

## Planning Sub-Committee A

Tuesday 3 October 2017

7.00 pm

Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

### Membership

Councillor Leo Pollak (Chair)  
Councillor Ben Johnson (Vice-Chair)  
Councillor Nick Dolezal  
Councillor Tom Flynn  
Councillor Octavia Lamb  
Councillor David Noakes  
Councillor Kath Whittam

### Reserves

Councillor David Hubber  
Councillor Samantha Jury-Dada  
Councillor Sarah King  
Councillor Eleanor Kerlake  
Councillor Cleo Soanes

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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#### Contact

Gerald Gohler on 020 7525 7420 or email: [Gerald.gohler@southwark.gov.uk](mailto:Gerald.gohler@southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 25 September 2017



# Planning Sub-Committee A

Tuesday 3 October 2017  
7.00 pm

Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

## Order of Business

Item No.	Title	Page No.
1.	<b>INTRODUCTION AND WELCOME</b>	
2.	<b>APOLOGIES</b>	
3.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the sub-committee.	
4.	<b>DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT</b>	
	The chair to advise whether they have agreed to any item of urgent business being admitted to the agenda.	
6.	<b>MINUTES</b>	1 - 4
	To approve as a correct record the minutes of the meeting held on 18 July 2017.	

<b>Item No.</b>	<b>Title</b>	<b>Page No.</b>
<b>7.</b>	<b>DEVELOPMENT MANAGEMENT ITEMS</b>	<b>5 - 9</b>
	<b>7.1. THE CLIPPER, 562 ROTHERHITHE STREET, LONDON SE16 5EX</b>	<b>10 - 34</b>
	<b>7.2. GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5</b>	<b>35 - 66</b>
	<b>7.3. 10 BOMBAY STREET, LONDON SE16 3UX</b>	<b>67 - 95</b>

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**PART B - CLOSED BUSINESS**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

Date: 25 September 2017

## Planning Sub-Committee

### Guidance on conduct of business for planning applications, enforcement cases and other planning proposals

1. The reports are taken in the order of business on the agenda.
2. The officers present the report and recommendations and answer points raised by members of the committee.
3. The role of members of the planning committee is to make planning decisions openly, impartially, with sound judgement and for justifiable reasons in accordance with the statutory planning framework.
4. The following may address the committee (if they are present and wish to speak) for **not more than 3 minutes each**.

- (a) One representative (spokesperson) for any objectors. If there is more than one objector wishing to speak, the time is then divided within the 3-minute time slot.
- (b) The applicant or applicant's agent.
- (c) One representative for any supporters (who live within 100 metres of the development site).
- (d) Ward councillor (spokesperson) from where the proposal is located.
- (e) The members of the committee will then debate the application and consider the recommendation.

**Note:** Members of the committee may question those who speak only on matters relevant to the roles and functions of the planning committee that are outlined in the constitution and in accordance with the statutory planning framework.

5. If there are a number of people who are objecting to, or are in support of, an application or an enforcement of action, you are requested to identify a representative to address the committee. If more than one person wishes to speak, the 3-minute time allowance must be divided amongst those who wish to speak. Where you are unable to decide who is to speak in advance of the meeting, you are advised to meet with other objectors in the foyer of the council offices prior to the start of the meeting to identify a representative. If this is not possible, the chair will ask which objector(s) would like to speak at the point the actual item is being considered.
6. Speakers should lead the committee to subjects on which they would welcome further questioning.
7. Those people nominated to speak on behalf of objectors, supporters or applicants, as well as ward members, should sit on the front row of the public seating area. This is for ease of communication between the committee and the speaker, in case any issues need to be clarified later in the proceedings; it is **not** an opportunity to take part in the debate of the committee.

8. Each speaker should restrict their comments to the planning aspects of the proposal and should avoid repeating what is already in the report. The meeting is not a hearing where all participants present evidence to be examined by other participants.
9. This is a council committee meeting which is open to the public and there should be no interruptions from the audience.
10. No smoking is allowed at committee.
11. Members of the public are welcome to film, audio record, photograph, or tweet the public proceedings of the meeting; please be considerate towards other people in the room and take care not to disturb the proceedings.

**The arrangements at the meeting may be varied at the discretion of the chair.**

**Contacts:** General Enquiries  
Planning Section, Chief Executive's Department  
Tel: 020 7525 5403

Planning Sub-Committee Clerk, Constitutional Team  
Finance and Governance  
Tel: 020 7525 7420



## Planning Sub-Committee A

MINUTES of the Planning Sub-Committee A held on Tuesday 18 July 2017 at 7.00 pm in Ground Floor Meeting Room G02, 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Leo Pollak (Chair)  
Councillor Ben Johnson (Vice-Chair)  
Councillor Sarah King (Reserve)  
Councillor Octavia Lamb  
Councillor David Noakes

**OFFICER SUPPORT:** Dennis Sangweme (Development Management)  
Margaret Foley (Legal Officer)  
Michael Glasgow (Development Management)  
Gerald Gohler (Constitutional Officer)

### 1. INTRODUCTION AND WELCOME

The chair welcomed councillors, members of the public and officers to the meeting.

### 2. APOLOGIES

There were apologies for absence from Councillors Nick Dolezal, Tom Flynn and Kath Whittam.

### 3. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as voting members for the meeting.

### 4. DISCLOSURE OF MEMBERS' INTERESTS AND DISPENSATIONS

The following members made declarations regarding the agenda items below:

#### 7.2 Dovedale Business Centre, 22A Blenheim Grove, London SE15 4QL

Councillor Octavia Lamb, pecuniary, as her partner owns a licensed premises close to the application site.

## 5. ITEMS OF BUSINESS THAT THE CHAIR DEEMS URGENT

The chair gave notice of the following additional papers circulated prior to the meeting:

- Addendum report relating to item 7 – development management items
- Members' pack.

## 6. MINUTES

### RESOLVED:

That the minutes of the meeting held on the 13 June 2017 be approved as a correct record and signed by the chair.

## 7. DEVELOPMENT MANAGEMENT ITEMS

### ADDENDUM REPORT

The addendum report had not been circulated five clear days in advance of the meeting, nor had it been available for public inspection during that time. The chair agreed to accept the item as urgent to enable members to be aware of late observations, consultation responses, additional information and revisions.

### 7.1 67-71 TANNER STREET, LONDON SE1 3PL

#### Planning application reference 16/AP/5180

Report: see pages 10 to 40 of the agenda and pages 1 and 2 of the addendum report.

#### PROPOSAL

*Redevelopment of the site to create a 9 storey (plus single basement) office building (use class B1a) and associated works.*

The committee heard an officer's introduction to the report and addendum report, and asked questions of the officer.

There were no objectors present wishing to speak.

The applicant's agents addressed the committee. The committee asked questions of the applicant's agents.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

There were no ward councillors who wished to speak on the application.

Members asked further questions of officers and discussed the application further.

A motion to grant planning permission was moved, seconded, put to the vote and declared carried.

**RESOLVED:**

That planning permission for application 16/AP/5180 be granted subject to the completion of a legal agreement by 30 September 2017, and subject to the conditions set out in the report and the addendum report including an amended condition 13 to stipulate that any deliveries, unloading and loading shall only take place Monday to Saturday - 08:00 to 20:00.

Having declared a pecuniary interest in the next agenda item Councillor Octavia Lamb left the meeting.

**7.2 DOVEDALE BUSINESS CENTRE, 22A BLENHEIM GROVE, LONDON SE15 4QL**

**Planning application reference 17/AP/1313**

Report: see pages 41 to 53 of the agenda and pages 2 to 3 of the addendum report.

**PROPOSAL**

*Change of use from B8 (Storage) to B1(c) (Light Industrial) and A4 (Drinking Establishment) use.*

The committee heard an officer's introduction to the report and addendum report and asked questions of the officer.

The committee heard representations from objectors, and asked questions of the objectors following their submission.

The applicant addressed the committee. The committee asked questions of the applicant.

There were no supporters who lived within 100m of the development site present at the meeting who wished to speak.

There were no ward councillor present who wished to speak.

Councillors asked further questions of the officers and discussed the application further.

Councillors asked planning officers to liaise with their colleagues in the licensing and environmental protection sections to review the number of temporary events notices granted in the area.

A motion to grant planning permission was moved, seconded, put to the vote and declared carried.



**RESOLVED:**

That planning permission for application number 17/AP/1313 be granted, subject to conditions set out in the report and the addendum report, including an additional condition that the doors of the premises have to be kept closed after 22:00.

The meeting ended at 8.55 pm.

**CHAIR:**

**DATED:**

<b>Item No.</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 3 October 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		Development Management	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Proper Constitutional Officer	

### RECOMMENDATIONS

1. That the determination of planning applications, or formal observations and comments, the instigation of enforcement action and the receipt of the reports included in the attached items be considered.
2. That the decisions made on the planning applications be subject to the conditions and/or made for the reasons set out in the attached reports unless otherwise stated.
3. That where reasons for decisions or conditions are not included or not as included in the reports relating to an individual item, they be clearly specified.

### BACKGROUND INFORMATION

4. The council's powers to consider planning business are detailed in Part 3F of Southwark Council's constitution which describes the role and functions of the planning committee and planning sub-committees. These were agreed by the annual meeting of the council on 23 May 2012. The matters reserved to the planning committee and planning sub-committees exercising planning functions are described in part 3F of the Southwark Council constitution.

### KEY ISSUES FOR CONSIDERATION

5. In respect of the attached planning committee items members are asked, where appropriate:
  - a. To determine those applications in respect of site(s) within the borough, subject where applicable, to the consent of the Secretary of State for Communities and Local Government and any directions made by the Mayor of London.
  - b. To give observations on applications in respect of which the council is not the planning authority in planning matters but which relate to site(s) within the borough, or where the site(s) is outside the borough but may affect the amenity of residents within the borough.
  - c. To receive for information any reports on the previous determination of applications, current activities on site, or other information relating to specific planning applications requested by members.

6. Each of the following items are preceded by a map showing the location of the land/property to which the report relates. Following the report, there is a draft decision notice detailing the officer's recommendation indicating approval or refusal. Where a refusal is recommended the draft decision notice will detail the reasons for such refusal.
7. Applicants have the right to appeal to Planning Inspector against a refusal of planning permission and against any condition imposed as part of permission. Costs are incurred in presenting the council's case at appeal which maybe substantial if the matter is dealt with at a public inquiry.
8. The sanctioning of enforcement action can also involve costs such as process serving, court costs and of legal representation.
9. Where either party is felt to have acted unreasonably in an appeal the inspector can make an award of costs against the offending party.
10. All legal/counsel fees and costs as well as awards of costs against the council are borne by the budget of the relevant department.

#### **Community impact statement**

11. Community impact considerations are contained within each item.

#### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

##### **Director of Law and Democracy**

12. A resolution to grant planning permission shall mean that the development & building control manager is authorised to grant planning permission. The resolution does not itself constitute the permission and only the formal document authorised by the committee and issued under the signature of the director of planning shall constitute a planning permission. Any additional conditions required by the committee will be recorded in the minutes and the final planning permission issued will reflect the requirements of the planning committee.
13. A resolution to grant planning permission subject to legal agreement shall mean that the director of planning is authorised to issue a planning permission subject to the applicant and any other necessary party entering into a written agreement in a form of words prepared by the director of legal services, and which is satisfactory to the director of planning. Developers meet the council's legal costs of such agreements. Such an agreement shall be entered into under section 106 of the Town and Country Planning Act 1990 or under another appropriate enactment as shall be determined by the director of legal services. The planning permission will not be issued unless such an agreement is completed.
14. Section 70 of the Town and Country Planning Act 1990 as amended requires the council to have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations when dealing with applications for planning permission. Where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is

contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise. The development plan is currently Southwark's Core Strategy adopted by the council in April 2011, saved policies contained in the Southwark Plan 2007, the where there is any conflict with any policy contained in the development plan, the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published, as the case may be (s38(5) Planning and Compulsory Purchase Act 2004).
16. On 15 January 2012 section 143 of the Localism Act 2011 came into force which provides that local finance considerations (such as government grants and other financial assistance such as New Homes Bonus) and monies received through CIL (including the Mayoral CIL) are a material consideration to be taken into account in the determination of planning applications in England. However, the weight to be attached to such matters remains a matter for the decision-maker.
17. "Regulation 122 of the Community Infrastructure Levy regulations (CIL) 2010, provides that "a planning obligation may only constitute a reason for granting planning permission if the obligation is:
  - a. necessary to make the development acceptable in planning terms;
  - b. directly related to the development; and
  - c. fairly and reasonably related to the scale and kind to the development.

