. Furthermore, it would sit well with the approved Ruby Triangle development and would not harm any nearby heritage assets. The protected views would not be harmed. The design and materiality is considered to respond well and

complimentary to the schemes that have been approved. The ground floor pedestrian experience would be vibrant and well animated with characterful ground floor frontages enhancing the surrounding area.

476. In order to ensure that on-street servicing and deliveries do not negatively impact on the highway network, the applicant has agreed to enter into a Delivery Service Plan (DSP) Bond with the council. Cycle and car parking levels are acceptable, and innovative proposals to encourage people to use alternative transport measures, such as contribution to the Santander cycle hire docking station are welcomed.
477. It is therefore recommended that planning permission be granted subject to conditions, referral to the Mayor of London, referral to the Secretary of State, referral to the Health and Safety executive and the completion of a s106 Legal Agreement under the terms as set out above.

### **Consultations**

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

### **Consultation replies**

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

### **Statement of community involvement**

480. Consultation was carried out by the applicant prior to the submission of the planning application. The applicant has submitted a Statement of Community Involvement and the Engagement Summary (required by the Development Consultation Charter). The consultation was carried out with the local community and key stakeholders from the area and included the following forms of activity:

- 3,841 local residents and businesses received a residents' newsletter dated 25<sup>th</sup> April 2019 inviting them to the applicant's public consultation events;
- Half page advert on Southwark News advertising the public exhibition sessions on 2<sup>nd</sup> May 2019;
- The applicant has to date held two separate public exhibition viewings on Thursday 9th May and Saturday 11th May 2019 which in total were attended by 5 residents;
- The applicant offered briefing sessions to all three local Ward Councillors and local residents from Canal Grove Cottages;
- The applicant has committed to further interactive public exhibition dates following the submission of the planning application at 231 Old Kent Road to display the evolved proposals;
- The applicant established a dedicated consultation website – [www.651OKR.com](http://www.651OKR.com) – to both display the proposals and receive feedback from residents;

481. To summarise, the points raised from the consultation exercise were:

- Vehicle access to the site, There needs to be sufficient vehicle access for deliveries/tradespeople/hire cars;
- Design to be in keeping with local historical context (more Victorian, Regency detailing);
- Publicly accessible space and support introduction of the green the heart.

### **Community impact statement / Equalities Assessment**

482. 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:

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

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

- 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.
484. The protected characteristics are: race, age, gender reassignment, pregnancy and maternity, disability, sexual orientation, religion or belief, sex, marriage and civil partnership.
485. The council must not act in a way which is incompatible with rights contained within the European Convention of Human Rights.
486. The council has given due regard to the above needs and rights where relevant or engaged throughout the course of determining this application. This is addressed in detail in the relevant section of this report.
487. Officers are of the view that the development would not cause disadvantage to those with protected characteristics. This is further discussed below.

#### Access and equality measures

488. The Design and Access Statement contains a section on 'Inclusive Access' which sets out measures which would be incorporated into the development to assist people with mobility impairments, visual impairments, deaf people, older people and small children. Measures which would be incorporated include level access to buildings and communal amenity areas, the entrance of the building and the public park; access to at least two lifts for all the proposed dwellings; wheelchair accessible and adaptable residential units and wheelchair accessible parking spaces. Pedestrian access routes are defined as the most direct and convenient pedestrian routes linking key parts of a development. They are designed to be inclusive and have access features such as gentle gradients, suitable surfaces, rest points and good lighting. All routes meet or exceed the Building regulations of Approved Document Part M 2015.

#### **Positive equality impacts**

##### Provision of new housing including affordable housing

489. The Strategic Housing Market Assessment (SHMA) prepared on behalf of a number of South East London boroughs states that Southwark, together with Lewisham, has the most ethnically mixed population in the South East London sub-region. Compared to the population at large a very high proportion of Black households (70%) are housed in the social/affordable rented sector. These groups could therefore stand to benefit from the proposed affordable housing, which would include social rented units.

##### Improved and more accessible public realm

490. Physical measures such as the level surfaces, resting places and high quality lighting proposed could particularly benefit disabled people. There would be improved connections to the wider area which would benefit older people, disabled people, young

people, women and children.

Affordable Work Space

- 491. The proposed development would include 101sqm new affordable work space. These units would be marketed to businesses based in the Old Kent Road Opportunity Area for nine months before being marketed to businesses in the rest of Southwark.
- 492. 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.
- 493. This application has the legitimate aim of providing new residential, retail, office development and destination space. 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.

**SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

- 494. None.

**BACKGROUND DOCUMENTS**

Background Papers	Held At	Contact
Site history file: TP/2168-647  Application file: 19/AP/1710  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: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 0207 525 7194 Council website: <a href="http://www.southwark.gov.uk">www.southwark.gov.uk</a>

**APPENDICES**

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

**AUDIT TRAIL**

<b>Lead Officer</b>	Simon Bevan, Director of Planning
<b>Report Author</b>	Wing Lau, Team Leader

<b>Version</b>	Final	
<b>Dated</b>	11 May 2020	
<b>Key Decision</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Strategic Director of Finance and Governance	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		14 May 2020