A planning obligation may only constitute a reason for granting planning permission if it complies with the above statutory tests."

18. The obligation must also be such as a reasonable planning authority, duly appreciating its statutory duties can properly impose, i.e. it must not be so unreasonable that no reasonable authority could have imposed it. Before resolving to grant planning permission subject to a legal agreement members should therefore satisfy themselves that the subject matter of the proposed agreement will meet these tests.
19. The National Planning Policy Framework (NPPF) came into force on 27 March 2012. The NPPF replaces previous government guidance including all PPGs and PPSs. For the purpose of decision-taking policies in the Core Strategy (and the London Plan) should not be considered out of date simply because they were adopted prior to publication of the NPPF. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted in accordance with the Planning and Compulsory Purchase Act (PCPA) 2004 even if there is a limited degree of conflict with the NPPF.
20. In other cases and following and following the 12 month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF. This is the approach to be taken when considering saved plan policies under the Southwark Plan 2007. The approach to be taken is that the closer the

policies in the Southwark Plan to the policies in the NPPF, the greater the weight that may be given.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Council assembly agenda 23 May 2012	Constitutional Team 160 Tooley Street London SE1 2QH	Gerald Gohler 020 7525 7420
Each planning committee item has a separate planning case file	Development Management, 160 Tooley Street, London SE1 2QH	The named case officer as listed or Simon Bevan 020 7525 5655

## APPENDICES

No.	Title
None	

## AUDIT TRAIL

<b>Lead Officer</b>	Chidi Agada, Constitutional Manager (acting)	
<b>Report Author</b>	Gerald Gohler, Constitutional Officer Jonathan Gorst, Head of Regeneration and Development	
<b>Version</b>	Final	
<b>Dated</b>	21 September 2017	
<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>
Director of Law and Democracy	Yes	Yes
Director of Planning	No	No
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		21 September 2017

**ITEMS ON AGENDA OF PLANNING SUB-COMMITTEE A**  
**on Tuesday 3 October 2017**

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**Appl. Type** Full Planning Application  
**Site** THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX

**Reg. No.** 17-AP-1766  
**TP No.** TP/271-562  
**Ward** Surrey Docks  
**Officer** Michael Glasgow

**Recommendation** GRANT PERMISSION

## Item 7.1

**Proposal**

Redevelopment of the site to comprise a four storey building with commercial use (use class A1/A2) at ground floor and basement and 6 x 2 bed residential units (use class C3) on the first, second and third floors, with associated car and cycle parking.

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**Appl. Type** Full Planning Application  
**Site** GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5

**Reg. No.** 17-AP-1333  
**TP No.** TP/H1017  
**Ward** Camberwell Green  
**Officer** Amy Lester

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

## Item 7.2

**Proposal**

Construction of a 5-storey block adjoining Causton House and a 4-storey block located adjacent to Harford House to provide 6 x 1 bed, 6 x 2 bed and 5 x 3 bed residential units (17 units) together with associated landscaping

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**Appl. Type** Full Planning Application  
**Site** 4-10 BOMBAY STREET, LONDON, SE16 3UX

**Reg. No.** 17-AP-0296  
**TP No.** TP/181-4  
**Ward** South Bermondsey  
**Officer** Neil Loubser

**Recommendation** GRANT SUBJECT TO LEGAL AGREEMENT

## Item 7.3

**Proposal**

Demolition of existing buildings and erection of a part 6 part 7 storey mixed-use building with 416sqm of flexible commercial and employment floorspace at ground and first floor level (Use Classes A1, A2 and B1), 18 flats (6 x 1Bed, 8 x 2Bed & 4 x 3Bed) comprising 2 wheelchair accessible units in the upper floors and associated private amenity areas, landscaping, pedestrian access points, cycle parking and refuse storage.

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<b>Item No:</b> 7.	<b>Classification:</b> Open	<b>Date:</b> 3 October 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>		<b>Addendum</b> Late observations, consultation responses, and further information	
<b>Ward(s) or groups affected:</b>		Surrey Docks, Camberwell Green and South Bermondsey	
<b>From:</b>		Director of Planning	

## PURPOSE

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

## RECOMMENDATION

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

## FACTORS FOR CONSIDERATION

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

**Item 7.1 – Application 17/AP/1766 for: Full Planning Permission – THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX**

- 3.1 Paragraph 20 of the officer report makes reference to the fact that an application to list the public house as an Asset of Community Value (ACV) was previously unsuccessful. Further information has been sought to clarify the council's position at that time and the stated reason in refusing the application was as follows:

*“In the opinion of the Council the property is not of community value because the application has not demonstrated that the Asset’s current main use (or in the past) furthers the social wellbeing or social interests of the local community or why it is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social wellbeing or social interests of the local community (e.g. cultural, recreational or sporting).”*

**Item 7.2 – Application 17/AP/1333 for: Full Planning Permission – GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5**

**Amendment to recommended conditions**

- 3.2 Condition 4 – Contamination:  
Re-order to ‘Other’ condition section.
- 3.3 Condition 7 – Bird and Bat Bricks/Boxes:  
Amendment to trigger from pre-commencement to above grade.
- 3.4 Condition 9 – Tree Planting:

Amendment to trigger from pre-commencement to above grade.

3.5 Condition 13 – Japanese Knotweed:

Amendment to trigger from above grade to pre-commencement.

3.6 Condition 17 – Communal Satellite System:

Upon review it has been considered that this is not required and the control of equipment would be effectively controlled by way of condition 29.

3.7 Condition 19 – Accessible Dwellings:

Re-order to 'pre-commencement' condition section. Correction of unit standards to read:  
Access to and use of building standard M4(3a):  
North Block - Units G.03 and G.02

Access to and use of building standard M4(2):  
South Block - Units G.01, 1.01, 2.01, 2.02, 3.01, 3.02, 4.01 and 4.02  
North Block - Units 1.02, 2.03, 2.04, 2.05, 3.03, 3.04, 3.05

Reason :

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

3.8 Condition 23 – Electric vehicle Charging Points:

Clarification to the wording to refer to only the uplift in spaces, not the re-provision of the existing estate parking. New wording to be:

Before the first occupation of the building hereby approved, details of the installation (including location and type) of electric vehicle charger points for 20% of the new car parking spaces, a further 20% shall be designed as passive provision for electric vehicles in the future, shall be submitted to and approved in writing by the Local Planning Authority and the electric vehicle charger points shall be installed prior to occupation of the development and the development shall not be carried out otherwise in accordance with any such approval given.

Reason:

To encourage more sustainable travel in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 5.2 Transport Impacts of the Southwark Plan 2007.

**Additional Condition**

3.9 Car Club

Condition referred to in report, but omitted from recommendation. Wording to be  
Prior to occupation of the proposed units the developer shall submit to the Council for its approval details of an agreement with a Car Club Operator providing for three years free membership of the Car Club for every resident of the dwellings hereby approved meeting the Car Club operator's membership criteria. The housing hereby permitted shall not be occupied at all until the details of the agreement with the Car Club Operator have been approved in writing.

Reason:

To promote the use of sustainable transport methods in accordance with saved policy 5.1 locating developments of the Southwark Plan and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.



**Item 7.3 – Application 17/AP/0296 for: Full Planning Permission – 4-10 BOMBAY STREET, LONDON, SE16 3UX**

3.10 How was the viability modelled for this development?

The development appraisal was undertaken in line with the viability guidance documents which assesses the Residual Value of the development and compares to an agreed Benchmark figure – usually an Existing Use or Alternative Use Value (EUV/AUV). If the Residual Value exceeds the EUV/AUV then the scheme is 'viable' and can deliver the level of affordable in the appraisal. If the EUV/AUV exceeds the Residual Value then the scheme is non-viable and usually the level of affordable has to be reduced to an agreed level where the scheme can be delivered.

The simplified structure is illustrated below:

$$\begin{array}{r}
 \textbf{Gross Development Value (GDV)} \\
 \text{Minus} \\
 \textbf{Developer Costs (incl. Profit)} \\
 \text{Equals} \\
 \textbf{Residual Land Value (RLV)} \\
 \text{-----} \\
 \textbf{RLV} \\
 \text{Minus} \\
 \textbf{Existing Use Value (EUV) + Premium} \\
 \text{Equals} \\
 \textbf{Surplus/Deficit} \\
 \text{-----} \\
 \textbf{Surplus = Viable} \\
 \textbf{Deficit = Non-Viable}
 \end{array}$$

3.11 Why has rental income from the shared ownership units not been identified within the model?

The applicant responded as follow:

*The shared ownership values are generally benchmarked as a % of equivalent open market value of the unit(s). As a viability consultant I would not suggest to be qualified to value the shared ownership units attempting to reflect what a Housing Association would pay for the units. In viability where there is an offer from a Housing Association for the affordable units, then this represents the best evidence to include in the viability for affordable values. In lieu of this, however, the generally accepted methodology is to assume a % reduction on OMV. To attempt to calculate the offer a Housing Association may make will bring a whole new layer of uncertainty and assumptions into the calculation.*

*The position on shared ownership has been negotiated with the Council's expert consultants and agreed as a reasonable position. Indeed, GVA noted that we were up at the upper end of the range of values one could legitimately adopt for shared ownership units – clearly adopting a lower value worsens the viability position and reinforces the conclusions.*

3.12 Who will be managing the shared ownership units?

The Applicant is currently speaking with several housing associations regarding the potential management of the shared ownership units.

3.13 Analysis of affordable component of the proposed scheme:

Turner Mirum  
Rumsey Street

Viability Model: 55% Affordable (All Shared Ownership) Without Prejudice Viability Illustration

Tab 1

Unit Type	Tenure	Units	Plot	No. Units	Average sqm	Average m <sup>2</sup>	Total GCD	Total m <sup>2</sup>	\$ per sq ft	GCD Value	Total Value	Market	Affordable	Commercial
1 bed Flat	Private	1	4	3	998	90	1,078	100	8792	879,200	879,200			
2 bed Flat	Private	2	18	9	942	78	4,238	281	8838	883,800	1,767,600			
3 bed Flat	Private	3	18	4	998	87	3,748	343	8843	884,300	1,768,600			
<b>TOTAL MARKET HOUSING</b>				16	11	921	76	8,064	889	889,000	1,767,600	1,767,600		
1 bed Flat	Affordable Rent	1	0	0	0	0	0	0	85.00	85	85			
2 bed Flat	Affordable Rent	2	0	0	0	0	0	0	85.00	85	85			
<b>TOTAL AFFORDABLE RENT</b>				2	0	0	0	0	85.00	85	85			
1 bed Flat	Shared Ownership	1	8	4	946	82	2,338	203	8790.00	879,000	879,000			
2 bed Flat	Shared Ownership	2	9	3	896	88	2,688	184	8790.00	879,000	1,758,000			
<b>TOTAL SHARED OWNERSHIP</b>				7	7	921	85	5,026	8790.00	879,000	1,758,000			
<b>TOTAL AFFORDABLE UNITS</b>				9	7	921	85	5,026	8790.00	879,000	1,758,000			
Shared Garage	Flat	Private	1	3			8500	8500	9.2%	811,000				
Flat	Private	2	9	3			8500	85,700	9.2%	818,200				
Flat	Private	3	4	3			8500	85,800	9.2%	819,000				
<b>TOTAL RESIDENTIAL GCD</b>				16	18		18,300	1,738		1,649,200				
<b>Non Residential Element</b>							4,478	£ 13.00	7%	14.39	6396,875			6396,875
<b>TOTAL GROSS DEVELOPMENT VALUE</b>							17,778	1,853		1,663,575	1,663,575			1,663,575
<b>Less: Fees and marketing costs (market housing only) @</b>							0.48	1.33		3,000	(3,000)			
<b>Less: fees residential (incl. postage costs)</b>							0.48	1.33		3,000	(3,000)			
<b>Developer density (incl. per sq ft) (all secured)</b>										18.30				
<b>By sq ft per net area (all secured all units)</b>										12.88				
<b>Average market value per sq ft</b>										8800				
<b>Less: fees and marketing costs (market housing only) @</b>									3.00%	(5178,240)	(5178,240)			
<b>Less: affordable disposal costs (affordable housing only) @</b>									1.50%	(97,476)	(97,476)			
<b>Less: commercial transaction costs (commercial only) @</b>									1.00%	(521,983)	(521,983)			(521,983)
<b>Build Costs Market Rate (incl. external works, CDM Code 5) £ per sq ft @</b>							44.75	424.71		29,288	(29,288)			
<b>Construction Fees</b>										1.5%	(811,808)	(811,808)		
<b>Architects &amp; Planning</b>										1.5%	(811,808)	(811,808)		85.00
<b>Quantity Surveyor</b>										1.5%	(811,808)	(811,808)		85.00
<b>Programme</b>										1.5%	(811,808)	(811,808)		85.00
<b>Prog Management &amp; CD4</b>										1.5%	(811,808)	(811,808)		85.00
<b>Developer Profit on Market Housing</b>										30.0%	(1,179,800)	(1,179,800)		
<b>Developer Profit on Affordable Housing</b>										6.0%	(589,738)	(589,738)		
<b>Developer Profit on Commercial</b>										18.0%	(1,388,382)	(1,388,382)		
<b>GRAND TOTAL BEFORE ABNORMALS, GCD etc</b>										496,886	(496,886)			(496,886)
<b>Infrastructure and Abnormal Costs</b>										80	(80)			(80)
<b>ES&amp;M Costs</b>										48,000	(48,000)			(48,000)
<b>CD</b>										(288,000)	(288,000)			
<b>Construction Finance Costs (Cashflow - see tab 10)</b>										(238,713)	(238,713)			
<b>Residual Land Value</b>										(888,489)	(888,489)			
<b>BASE NPV POSITION</b>										6700,000	6700,000			
<b>Prevision</b>										1.5%	(811,808)	(811,808)		
<b>SOL7 @</b>										2.5%	(1,450,000)	(1,450,000)		
<b>Legal</b>										1.50%	(811,808)	(811,808)		
<b>Surplus / Deficit</b>											496,886			
<b>VARIABLE / NON-VARIABLE</b>											NON-VARIABLE			

Additional Conditions

3.14 Before any above grade work hereby authorised begins, details of security measures to secure the development shall be submitted and approved in writing by the Local Planning Authority and any such security measures shall be implemented prior to occupation in accordance with the approved details which shall seek to achieve the 'Secured by Design' accreditation award from the Metropolitan Police.

Reason:

In pursuance of the Local Planning Authority's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions and to improve community safety and crime prevention in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and conservation of The Core Strategy 2011 and Saved Policy 3.14 Designing out crime of the Southwark plan 2007.

3.15 Before the first occupation of the building hereby permitted a Service Management Plan detailing how all elements of the site are to be serviced has been submitted to and approved in writing by

the Local Planning Authority. The development shall be carried out in accordance with the approval given and shall remain for as long as the development is occupied.

Reason:

To ensure compliance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.2 Transport Impacts of the Southwark Plan 2007.

### **Pre-application enquiry**

- 3.16 A pre-application enquiry was submitted in advance of the planning application. The planning advice that was issued is attached below as Appendix A.

### **REASON FOR URGENCY**

4. Applications are required by statute to be considered as speedily as possible. The application has been publicised as being on the agenda for consideration at this meeting of the planning sub-committee and applicants and objectors have been invited to attend the meeting to make their views known. Deferral would delay the processing of the applications and would inconvenience all those who attend the meeting.

### **REASON FOR LATENESS**

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

### **BACKGROUND DOCUMENTS**

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

**APPENDIX A****Chief executive's department**

Planning division

Development management (5th floor - hub 2)  
PO Box 64529

LONDON SE1P 5LX

Mr Peter Smith

Stephen Davy Peter Smith Architects  
Fanshaw HouseFanshaw Street  
London

N1 6HX

**Your Ref:****Our Ref:** 16/EQ/0107**Contact:** Wing Lau**Telephone:** 020 7525 5729**E-Mail:** [planning.applications@southwark.gov.uk](mailto:planning.applications@southwark.gov.uk)**Web Site:** <http://www.southwark.gov.uk>**Date:** 10/06/2016

Dear Mr Smith

**TOWN & COUNTRY PLANNING ACT 1990 (as amended) PRE-APPLICATION ENQUIRY**

**At:** 4-10 BOMBAY STREET, LONDON, SE16 3UX

**Proposal:** Demolition of existing buildings and redevelopment of the site to provide a residential led mixed-use development in part 5 storey building part 6 storey, being the top floor set back. It comprises commercial and employment floorspace (flexible use class A1, A2, A3 and B1) to the ground floor, with a mix of residential units above, providing cycle parking and areas of shared and private amenity for residents

I write in connection with your pre-application enquiry received on 07/04/2016 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

I write in connection with your pre-application enquiry regarding a mixed-use scheme to redevelop the site above. This was received on 7th April and a meeting was held on 9th May 2016. I would like to apologise for the delay in response. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements.

**Planning Policy**

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

- Urban Density Zone
- Air Quality Management Area
- The Blue Local Town Centre

There are no heritage assets within the site boundary area and none in the wider context of the site.

**Other key material considerations**

The National Planning Policy Framework

**Land Use**

The site is 0.085ha and currently comprises 1 and 2 storey commercial properties (B1 use). The proposal would be to demolish the existing buildings and redevelop to provide commercial space (A1/A2/A3 and B1) on the ground floor (218sqm) and a total of 19 residential flats above.

The site located is not within a Preferred Industrial Location (PIL) where Industrial uses are both protected and encouraged (ref Southwark Plan (policy 1.2) 2007 and Core Strategy 2011 – SP10). The existing building contains B1/B8 use. There are a number of existing individual buildings on the site, but you state that some of these to the rear are currently vacant. There is no planning history on the site that confirms the lawful use.

The submitted plans indicate that there would not be like-for-like replacement floor space.

Saved policy 1.4 of the Southwark Plan 2007 states:

*Outside Preferred Industrial Locations and Preferred Office Locations, on sites which have an established B Class Use and which meet any of the following criteria:*

- i. The site fronts onto or has direct access to a classified road; or*
- ii. The site is in a Public Transport Accessibility Zone; or*
- iii. The site is within the Central Activities Zone; or*
- iv. The site is within a Strategic Cultural Area.*

*Development will be permitted provided that the proposal would not result in a net loss of floorspace in Class B use. An exception to this may be made to this where:*

- a. *The applicant can demonstrate that convincing attempts to dispose of the premises, either for continued B Class use, or for mixed uses involving B Class, including redevelopment, over a period of 24 months, have been unsuccessful; or*
- b. *The site or buildings would be unsuitable for re-use or redevelopment for B Class use or mixed uses including B Class use, having regard to physical or environmental constraints; or*
- c. *The site is located within a town or local centre, in which case in accordance with policy 1.7, suitable Class A or other town centre uses will be permitted in place of Class B uses. Where an increase in floorspace is proposed, the additional floor space may be used for suitable mixed or residential use.*

*On employment sites outside the POLs and PILs and where criteria i-iv above do not apply, a change of use from an employment use to suitable mixed or residential uses will be permitted.*

Following the adoption of the core strategy in April 2011 Town and Local centres have been added to the list of criteria in points i - iv.

You have not supplied existing floor plans of the buildings and there is no information to indicate the existing floor space. However, it is unlikely the 218sqm would provide the like-for-like replacement floor space. I have not been on site so I cannot confirm whether those buildings are actually vacant and the current physical condition that they are in. As such, the applicant should provide accurate survey plans and consider increasing the level of commercial floor space on the site.

An 'A' class use on the site would also be acceptable as part of the site is within the Blue Local Town Centre. A3 class uses would however need to be designed so that it does not affect the amenity of the residents above.

The principle of providing residential use above the commercial would be acceptable, but the existing industrial use and commercial uses in the railway arches may impact on the residential flats and this discussed further below.

### **Access and site layout**

The access to the site from Bombay Street is considered acceptable. The site has a very irregular shaped footprint due to the number of buildings on the site and it being adjacent to the railway arches. The railway arches are currently occupied and the applicant is in discussion with Network Rail regarding its future use. The railway arches are not within the site boundary however, so Officers have assessed this application based on the fact that the existing occupiers and uses would remain. The vehicular access is to be retained for the use of the railway arches and this is considered acceptable. However, it is not clear what type of vehicles are typical for these arches and no swept paths have been provided to demonstrate large vehicles can still use this. The access to the rear allows only limited outdoor space for the railway arch units and it is not clear whether the development would affect the use of the arches by being so close. The proposed development of the site should not prejudice the existing users within the arches.

Pedestrian access is also proposed along the rear which provides secondary access to the commercial unit and a commercial bin store. This would need to be well designed to ensure there are no highway safety issues. Safety and security for the occupants along this No-through route should also be considered.

The proposed development would also have an irregular shaped footprint with the main commercial and residential entrance from Bombay Street which is acceptable. The building is set back from the adjoining buildings 257 - 267 Southwark Park Road and allows for a communal amenity space and communal cycle store to be provided. A secondary gate/entrance is proposed from Bombay Street which gives access to this amenity space and the flats. This could be accepted, but Officers would require further details on the appearance of this secondary entrance on the street and to ensure that it does not take away the importance of the main residential entrance. The set back of the development from the rear of 257-267 Southwark Park Road would allow for approximately 12m of separation. The submitted floor plans do not indicate the location of windows or provide detailed floor layout, but it has been shown that the main outlook/aspect from these flats would be to Bombay Street to the west, to the arches in the north and to the east. This ensures adequate privacy from the rear of 257-267 Southwark Park Road and is acceptable. However, the aspect out to the east would overlook an existing industrial/warehouse building immediately outside of the site boundary. Officers have not been on site and cannot confirm the existing height and use of this existing building, but there is the possibility for potential development of the adjoining site to the east. Any outlook from the proposed residential flats to the east would need to be designed so it does not prejudice future development of the adjoining sites.

At the meeting, you tabled plans for a potential redevelopment of the adjoining site which runs across the railway arches to the east and the row of buildings at 279 - 289 Southwark Park Road. You mentioned that the acquisition of the adjoining land is still in discussion and is therefore not included within this pre-application enquiry. Officers would encourage the two sites to be redeveloped comprehensively, but at present there is no firm plan to do so. As such, Officers can only comment on what has been formally submitted and the applicant is required to design the flats to have adequate outlook and not prejudice the future development of the adjoining site.

The commercial use is proposed on the ground floor with residential from the first floor and above, which provides an appropriate active frontage. However, as discussed in the design section of this letter, more could be done to make the base of the building more prominent.

### **Scale, height and massing**

Plans submitted at this stage are indicative and true elevational drawings have not yet been submitted. The proposed height and massing at 6 storeys on the Bombay Street frontage and stepping down to 5 storeys to the east is considered appropriate. It is noted that more recently built schemes for residential flats are close to the site such as No. 27 Blue Anchor Lane and No. 13 Bombay Street, which are 6 - 7 storeys.

### **Detailed design**

The submission did not include any architectural detail with only massing and capacity studies. The style is however, to be contemporary and may be acceptable provided it is of the highest design quality. The images shown indicate that an overhang goes over the ground floor, with some modulation on the elevations and the use of balconies to provide visual interest.

It is considered that the ground floor should be given greater prominence and this may require increasing the height of this floor. Officers consider that additional commercial floor space should be provided at first floor level or through the creation of a mezzanine level which would provide that extra height and the replacement commercial floorspace as required by policy. The first floor residential flats as currently proposed directly face the railway arches which are less than 5 metres away and there are concerns with the noise and disturbance from the adjoining uses. The introduction of commercial use on the first floor/mezzanine level on Bombay Street and facing the rear arches would then alleviate these concerns.

Further details and elevations to show the northern elevation (facing the railway viaduct) should be provided at formal application stage and this elevation should be of high design quality as it is highly visible when approaching by train.

Given that there would not be any outlook (hence windows) on the south elevation, this needs to be designed to provide good visual interest as it is visible from Southwark Park Road. The images currently indicate modulation and some articulation, but without further details Officers cannot provide a full assessment.

The applicant indicated that brick and metal cladding would be used and this is considered acceptable provided it responds well to the surrounding context.

### **Density**

The proposal is estimated to have a density of 612 habitable rooms per hectare, but it does not include the commercial floor space. Officers have calculated this to be 705HR/Ha, which only marginally exceeds the maximum density in the Urban Zone.

The proposed density is acceptable, subject to the quality of design. Density per se is not the sole determining factor however, and it is expected that developments achieve high standard of design, meeting minimum internal space standards as well as providing an acceptable standard of daylight and sunlight, privacy, good outlook and amenity space.

### **Housing Mix**

The proposed dwelling mix would include 9 x 1 bed units (47%), 6 x 2 bed units (32%) and 4 x 3 bed units (21%). The combined total of the two and three bed units would need to meet the minimum requirement of 60% as set out under Core Strategy Policy 7. There is a requirement to provide a minimum of 20% of 3 or more bedroom units (considered family sized) in this location and this is met. The applicant would need to look at increasing the number of 2 or 3 bed units on the site to be policy compliant.

## **Housing tenure**

There is no detailed information on the tenure mix and the applicant indicated that this is subject to viability appraisal. It is expected that the development complies with the affordable housing requirements as set out in Core Strategy Policy 6, which is a minimum of 35% on site. Saved Policy 4.4 of the Southwark Plan also requires new affordable housing to be split 30:70 between social rented and intermediate (shared ownership). The applicant should be aware that the Council's Viability SPD was adopted in March 2016 and it is advised that viability appraisals should be provided at pre-application and application stages.

## **Housing Quality**

The submission only provides indicative floor plans and does not give details of all doors and windows. The main aspect and outlook of the units have been presented on the plans. Most of the flats would have dual aspect with the exception of the central north facing flats. Those single aspect flats would have deep rooms and may not comply with the daylight levels and this should be reconsidered along with the submission of daylight and sunlight assessments.

Due to the proximity of the railway viaduct, noise and air quality would also be an issue and the layout of these flats would need to be carefully designed with mitigation measures in place. The balconies being close to the arches and the railway line would not be attractive or provide good quality private amenity space. The balcony to the north western part of the site also appears to be very close to the entrance of the vehicular access and concerns are raised regarding its usability and whether large vehicles would impact on this.

It is also likely that there would be plant associated with commercial uses on site. As such, any application should be accompanied by a noise and vibration assessment to demonstrate that any harmful amenity impacts to future residents can be appropriately mitigated including sound insulation, design of windows and proposed ventilation. Plant noise and vibration should be designed to avoid both creep and potential disturbance to both existing residents and new occupants. An assessment of current background noise should be undertaken to influence design and mitigation. Residential units will need to be sound insulated from the proposed commercial use at ground floor. Any required mitigation should be incorporated into the design of the scheme.

There is a need to provide a minimum of 10% of wheelchair accessible units. All affordable wheelchair units should be designed to meet the South East London Housing Partnership Wheelchair Housing Design Guide space standards. Technical Guidance on these standards is set out in the Technical Update to the Residential Design Standards SPD on the Council's website dated October 2015.

[http://www.southwark.gov.uk/downloads/download/2257/residential\\_design\\_standards\\_spd](http://www.southwark.gov.uk/downloads/download/2257/residential_design_standards_spd)

There should also be 2 lifts to serve wheelchair units.

You should be aware that dwellings should be designed to have integral bulk storage facilities and should have a mix of open plan living-kitchen-diners and units with separate kitchen diners to offer choice to potential occupiers. Any three bed affordable dwellings should be designed to have separate kitchens in accordance with guidance in the 2015 Technical update to the Residential Design Standards SPD (2011).

Each dwelling should have sufficient private amenity space in accordance with the 2015 Technical update to the Residential Design Standards SPD 2011. Most of the units appear to have private amenity space with balconies, but these need to meet the minimum balcony sizes. The internal courtyard and roof terrace would need to be designed well to provide an attractive communal area and adequately screened to avoid overlooking into neighbouring sites.

There is a requirement for child playspace within the development and as a minimum there should be child play space (door-step) for the 0-5 year age group and this should be in addition to any communal amenity space. The proposed amount of playspace to be delivered needs to be in accordance to the Mayors Play and Informal Recreation SPG.

## **Amenity impacts**

The footprint and location of the proposed building would reduce any visual impact on the neighbouring properties on Southwark Park Road. No detailed elevational drawings or section drawings have been submitted and Officers can only provide limited assessment. A daylight, sunlight and overshadowing study should be carried out at the earliest opportunity allowing time for discussions with the local authority to address any issues in advance of a formal application.



## **Transport and servicing issues**

### Car parking

The proposal would provide be a car-free scheme, which may be acceptable subject to further assessment on parking. The site is within a PTAL rating of 4, which is considered to be medium in terms of its accessibility to public transport. Bombay Street sits just outside the Controlled Parking Zone (CPZ) and parking stress is very high. The applicant would need to provide a parking survey to show that the number of vehicles generated by the development (using census car ownership data) could be accommodated on-street in that area and still retain existing residents parking amenity. Until this is undertaken, Officers cannot confirm whether a car-free scheme is acceptable.

Furthermore, Southwark's standard is that there should be 1 No. disabled parking bay on-site for each wheelchair unit. The absence of such parking would need to be robustly justified.

### Cycle parking

The submitted proposal would provide 30 residential cycle parking spaces in a covered store in the communal courtyard, which equates to at least 1 cycle space per 1 bed unit and 2 spaces for all other dwellings which is acceptable. There should also be a separate cycle parking area for the commercial element.

Refuse store for the commercial element is proposed in the north eastern corner and is some distance from Bombay Street, which may be inconvenient for refuse collectors. A servicing strategy and tracking drawings will need to be provided with any submission detailing what provision will be made to ensure servicing would be safe and would not have harmful impacts on either vehicle or pedestrian safety. The servicing strategy should include the predicted number of vehicles to and from the site and the nature of those vehicles. As noted above, the servicing strategy should indicate how the arches would be serviced once the development is in place. The document should be prepared in accordance with Transport for London document "London Freight distribution plan: A Plan for London" and "Managing Freight Effectively: Delivering and Servicing Plans".

### Construction Management

We recommend that applicant consider how construction on this constrained site would be managed with minimal impact on the surrounding area. Should the construction of a development require the occupation or closure of the carriageway or footway; involve a high volume of construction related vehicle trips; or any other significant impact on the highway network then a Construction Management Plan will be required prior to any demolition or construction works on site. Detailed information on producing these plans can be found at:

[www.tfl.gov.uk/microsites/freight/initiatives\\_and\\_projects.aspx](http://www.tfl.gov.uk/microsites/freight/initiatives_and_projects.aspx)

## **Sustainable development implications**

### Energy

The information submitted does not provide information on how the scheme would comply with London Plan Policy 5.2. The policy requires a reduction in carbon emissions of 35% below Part L 2013 target. The applicant should note that from 1<sup>st</sup> October 2016 the development is expected to be zero-carbon.

A detailed energy assessment, to demonstrate how the targets for carbon dioxide emissions reduction outlined are to be met within the framework of the energy hierarchy, should be provided.

Major developments must also achieve a reduction in carbon dioxide of 20% from using on-site or local low and zero carbon sources of energy.

The development should also include meaningful areas of green living roofs and sustainability measures in the design, to ensure the development contributes positively to the environment and biodiversity.

### BREEAM

No information has been provided on the BREEAM rating, but you should be aware that the Council will seek a rating of 'Excellent' for the non-residential component.

### Air Quality

The site is in an Air Quality Management Area and potential air quality impacts may arise as a result of demolition and construction impacting on nearby sensitive receptors. Details of appropriate mitigation should be

provided with any formal application to demonstrate that the effects of demolition/construction on air quality would not be significant and would be in accordance with the Mayors guidance.

#### Ground contamination

Based on the sites historic uses there is a risk of exposure to potential contaminants during construction and in the completed development to construction workers, future occupiers, ground water and surface water. For these reasons a full land contamination exploration and assessment will be required.

#### Flood risk

The site is situated in Flood Risk Zone 3. A Flood Risk Assessment should be provided any formal submission.

#### **Community Infrastructure Levy**

This development would be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. The chargeable rate for Southwark is £35 per square metre under MCIL and £50 per square metre for residential floorspace for SCIL(both subject to indexation). It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site.

The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

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

The submission fails to fully account for policy compliant planning obligations in accordance with the Planning Obligations SPD. Planning obligations may be required to offset the negative impacts of any development on the site. Draft heads of terms may be required and should be submitted in accordance with the S106 SPD as part of any formal application and are required for the purposes of validation.

#### **Conclusion**

The proposed mixed development is considered acceptable in land use terms, but the commercial floor space should be increased to provide like-for-like replacement. The commercial element could be introduced at first floor/mezzanine level which would also help to make this ground floor more prominent and active. Concerns are raised on the residential flats being so close to the railway arches which could lead to undue noise and disturbance to the future occupants. This sensitive use may lead to the arches being unviable. Information on servicing and delivery for the development and the existing arches would be required.

The housing mix should be amended to increase the number of 2 or more bedroom units. The development should deliver the minimum level of affordable housing and this is currently not confirmed.

The scale and massing of the building is broadly acceptable subject to detailed design and good quality materials. The main residential entrance should be designed to be more welcoming and given greater prominence.

The building being set back from the adjoining buildings on Southwark Park Road is considered acceptable, but section drawings are required to demonstrate there is no significant impact on neighbours. The outlook to the east should also be re-considered as this may prejudice the future development of the adjoining site.

More detailed floor plan drawings are required for a more informed assessment of the quality of accommodation. The location of the balconies is questioned given its proximity to the vehicular access entrance and the adjoining railway arches. A robust parking survey and transport assessment would be required to demonstrate a car-free scheme would not impact on the local highway network.

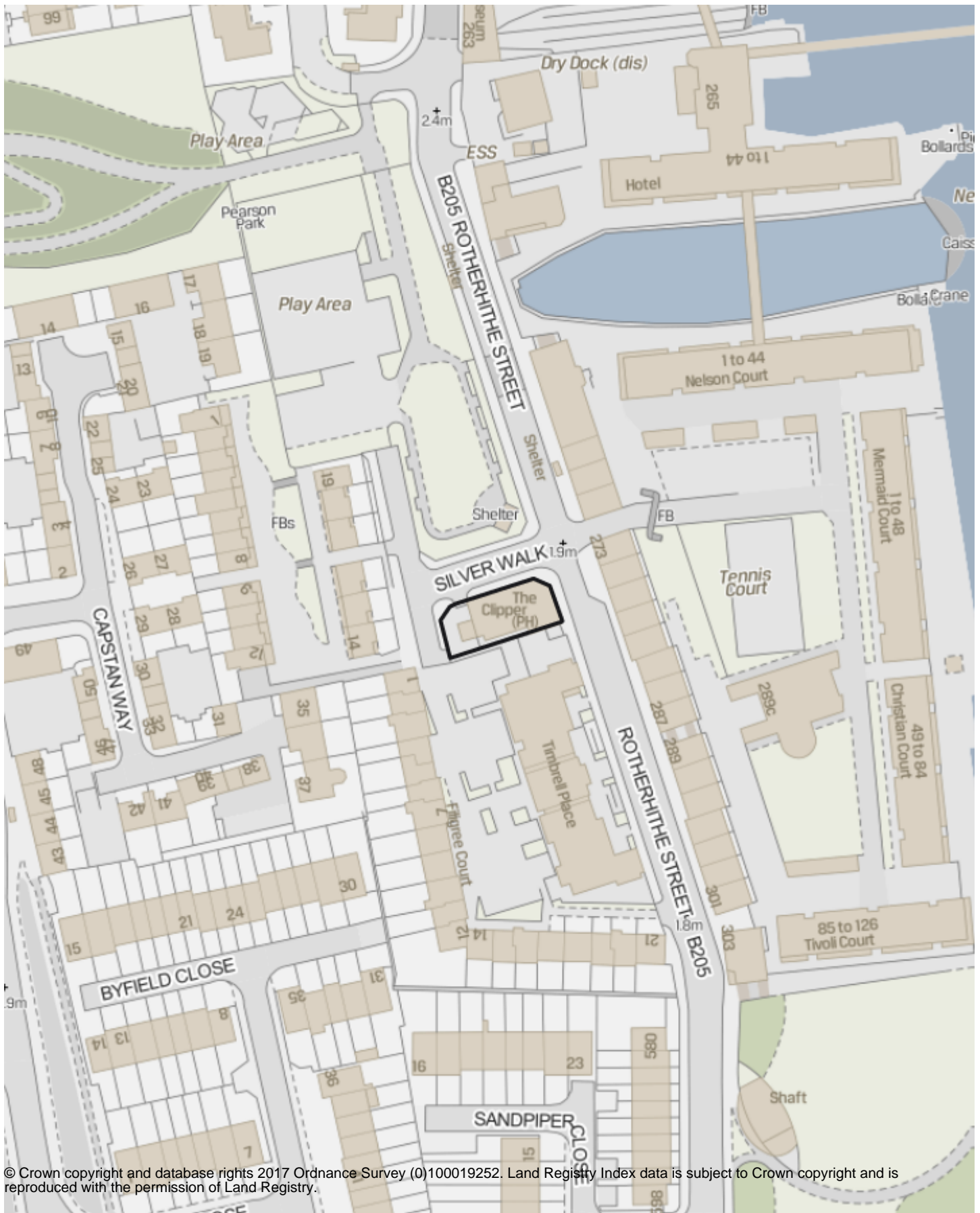
For the above reasons the proposal would not be supported in its current form were it to be submitted as a planning application.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

*Simon Bevan*  
Director of Planning



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<b>Item No.</b> 7.1	<b>Classification:</b> OPEN	<b>Date:</b> 3 October 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/1766 for: Full Planning Application  <b>Address:</b> THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX  <b>Proposal:</b> Redevelopment of the site to comprise a four storey building with commercial use (use class A1/A2) at ground floor and basement and 6 x 2 bed residential units on the first, second and third floors, with associated car and cycle parking.		
<b>Ward(s) or groups affected:</b>	Surrey Docks		
<b>From:</b>	DIRECTOR OF PLANNING		
<b>Application Start Date</b> 24/05/2017		<b>Application Expiry Date</b> 19/07/2017	
<b>Earliest Decision Date</b> 30/06/2017			

## RECOMMENDATION

1. That planning permission is granted subject to conditions.

## BACKGROUND INFORMATION

### Site location and description

2. The site comprises an existing two storey public house building, formerly known as the Clipper. The property is currently empty and prior approval has been granted for its demolition. It is located at the corner of Rotherhithe Street (B205) at its junction with Silver Walk.
3. The site is located within a predominantly residential area. Timbrell Place, a four storey building comprising flats, is located directly to the south of the site. Existing residential properties are also located to the east and west, on the opposite sides of Patina Walk and Rotherhithe Street, along with further residential properties within Filigree Court to the south west. A public recreation area is located to the north of the site, on the opposite side of Silver Walk.
4. The site is located within the Suburban Density Zone, Air Quality Management Area, Archaeological Priority Zone and Canada Water Action Area. It is not within a Conservation Area.

### Details of proposal

5. The application proposes the demolition of the existing building and the redevelopment of the site to provide a four storey building comprising a commercial unit of 238sqm at ground floor and basement level with six two-bedroomed flats above. It is proposed that the commercial unit be consented as flexible space capable of operating either as a shop (use class A1) or financial/professional service (use

class A2). The proposal includes a hard and soft landscaping scheme, including the provision of two car parking spaces to the rear of the site to be accessed from Patina Walk, and separate cycle storage for future residential and retail occupiers.

6. In comparison to the previously withdrawn application, this revised proposal has stepped the proposed building in from the southern boundary of the site above first floor level by a further 2m in order to reduce the impacts on outlook and daylight for residents at Timbrell Place. The design and appearance of the proposed building has also been amended, including the detailed design of the elevations and use of materials.
7. **Planning history**

86/AP/9125 Application type: Full Planning Application (FUL) - Proposed external works forming covered terrace and alterations to bars. (Old LDDC file ref; S/86/125)  
Decision date 19/02/1987 Decision: Granted (GRA)

01/AP/3025 Application type: Prior Approval (PRAP) - Prior approval application for the installation of antennae to each side of chimney and feeder cable route to side of building. (Old file ref; 0130025) Decision date 12/07/2001 Decision: Prior Approval not required (PANR)

14/EQ/0182 Application type: Pre-Application Enquiry (ENQ) - Demolition of former public house and erection of a mixed use building comprising retail unit and 6 flat (revised scheme following the withdrawal of previous planning application)  
Decision date 03/10/2014 Decision: Pre-application enquiry closed (EQC)

14/AP/4337 Application type: Full Planning Application (FUL) - Demolition of existing building and the erection of replacement four storey building comprising a retail unit (Use Class A1) at ground floor and basement level and 6 flats on first, second and third floors, associated car parking and amenity area.

Decision date 02/07/2015 Decision: Refused (REF)

Appeal decision date: 15/03/2016 Appeal decision: Planning appeal dismissed (DIS).

Reason(s) for refusal:

*The proposed development, by reason of the height and width of the replacement building representing a significant increase in massing in relation to the existing building, coupled with the separation distance to the adjacent flats within Timbrell Place, would result in a significant loss of day light and be overbearing in appearance for the occupiers of these adjacent properties. The resulting harmful impacts upon neighbours' living conditions is contrary to saved policies 3.2 and 3.13 of the Southwark Plan 2007, Strategic Policies 12 and 13(8) of the Southwark Core Strategy, policy 7.6 of the London Plan 2015, Section 7 of the National Planning Policy Framework 2012 and the Southwark Residential Design Standards 2011.*

*The loss of the existing public house would amount to the loss of a valued community facility, contrary to Policy 3.1 of the London Plan 2015 and paragraph 70 of the National Planning Policy Framework 2012.*

*The proposed redevelopment of the site would result in the loss of a non-designated heritage asset which is of value to the surrounding townscape and the replacement building would not be of such quality to outweigh the harm resulting. The application is therefore contrary to paragraphs 128 to 135 of the National Planning Policy Framework 2012, Strategic Policy 12 of the Southwark Core Strategy 2011 and*

*policies 7.4 and 7.8 of the London Plan 2015.*

Appeal:

The application was subsequently dismissed at appeal, however the Inspector only agreed with the Council in regards to the impact on outlook from the 3 duplex flats occupying the upper storeys of Timbrell Place and the daylight/sunlight impacts to two ground floor properties and a single first floor property at Timbrell Place. The Inspector did not agree with the reasons for refusal in regards to the loss of the pub and loss of the heritage asset.

16/EN/0320 Enforcement type: Unauthorised building works (UBW) - Demolition of public house. Sign-off date 19/07/2016 Sign-off reason: Final closure - no breach of control (FCNB)

16/AP/3406

Demolition of the existing pub building and construction of a 4 storey building (plus basement) comprising 1x A1/A2/A3 unit at ground and basement levels and 6x 2 bedroom residential units over the upper three storeys.

Decision date: November 2016 Decision: Application withdrawn prior to determination

17/AP/0396 Application type: Prior Approval (PRAP) - Demolition of vacant public house The Clipper (Use Class A4) to facilitate redevelopment

Decision date 02/03/2017 Decision: Prior Approval Required - Approved (PARA)

17/EQ/0082 Application type: Pre-Application Enquiry (ENQ)

Redevelopment of the site to provide a 4 storey building comprising 1x Class Use A1/A2/ A3 unit at ground floor and 6 residential units above.

Decision date 18/04/2017 Decision: Pre-application enquiry closed (EQC)

**Planning history of adjoining sites**

8. No relevant planning history

**KEY ISSUES FOR CONSIDERATION**

**Summary of main issues**

9. The main issues to be considered in respect of this application are:
- a) The acceptability in principle of the loss of the existing public house (A4) use and its replacement with a mixed use development of retail and residential.
  - b) The impacts upon the living conditions of neighbouring residential properties, including daylight impacts.
  - c) The design of the proposed building and its impact upon the character and visual amenities of the area, including trees surrounding the site.
  - d) Transportation and highway implications.
  - e) The overall sustainability of the proposals.
  - f) Any other material considerations.

## Planning policy

10. National Planning Policy Framework (the Framework)  
 Section 1. Building a strong, competitive economy  
 Section 4. Promoting sustainable transport  
 Section 6. Delivering a wide choice of high quality homes  
 Section 7. Requiring good design

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

11. The London Plan 2016  
 Policy 3.1 - Ensuring equal life chances for all  
 Policy 3.3 - Increasing Housing Supply  
 Policy 3.4 - Optimising Housing Potential  
 Policy 3.5 - Quality and Design of Housing Developments  
 Policy 3.8 - Housing Choice  
 Policy 3.9 - Mixed And Balanced Communities  
 Policy 3.16 - Social Infrastructure  
 Policy 4.7 - Retail and Town Centre Development  
 Policy 4.8 - Supporting a Successful and Diverse Retail Sector and Related Facilities and Services  
 Policy 4.12 - Improving Opportunities For All  
 Policy 5.3 - Sustainable Design and Construction  
 Policy 6.9 - Cycling  
 Policy 6.10 - Walking  
 Policy 7.1 - Lifetime Neighbourhoods  
 Policy 7.2 - An inclusive environment  
 Policy 7.4 - Local Character  
 Policy 7.6 - Architecture
12. Core Strategy 2011  
 Strategic Targets Policy 1 - Achieving growth  
 Strategic Targets Policy 2 - Improving places  
 Strategic Policy 1 - Sustainable development  
 Strategic Policy 2 - Sustainable transport  
 Strategic Policy 3 - Shopping, leisure and entertainment  
 Strategic Policy 5 - Providing new homes  
 Strategic Policy 7 - Family homes  
 Strategic Policy 10 - Jobs and business  
 Strategic Policy 11 - Open spaces and wildlife  
 Strategic Policy 12 - Design and conservation  
 Strategic Policy 13 - High environmental standards
13. Southwark Plan 2007 - saved policies  
 Policy 1.10 - Small scale shops and services  
 Policy 2.1 - Enhancement of community facilities  
 Policy 3.1 - Environmental effects  
 Policy 3.2 - Protection of amenity  
 Policy 3.4 - Energy efficiency  
 Policy 3.6 - Air quality



Policy 3.11 - Efficient use of land  
 Policy 3.12 - Quality in design  
 Policy 3.13 - Urban design  
 Policy 3.14 - Designing out crime  
 Policy 3.19 - Archaeology  
 Policy 3.28 - Biodiversity  
 Policy 4.2 - Quality of residential accommodation  
 Policy 5.1 - Locating developments  
 Policy 5.2 - Transport impacts  
 Policy 5.3 - Walking and cycling  
 Policy 5.6 - Car parking

14. New Southwark Plan - Preferred Option (October 2015)  
 DM34 - Pubs
15. Canada Water Area Action Plan 2015  
 Policy 4 - Small scale shops, restaurants and cafes outside the town centre  
 Policy 21 - New homes  
 Policy 24 - Density of developments

### **Consultation responses**

16. 13 comments have been received through the public consultation: 9 objections, 3 offering support and a single comment querying the likelihood of the commercial unit being converted to residential accommodation at later date.
17. The objections raised include:
- Concerns about the overbearing presence of the building;
  - Proposal is too tall at 4 storeys and represents an over-development of the site;
  - Perceived failure to address the previous reasons for the dismissed appeal (impacts on outlook and daylight at Timbrell Place);
  - Concerns about the accuracy of the daylight assessment and the potential impacts at Timbrell Place;
  - Impacts on privacy of residents at Timbrell Place;
  - Potential vehicular/pedestrian conflict at entrance to Filigree Court, Patina Walk;
  - Insufficient car parking and potential for congestion;
  - Potential impact on trees on Silver Walk;
  - The need for excavation to form the basement and the potential impacts on the foundations of nearby buildings;
  - Disruption during construction;
  - Increased overlooking/enclosure of the neighbouring park.
18. The comments in support of the application include:
- That the public house is increasingly dilapidated and the provision of new homes welcome;
  - That the new commercial unit would be welcome given the lack of local amenities;
  - That potential impacts on daylight/outlook are over-estimated given that the mature trees between the proposed building and Timbrell Place will be retained.

### **Principle of development**

19. The principle of development has been largely established through the planning history of the site. Though a previous application for the redevelopment of the public house was refused, at the subsequent appeal, the Planning Inspector determined that

the loss of the public house met the criteria outlined in Southwark Plan policy 1.10 and that the principle of its loss was acceptable. In addition, prior approval for the demolition of the public house was granted in March this year.

20. Emerging New Southwark Plan policy DM34 would confer additional protection to existing public houses unless more stringent criteria were met, including that it be demonstrated that the public house in question is no longer financially viable. The draft policy also notes that where a pub has been registered as an asset of community value this will be treated as a significant material consideration. The National Planning Policy Framework sets out that emerging policies can be given material weight in the decision making process depending on the stage of preparation, the levels of support/objection for the proposed policy and the consistency with the Framework. In this case, officers consider that the additional protection that this policy would provide to pubs is outweighed by the fact that the aforementioned prior approval means that the public house could be lawfully demolished at any point and that a previous application to have the public house listed as an Asset of Community Value was unsuccessful.
21. The introduction of new residential accommodation on the site is consistent with the prevailing character of the area and the retention of a small commercial (retail) use at ground floor level would provide some welcome animation at street level and a useful local facility. Both uses are supported by the Canada Water Area Action Plan and by guidance in the National Planning Policy Framework. The principle of development is therefore acceptable.

#### **Environmental impact assessment**

22. The nature and scale of the application does not warrant an environmental impact assessment, as per the criteria established in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

#### **Density of development**

23. The site is located in the suburban zone, in which the Core Strategy - and specifically the Canada Water Area Action Plan - state that densities of between 200 and 350 will be appropriate in order to protect local character.
24. The site is approximately 328sqm and - including the commercial floor space - the development would include 26.7 habitable rooms, equating to a density of 812 habitable rooms per hectare. Though well in excess of the upper density limit set out in policy, this is broadly consistent with earlier development proposals for the site.
25. Such a figure is indicative of an overdevelopment, but for small sites, density can often be misleading given that small changes in the amount of accommodation or site area can have a significant impact on the outcome of the calculation. A balance needs to be struck between making efficient use of land, respecting the character of the area and protecting the amenity of local residents. These issues are explored in greater detail below.

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

##### Outlook and privacy

26. One of the reasons for the previously dismissed appeal was the impact outlook on the three duplex units occupying the third and fourth floors at Timbrell Place. These three units are single aspect and directly face the application site.

27. The separation distance between Timbrell Place and the existing public house is approximately 8.8m and 11.8m. Though a boundary wall would be retained, the proposed building would step-away from Timbrell Place by between 1.4m and 2.2m at ground level. Though the second and third floor levels represent an increase in the height and massing of the building, when considered relative to the previously refused application, the building line is set-back from Timbrell Place by an additional 1.5m to 2.5m. A series of images have been presented to indicate the reduction in massing and the consequent changes in outlook from different vantage points at Timbrell Place.
28. It is also noted that the mature trees that just beyond the southern boundary of the application site will continue to provide some screening between the two sites, though more successfully during spring/summer months. It is recommended that a planning condition is included as part of any planning permission to ensure that measures are instigated to protect the root protection areas of these trees where they extend into the application site.
29. Although the upper storeys will undoubtedly appear in immediate views from existing properties at Timbrell Place, the increased set-back and slanted roof profile create a more slender building that will be less imposing than earlier iterations of the scheme. Officers are satisfied that these design changes, coupled with the protection of the existing trees, are sufficient to overcome previous concerns related to the impact on outlook. It is considered that the proposal would be consistent with Southwark Plan policy 3.2 in this regard.
30. The limited separation distance between the two buildings and single aspect nature of many of the Timbrell Place flats raises the potential for overlooking and inadequate amounts of privacy for existing and future occupiers. To address this, windows in the south elevation facing Timbrell Place will have opaque/obscure glazing and be fixed shut. A planning condition is recommended to this effect. This measure adequately addresses any concern about loss of privacy.

#### Daylight and sunlight

31. The reduction in daylight for residents at Timbrell Place formed a reason for refusal of the previous application. The impacts on the two ground floor units (Flats 6 and 7) and one of the first floor units (Flat 15) were cited by the Planning Inspector in dismissing the subsequent appeal.
32. The submitted daylight assessment considers the impacts on all of the residential properties around the perimeter of the Clipper site: Timbrell Place (564 Rotherhithe Street), 269-279 Rotherhithe Street, 1-3 Filigree Court and 14-16 Patina Road.
33. The impacts at Filigree Court, 269-279 Rotherhithe Street and 14-16 Patina Road have previously been assessed against the BRE guidelines and considered to be within acceptable parameters and this remains the case with the current, smaller iteration of the scheme.
34. 43 windows in the northern elevation of Timbrell Place, directly facing the Clipper, have been assessed using the Vertical Sky Component (VSC) test. Crudely, this test assesses the amount of skylight falling on the centre point of a window before and after a nearby development has taken place. The BRE advise that where the VSC value is reduced by more than 20% and the resulting level is lower than 27%, this will represent a noticeable impact to occupants.
35. The report states that only 2 windows experience reductions in excess of 20% - windows 63 and 70. Window 63 serves a first floor bedroom in Flat 14 and window 70

is one of three windows serving the ground floor living room of Flat 6, the other two windows experience reductions of 16% and 18%, both within the parameters described by the BRE as being acceptable.

36. The results of the VSC test shows almost total compliance with the BRE guidelines. Though two individual windows do experience slightly higher reductions of around 25%, this is not unusual in an urban environment. It is also important to note that the BRE guidance is very much a guide and that the results need to be considered in their context. It is not considered that these minor transgressions against the BRE guidelines are sufficient to warrant a refusal of planning permission.
37. With specific reference to the flats previously highlighted by the Inspector when dismissing the appeal in 2016, only window 70 (referenced above) would fail to meet the BRE guideline.
38. A further No Sky Line (daylight distribution) test was undertaken for the one room that failed to achieve the recommended VSC level. This showed a reduction in no sky line of 31-37% depending on whether the balcony above the window is included in the calculation. The applicant points to the fact that this is a bedroom, with less need for daylight compared to a living room or kitchen, which is a relevant consideration.
39. The results of the VSC test suggest that the reduction in the massing of the proposed development has satisfactorily addressed previous concerns raised about daylight impacts at Timbrell Place.

#### Impacts during construction

40. The proposal only represents a modest amount of development and it is considered that the potential disturbance that might arise during the construction process, such as noise, dust or highway safety concerns, can be adequately dealt with under existing environmental and highways legislation, respectively. The applicant is encouraged to contact the Highway Authority prior to implementing any planning permission and an informative is added to this effect.

#### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

41. The site is surrounded by residential uses that will not exert any influence on the site that would be harmful to the amenity of future occupiers.

#### **Design**

42. The proposal is for a 4 storey building that includes a series of steps to reduce the massing on the upper floors. The roof profile on the southern elevation is purposely sloped to reduce the bulk of the building at this level when viewed from Timbrell Place. The result is a development with a relatively slender profile - certainly relative to previous iterations of this development that have been refused or withdrawn - and a building that, in terms of height, is largely consistent with the surrounding area.
43. The architecture of the building imitates the wharf/warehouse typology that is characteristic of the Rotherhithe peninsula. The materials palette is restrained, comprising a yellow/stock brick with dark grey powder-coated aluminium window frames and balcony balustrades. The shopfront will similarly use aluminium frames, with each expanse of glazing broken down into a series of smaller windows to reflect the vertical rhythm of windows above. The design relies on brick detailing including recessed brick panels, inset windows, soldier courses to separate the individual floors and dogtooth cornices to provide interest and articulate the facade. Initial section

details have been provided to indicate that this detailing can be achieved and a more comprehensive set of detailed technical drawings at an appropriate scale should be secured via planning condition.

44. It is considered that the design makes an appropriate contextual response to the site and that subject to conditions relating to materials samples and the design details referenced above, is consistent with the urban design policies set out in the Core Strategy and saved Southwark Plan.

#### Quality of accommodation

45. Accommodation is arranged with two units per floor served by a central circulation core. This allows all units to achieve dual aspect without relying on an outlook to the south towards Timbrell Place. Units are generally stacked with repeating layouts, which will limit the potential for disruption in terms of noise transfer between the floors when units are occupied.
46. Each unit would have two bedrooms (4x 2B4P and 2x 2B3P), though the stepping in of the building at second and third floor level means that the two units on the corner of Rotherhithe Street can only accommodate a single sized bedroom as their second. All units would achieve the overall size standards set out in the Nationally Described Space Standards, including making appropriate provision for bulk storage, and individual rooms achieve the minimum standards set out in the Residential Design Standards SPD. All units would have level, step-free access to their threshold and it should be possible to achieve the M4(2) standard set out in Building Regulations, which is broadly equivalent to the former Lifetime Homes Standard.
47. Each flat would have access to an inset balcony of either 6 or 8sqm, which provides adequate private amenity space. A further 36sqm communal garden is proposed at ground level adjacent to the boundary with Timbrell Place, alongside other incidental planting and hard landscaping that contribute to the main residential access. Though the amount of communal amenity space falls short of the 50sqm set out in the residential design standards SPD, this is considered acceptable given the need to balance this provision other alongside car parking, cycle and refuse storage. The layout of the site is practical and sensible response to the context.

#### Archaeology

48. An archaeological desk-based assessment (DBA) has been provided, which concludes that the archaeological potential of the site is low based on available records and the results of investigations undertaken in the broader area. The council's archaeologist advises the archaeological potential of the site cannot be dismissed and is presently unknown. It is recommended that planning conditions are attached to the permission to allow for a suitable archaeological evaluation to be undertaken.

### **Transport issues**

#### Car parking

49. Plans indicate that two car parking spaces would be provided, with an access from Patina Walk. This is similar to previous proposals for the site, though the vehicular entrance has been move slightly further north away from Filigree Court. Though the Core Strategy and Southwark Plan make clear that car parking should be minimised, it is acknowledged that the site has relatively poor public transport accessibility (1b) and is not located within a Controlled Parking Zone. An absence of car parking could therefore lead to additional pressure on kerbside parking. The provision of two car parking spaces is considered a reasonable response. It is not considered that the

inclusion of two car parking spaces would generate a high number of vehicle movements such that highway safety would be compromised.

#### Cycle parking

50. Separate long-stay cycle parking storage areas are provided for residents and retail staff. In both cases, the quantity meets the requirements of London Plan policy 6.9 (12 for residents and 2 for staff). Storage combines horizontal Sheffield stands and double-stackers and fulfils the Southwark Plan requirements of being secure, convenient and weatherproof. On-street cycle storage is proposed for customers of the retail unit, though this would require separate approval from the Highways Authority.

#### Servicing

51. Six residential units and a small retail unit are only likely to generate very modest trip generation for servicing and this can be adequately dealt with at the kerbside. Separate refuse storage areas are proposed for the residential/commercial operations with stores sensibly located so that bins are within acceptable drag distances to the kerbside.

#### **Impact on trees**

52. Though there are no trees within the application site, a number of trees exist just beyond the southern boundary of the site, particularly the two prominent Norwegian Maple trees between the site and Timbrell Place. These trees provide important screening for residents and through their size and maturity have amenity value that warrants their protection. The root protection areas for these trees extends into the development site and it is recommended that a planning condition is included to secure appropriate protection measures during demolition/construction.

#### **Planning obligations (Section 106 undertaking or agreement) and Community Infrastructure Levy**

53. No specific planning obligations are required, though the retail and residential components of the development would attract both Mayoral and Southwark CIL. Mayoral CIL in Southwark is charged at £35 per sqm and Southwark's CIL is charged at £125 per sqm for retail use and £200 per sqm for residential use at this location, though all charges are index linked. The chargeable floorspace has been calculated based on the floorplans provided. Mayoral CIL equates to £33,486 and Southwark CIL to £143,966.

#### **Sustainable development implications**

##### Flood Risk

54. A flood risk assessment has been prepared that responds to the latest Environment Agency modelling. The Environment Agency (EA) note that the ground floor commercial unit would be deemed a 'less vulnerable' use, as per the existing situation, and that the finished floor levels of the residential accommodation will be above the modelled breach level in 2065. The EA raise no objections to the proposal. The design and access statement refers to the introduction of soft landscaping and permeable paving to reduce surface water runoff. Both measures are appropriate and can be considered in further detail as part of a landscaping condition.

### Contamination

55. The proposal utilises the existing basement and requires only limited amounts of piling and/or excavation. The council's environmental protection team are content to require only a condition that requires remediation in the event that contamination is discovered rather than a full survey and ground investigations at this stage.

### **Other matters**

56. Though Core Strategy Policy 13 establishes a target that commercial developments achieve a BREEAM "Excellent" accreditation, this would not be a feasible or proportional requirement to impose on a commercial unit of less than 250sqm. No condition is proposed to address this issue. It is however noted that the roof will host a number of photovoltaic panels to improve the sustainability credentials of the development and this is welcomed.
57. The potential for structural problems to arise due to the excavation of the basement has been raised by objectors. The proposal actually represents a reduction in the size of the basement relative to the existing situation and these issues would need to be further explored under separate consent regimes and processes, outside of the planning system.

### **Conclusion on planning issues**

58. The proposal includes an appropriate mix of land uses. The loss of the public house is considered acceptable in this instance and the provision of a small shop and new residential units is supported by the Development Plan. The reduction in the massing of the building and increased set-back from the northern facade of Timbrell Place reduce the impacts of this proposal on existing residents, to the extent that officers are satisfied that the proposal is consistent with saved Southwark Plan policy 3.2. Although the development exceeds the recommended density range for this location, the building height is consistent with neighbouring blocks, a sufficiently high quality of accommodation is created and, as described above, the impacts on local amenity are considered to be acceptable. As a result, it is recommended that planning permission is granted subject to appropriate conditions.

### **Community impact statement**

59. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

### **Consultations**

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

### **Consultation replies**

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

### Human rights implications

62. 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.
63. This application has the legitimate aim of providing details of the redevelopment of the former Clipper Public House to create a mixed-use development. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/271-562	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403
Application file: 17/AP/1766		Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a>
Southwark Local Development Framework and Development Plan Documents		Case officer telephone: 020 7525 5416
		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	Pre-Application response - 17/EQ/0082
Appendix 4	Recommendation

### AUDIT TRAIL

<b>Lead Officer</b>	Simon Bevan, Director of Planning	
<b>Report Author</b>	Michael Glasgow, Team Leader - Major Applications	
<b>Version</b>	Final	
<b>Dated</b>	20 September 2017	
<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 Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	21 September 2017	



# APPENDIX 1

## Consultation undertaken

**Site notice date:** 07/06/2017

**Press notice date:** n/a

**Case officer site visit date:** n/a

**Neighbour consultation letters sent:** 25/05/2017

### Internal services consulted:

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

### Statutory and non-statutory organisations consulted:

Environment Agency

### Neighbour and local groups consulted:

22 Russia Dock Road London SE16 5NL

Email X

By Email

176 Simms Road Bermondsey SE1 5QJ

11 Filigree Court London SE16 5HL

15 Filigree Court London SE16 5HL

By Eform X

20 Timbrell Place Rotherhithe Street SE16 5HU

19 Timbrell Place Rotherhithe Street SE16 5HU

22 Timbrell Place Rotherhithe Street SE16 5HU

21 Timbrell Place Rotherhithe Street SE16 5HU

16 Timbrell Place Rotherhithe Street SE16 5HU

15 Timbrell Place Rotherhithe Street SE16 5HU

18 Timbrell Place Rotherhithe Street SE16 5HU

17 Timbrell Place Rotherhithe Street SE16 5HU

28 Timbrell Place Rotherhithe Street SE16 5HU

27 Timbrell Place Rotherhithe Street SE16 5HU

29 Timbrell Place Rotherhithe Street SE16 5HU

24 Timbrell Place Rotherhithe Street SE16 5HU

23 Timbrell Place Rotherhithe Street SE16 5HU

26 Timbrell Place Rotherhithe Street SE16 5HU

25 Timbrell Place Rotherhithe Street SE16 5HU

3a Timbrell Place Rotherhithe Street SE16 5HU

3 Timbrell Place Rotherhithe Street SE16 5HU

5 Timbrell Place Rotherhithe Street SE16 5HU

4 Timbrell Place Rotherhithe Street SE16 5HU

1a Timbrell Place Rotherhithe Street SE16 5HU

1 Timbrell Place Rotherhithe Street SE16 5HU

2a Timbrell Place Rotherhithe Street SE16 5HU

2 Timbrell Place Rotherhithe Street SE16 5HU

11 Timbrell Place Rotherhithe Street SE16 5HU

10 Timbrell Place Rotherhithe Street SE16 5HU

14 Timbrell Place Rotherhithe Street SE16 5HU

12 Timbrell Place Rotherhithe Street SE16 5HU

7 Timbrell Place Rotherhithe Street SE16 5HU

6 Timbrell Place Rotherhithe Street SE16 5HU

9 Timbrell Place Rotherhithe Street SE16 5HU

8 Timbrell Place Rotherhithe Street SE16 5HU

5 Filigree Court London SE16 5HL

6 Filigree Court London SE16 5HL

18 Pattina Walk London SE16 5HT

19 Pattina Walk London SE16 5HT

285 Rotherhithe Street London SE16 5EY

287 Rotherhithe Street London SE16 5EY

277 Rotherhithe Street London SE16 5EY

279 Rotherhithe Street London SE16 5EY

Room 2 15 Pattina Walk SE16 5HT

Room 4 17 Pattina Walk SE16 5HT

Room 5 17 Pattina Walk SE16 5HT

Room 2 17 Pattina Walk SE16 5HT

Room 3 17 Pattina Walk SE16 5HT

Room 2 18 Pattina Walk SE16 5HT

Room 3 18 Pattina Walk SE16 5HT

Room 6 17 Pattina Walk SE16 5HT

Room 1 18 Pattina Walk SE16 5HT

Room 2 16 Pattina Walk SE16 5HT

Room 3 16 Pattina Walk SE16 5HT

Living Accommodation 562 Rotherhithe Street SE16 5EX

Room 1 16 Pattina Walk SE16 5HT

Room 6 16 Pattina Walk SE16 5HT

Room 1 17 Pattina Walk SE16 5HT

Room 4 16 Pattina Walk SE16 5HT

Room 5 16 Pattina Walk SE16 5HT

Room 2 14 Pattina Walk SE16 5HT

Room 3 14 Pattina Walk SE16 5HT

Room 6 19 Pattina Walk SE16 5HT

Room 1 14 Pattina Walk SE16 5HT

Room 6 14 Pattina Walk SE16 5HT

Room 1 15 Pattina Walk SE16 5HT

Room 4 14 Pattina Walk SE16 5HT

Room 5 14 Pattina Walk SE16 5HT

Room 6 18 Pattina Walk SE16 5HT

Room 1 19 Pattina Walk SE16 5HT

Room 4 18 Pattina Walk SE16 5HT

Room 5 18 Pattina Walk SE16 5HT

Room 4 19 Pattina Walk SE16 5HT

Room 5 19 Pattina Walk SE16 5HT

Room 2 19 Pattina Walk SE16 5HT

Room 3 19 Pattina Walk SE16 5HT

By Email X

3 Filigree Court London SE16 5HL  
 4 Filigree Court London SE16 5HL  
 16 Pattina Walk London SE16 5HT  
 17 Pattina Walk London SE16 5HT  
 14 Pattina Walk London SE16 5HT  
 15 Pattina Walk London SE16 5HT  
 Room 5 15 Pattina Walk SE16 5HT  
 Room 6 15 Pattina Walk SE16 5HT  
 Room 3 15 Pattina Walk SE16 5HT  
 Room 4 15 Pattina Walk SE16 5HT  
 1 Filigree Court London SE16 5HL  
 2 Filigree Court London SE16 5HL  
 281 Rotherhithe Street London SE16 5EY  
 283 Rotherhithe Street London SE16 5EY  
 277a Rotherhithe Street London SE16 5EY  
 279a Rotherhithe Street London SE16 5EY  
 273a Rotherhithe Street London SE16 5EY  
 275a Rotherhithe Street London SE16 5EY  
 285a Rotherhithe Street London SE16 5EY  
 287a Rotherhithe Street London SE16 5EY  
 281a Rotherhithe Street London SE16 5EY  
 283a Rotherhithe Street London SE16 5EY  
 273 Rotherhithe Street London SE16 5EY  
 275 Rotherhithe Street London SE16 5EY

9 Filigree Court SE16 5HL  
 232 Burrage Road London SE18 7JU  
 Email  
 Email  
 27 Timbrell Place London SE16 5HU  
 6 Timbrell Place London se16 5hu  
 14 Filigree Court London SE16 5HL  
 By Email  
 Email  
 By Eform X  
 Copenhagen Court London  
 13 Filigree Court London SE16 5HL  
 Timbrell Place 28 se16 5hu  
 1 Filigree Court London SE16 5HL  
 Timbrell Place London Se16 5hu  
 29 Timbrell Place Rotherhithe Street SE16 5HU  
 York House 45 Seymour Street W1H 7JX  
 232 Burrage Road London SE18 7JU  
 Timbrell Place London se16 5hu  
 11 Harwood Point 307 Rotherhithe Street SE16 5HD  
 7 Filigree Court London SE16 5HL  
 Timbrell Place London se16 5hu  
 4 Sovereign Crescent London SE16 5XH  
 Timbrell Place London se16 5hu

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

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

#### Statutory and non-statutory organisations

None

#### Neighbours and local groups

Timbrell Place London se16 5hu  
 Timbrell Place London se16 5hu  
 1 Filigree Court London SE16 5HL  
 1 Filigree Court London SE16 5HL  
 11 Harwood Point 307 Rotherhithe Street SE16 5HD  
 14 Filigree Court London SE16 5HL  
 2 Filigree Court London SE16 5HL  
 27 Timbrell Place London SE16 5HU  
 27 Timbrell Place Rotherhithe Street SE16 5HU  
 28 Timbrell Place Rotherhithe Street SE16 5HU  
 28 Timbrell Place Rotherhithe Street SE16 5HU  
 29 Timbrell Place Rotherhithe Street SE16 5HU  
 4 Sovereign Crescent London SE16 5XH  
 6 Timbrell Place London se16 5hu  
 7 Filigree Court London SE16 5HL  
 7 Filigree Court London SE16 5HL

**Chief executive's department**

Planning division  
 Development management (5th floor - hub 2)  
 PO Box 64529  
 LONDON SE1P 5LX

Ms Mairead Murphy  
 RPS CgMS  
 140 London Wall  
 London  
 EC2Y 5DN

**Your Ref:****Our Ref:** 17/EQ/0082**Contact:** Alex Cameron**Telephone:** 020 7525 5416**E-Mail:** alexander.cameron@southwark.gov.uk**Web Site:** <http://www.southwark.gov.uk>**Date:** 21/09/2017

Dear Ms M Murphy

**TOWN & COUNTRY PLANNING ACT 1990 (as amended)**  
**PRE-APPLICATION ENQUIRY**

**At:** THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX**Proposal:** Redevelopment of the site to provide a 4 storey building comprising 1x Class Use A1/ A2/ A3 unit at ground floor and 6 residential units above.

I write in connection with your pre-application enquiry received on 27/02/2017 regarding a scheme to redevelop the site above. This letter summarises the council's written advice on your proposal and whether, based on the details submitted, it meets local planning requirements

**Planning Policy**

The statutory development plan for the borough comprises The London Plan consolidated with further alterations (March 2016); The Canada Water Area Action Plan (November 2015); The Core Strategy (2011) and saved policies from the Southwark Plan (2007).

The site is located within the:

- g) Suburban Density Zone,
- h) Air Quality Management Area,
- i) Archaeological Priority Zone,
- j) Canada Water Action Area.

There are no heritage assets within the site boundary area and none within the wider setting of the building.

**Other key material considerations**

The National Planning Policy Framework

**Land Use**

The proposed land use principles have previously been accepted via the previous planning application and subsequent appeal decision. The demolition of the building - the Clipper Public House - has gained consent via the Prior Approval process (ref:17/AP/0396) and as such the principle of the demolition is also established.

**Amenity impacts**

The reasons for the appeal being dismissed for ref:14/AP/4337 related to the impacts of the development on daylight/sunlight and outlook from the adjacent residential units within Timbrell Place. Similar concerns were also raised in relation to the previous application (ref:16/AP/3406), which was subsequently withdrawn to allow

for additional revisions to the design to overcome the outlook concerns and to allow time for the preparation of an additional, more thorough, daylight and sunlight assessment.

In terms of the daylight and sunlight impacts, the submitted daylight assessment outlines that all main windows would pass the Vertical Sky Component (VSC) test, with the exception of one window (no.63 at 564 Rotherhithe Street), which would result in a reduction equivalent to 0.74 of the existing value, marginally below the recommended level of 0.8 outlined within the BRE guidance. The assessment proceeds to suggest that this window is hampered by the overhanging balcony above and that, in line with BRE guidance, if the test is repeated without the overhang, it would pass the relevant VSC test. Two other windows would fall under the recommended levels, however, these are angled windows within a projecting bay and the main window (directly adjacent to these affected windows) passes the relevant tests.

Whilst the above is noted, no Daylight Distribution test has been undertaken. Every effort should be made to establish the rooms layouts of the adjoining properties in order to undertake this study, in order to demonstrate that the scheme would not impact on any rooms within the adjoining properties beyond the BRE guidelines. This approach would be consistent with that outlined in the BRE guidance, see specifically *Figure 20* of the 2011 guidance.

The daylight/sunlight assessment should outline exactly what inputs have gone into the modelling presented in the report and clearly identify the methodology, not merely repeat the guidance. The report should include all 3D modelling so that the Council can be confident that the assessment relates to the current scheme. The report should also aim to outline more clearly which flats each of the windows assessed relate to.

In terms of outlook, sectional drawings and floor plans were provided in the meeting that indicated the proposed scheme relative to the previously refused and withdrawn schemes. These drawings indicated that the upper floors would be further recessed in order to reduce the impacts of the scheme on the outlook of existing neighbours. Officers are satisfied that the concerns regarding outlook from the adjoining properties would appear to have been sufficiently overcome.

No details of any plant machinery or extraction equipment are provided which would be required for the commercial use, these should be provided at application stage.

#### **Scale, height and massing and detailed design**

The proposed height and massing is generally considered appropriate and is largely consistent with the surrounding context. The revised massing further improves the overall massing of the building and relationship with the adjacent buildings, which are of a similar scale to the proposed development. The proposed design of the building reflects the predominant wharf building architecture along Rotherhithe Street and would also reflect the previous schemes, for which officers did not raise concerns in relation to design. As such no concerns are raised in relation to the overall design of the building.

#### **Density**

In the absence of a detailed accommodation schedule it has not been possible to establish the likely density range of the proposal. As the site is within the Suburban Zone, a density range of 200 to 350 habitable rooms per hectare is expected in accordance with Core Strategy Policy 5.

Maximum densities may be exceeded where developments achieve the highest standard of design, exceeding minimum internal space standards as well as providing an acceptable standard of daylight and sunlight, privacy, good outlook and amenity space. It is considered that the scheme does not exhibit the usual aspects of over-development and so in this respect the standard of design achieved would appear to be acceptable.

#### **Housing Quality**

In the absence of detailed accommodation layouts it has not been possible to assess the proposal against the internal space standards. However the overall unit sizes would appear to suggest that the quality of residential accommodation would be acceptable in terms of size, access to outdoor amenity space and being dual aspect.

#### **Trees**

The submission would be located close to a number of trees within the adjacent site. These provide a clear amenity value to residents and are highly visible from the street. A full arboricultural assessment and method statement should be provided with any future application, taking into account previous comments from officers.

#### **Transport and servicing issues**

##### Car parking

Plans indicate that 2x car parking spaces are provided, as per previous proposals for the site. The Core Strategy (Policy 2) and saved Southwark Plan (Policy 5.6) make clear that private car parking should be minimised. However, it is acknowledged that this site lies outside of a Controlled Parking Zone and has a poor PTAL level (1b) and that in such circumstances some on-site car parking is warranted. The inclusion of car parking should be justified through the design and access statement accompanying any future planning application with consideration given to the potential impacts on existing kerbside parking, but officers would suggest that this level of provision is likely to be acceptable.

#### Cycle parking

The submitted proposal would provide shows an area for bins and bike storage. These storage areas should be separated and have independent access arrangements. Residential cycle parking spaces should be provided for at least 1 cycle space per 1 bed unit and 2 spaces for all other dwellings to be in accordance with the London Plan (2016). No commercial cycle parking spaces are proposed, however this should be incorporated into any future scheme to be in accordance with the Table 6.3 of the London Plan (2016). The proposed cycle parking would need to be secure, convenient and weatherproof in accordance with policy. The preferred option would be for horizontal cycle parking such as 'Sheffield' stands and separate stores provided for the commercial and residential uses. Cycle storage should be provided at ground floor level.

Any proposal to introduce short-stay cycle parking for visitors on the footway would require separate consent from the council in its capacity as Highway Authority.

#### Servicing

The information provided indicates that servicing would take place from Rotherhithe Street and given the scale of the development it is considered that these servicing arrangements are acceptable.

### **Sustainable development implications**

#### Energy

Core Strategy Policy 13 advises that all commercial developments such as this should achieve at least BREEAM "excellent". It is recommended that a Pre-Assessment is submitted as part of any future planning application setting out whether this feasible and how this accreditation might be achieved.

At present, the development fails to include meaningful areas of green living roofs and sustainability measure into the design to ensure the development contributes positively to the environment and biodiversity. This should be considered with any future application.

#### Air Quality

No concerns raised in this regards.

#### Flood risk

The site is situated in Flood Risk Zone 3 and also within a critical drainage area. A Flood Risk Assessment should be provided with any formal submission, which investigates all sources of potential flooding and demonstrates that the proposal makes an appropriate response.

#### Ground contamination

Based on the site's historic uses there is a risk of exposure to potential contaminants during construction and in the completed development to construction workers, future occupiers, ground water and surface water. For these reasons a full land contamination exploration and assessment will be required.

#### Archaeology

The site is within the Bermondsey Rivers Archaeological Priority Zone and may have important archaeological remains which should be appropriately managed. As such a desk based assessment is required with any future application to give consideration of this issue.

### **Community Infrastructure Levy**

This development will be subject to the Mayoral CIL and Southwark CIL. The charge will be calculated according to the amount of new floor space the development will provide. The chargeable rate for Southwark is £35 per square metre under MCIL, £200 per square metre for residential floorspace and £125 per square metre for the retail floorspace for SCIL (both subject to indexation). It is necessary to complete a 'Planning Application Additional Information Requirement Form' to determine the amount of chargeable floorspace on the site and submit this with any formal planning application on the site. The amount to be paid is calculated when planning permission is granted and it is paid when development starts. Further details about the CIL can be found using the links below.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

<http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurelevymay11>

**Other matters**

N/A.

**Conclusion**

The principle of the proposal is acceptable. Additional information is required in order to fully assess the impact of the proposal on the amenities of the adjacent residential occupiers by way of daylight and sunlight. The proposal however appears to adequately address the previous concerns in relation to outlook from the adjoining properties. The overall design and massing of the proposal is considered acceptable within this location. Subject to the presentation of the additional information referenced above, it is considered that the proposal would appear to have addressed the previous concerns of the Council.

To ensure swift validation of any future planning application, you are advised that the following documents will be required:

- k) Application form;
  - l) Existing and proposed plans, sections and elevations;
  - m) Design and Access Statement;
  - n) Archaeological desk based assessment;
  - o) Planning Statement;
  - p) Daylight/sunlight assessment;
  - q) Flood risk assessment;
  - r) Phase 1 Contamination Study;
  - s) Arboricultural Impact Assessment;
- BREEAM pre-assessment.

This advice is given to assist you but is not a decision of the Council. Further issues may arise following a formal planning application, where a site visit and public consultation and consultation with statutory consultees would be undertaken.

Please accept this letter as the closure of your current enquiry.

Yours sincerely

***Simon Bevan***  
Director of Planning

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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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<b>Applicant</b>	Lighthall Homes Ltd	<b>Reg. Number</b>	17/AP/1766
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/271-562
<b>Recommendation</b>	Grant permission		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Redevelopment of the site to comprise a four storey building with commercial use (use class A1/A2) at ground floor and basement and 6 x 2 bed residential units (use class C3) on the first, second and third floors, with associated car and cycle parking.

**At:** THE CLIPPER, 562 ROTHERHITHE STREET, LONDON, SE16 5EX

**In accordance with application received on** 08/05/2017 08:05:24

**and Applicant's Drawing Nos.** Existing plans

1616-NMA-00-ZZ-DR-DR-A-00001/RevP2; 1616-NMA-00-ZZ-DR-A-20002/RevP2.  
1616-NMA-00-B1-DR-B-00100/RevP2, 1616-NMA-00-00-DR-B-00100/RevP2, 1616-NMA-00-01-DR-B-00100/RevP2, 1616-NMA-00-RF-DR-B-00100/RevP2.  
1616-NMA-00-ZZ-DR-B-00200/RevP3, 1616-NMA-00-ZZ-DR-B-00201/RevP3, 1616-NMA-00-ZZ-DR-B-00202/RevP3, 1616-NMA-00-ZZ-DR-B-00203/RevP3.

Proposed plans

1616-NMA-00-B1-DR-A-20100/RevP5, 1616-NMA-00-00-DR-A-20100/RevP4, 1616-NMA-00-01-DR-A-20100/RevP3, 1616-NMA-00-02-DR-A-20100/RevP3, 1616-NMA-00-03-DR-A-20100/RevP3, 1616-NMA-00-RF-DR-A-20100/RevP3. 1616-NMA-00-ZZ-DR-A-20200/RevP6, 1616-NMA-00-ZZ-DR-A-20201/RevP5, 1616-NMA-00-ZZ-DR-A-20202/RevP7, 1616-NMA-00-ZZ-DR-A-20203/RevP4.  
1616-NMA-00-ZZ-DR-A-20300/RevP5, 1616-NMA-00-ZZ-DR-A-20301/RevP5, 1616-NMA-00-ZZ-DR-A-20302/RevP1. 1616-NMA-00-ZZ-DR-A-20700/RevP2, 1616-NMA-00-ZZ-DR-A-20702/RevP2, 1616-NMA-00-ZZ-DR-A-20703/RevP2, 1616-NMA-00-ZZ-DR-A-20704/RevP2.

Comparative views from Timbrell Place: 1616-NMA-00-ZZ-DR-A-20705/RevP1, 1616-NMA-00-ZZ-DR-A-20706/RevP1, 1616-NMA-00-ZZ-DR-A-20707/RevP1, 1616-NMA-00-ZZ-DR-A-20708/RevP1.

Massing comparisons: 1616-NMA-00-ZZ-DR-A-20709/RevP1, 1616-NMA-00-ZZ-DR-A-20710/RevP1, 1616-NMA-00-ZZ-DR-A-20711/RevP1

Documents

Archaeology Desk Based Assessment (JA/MS/23361)(CgMs, May 2017)  
Daylight and sunlight assessment (Right of Light consulting, May 2017)  
Daylight and sunlight assessment - Further explanation of issues raised (Right of Light consulting, 4 August 2017)  
Design and access statement (1616-NMP-XX-ZZ-RP-A-00001/revP5)(Norton Mayfield Architects, April 2016)  
Flood risk assessment (v1.2)(Civil Engineering Practice, October 2016)  
Planning Statement (22911)(RPS CgMs, May 2017)

**Subject to the following twenty conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

1616-NMA-00-B1-DR-A-20100/RevP5, 1616-NMA-00-00-DR-A-20100/RevP4, 1616-NMA-00-01-DR-A-

20100/RevP3, 1616-NMA-00-02-DR-A-20100/RevP3, 1616-NMA-00-03-DR-A-20100/RevP3, 1616-NMA-00-RF-DR-A-20100/RevP3.

1616-NMA-00-ZZ-DR-A-20200/RevP6, 1616-NMA-00-ZZ-DR-A-20201/RevP5, 1616-NMA-00-ZZ-DR-A-20202/RevP7, 1616-NMA-00-ZZ-DR-A-20203/RevP4.

1616-NMA-00-ZZ-DR-A-20300/RevP5, 1616-NMA-00-ZZ-DR-A-20301/RevP5, 1616-NMA-00-ZZ-DR-A-20302/RevP1.

1616-NMA-00-ZZ-DR-A-20700/RevP2, 1616-NMA-00-ZZ-DR-A-20702/RevP2, 1616-NMA-00-ZZ-DR-A-20703/RevP2, 1616-NMA-00-ZZ-DR-A-20704/RevP2.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

**Pre-commencement condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Before the development hereby permitted is commenced, the applicant shall submit written confirmation from the appointed building control body that the specifications for each dwelling identified in the detailed construction plans meet the M4(2) standard of the Approved Document M of the Building Regulations (2015) as corresponding to the approved floor plans. The development shall be carried out in accordance with the details thereby approved by the appointed building control body

Reason

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

- 4 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason:

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved



Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 5 Before any work hereby authorised begins (excluding demolition), the applicant shall secure the implementation of a programme of archaeological evaluation works in accordance with a written scheme of investigation shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

In order that the applicants supply the necessary archaeological information to ensure suitable mitigation measures and/or foundation design proposals be presented in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

- 6 Before any work hereby authorised begins, excluding demolition, the applicant shall submit a written scheme of investigation for a programme of archaeological recording, which shall be approved in writing by the Local Planning Authority and implemented and shall not be carried out other than in accordance with any such approval given.

**Reason:** In order that the details of the programme of archaeological excavation and recording works are suitable with regard to the impacts of the proposed development and the nature and extent of archaeological remains on site in accordance with Chapter 12, paragraph 141 of the National Planning Policy Framework, policy 12 of the Core Strategy 2011 and saved policy 3.19 of the Southwark Plan 2007

- 7 Before any work hereby authorised begins, excluding demolition, a detailed scheme showing the complete scope and arrangement of the foundation design and all ground works shall be submitted to and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

In order that details of the foundations, ground works and all below ground impacts of the proposed development are detailed and accord with the programme of archaeological mitigation works to ensure the preservation of archaeological remains by record and in situ in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 8 Before any above grade work hereby authorised begins, detailed drawings at 1:50/1:100 of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details and material samples of hard landscaping), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

**Reason**

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 9 Prior to the commencement of above grade works, the following series of detailed section drawings through different parts of the facade will be submitted to the local planning authority for approval in writing:

At a scale of 1:10 -

Eaves;  
Parapets;  
Verges;  
Brick Panels;  
Window/wall junctions;  
Shopfront/wall junctions;  
Balconies.

At a scale of 1:5 -

Window frames and casements.

The development shall not proceed otherwise than in accordance with any such approval given.

Reason:

In order that the Local Planning authority may be satisfied that the design detailing presented in the submitted plans can be successfully delivered and that the scheme will make a sufficiently high quality and contextual response to the site and surrounds in accordance with saved policies 3.12 'Quality in design', 3.13 'Urban Design' of the Southwark Plan 2007, Strategic Policy 12 'Design and Conservation' of the Core Strategy 2007 and guidance in the National Planning Policy Framework.

- 10 Prior to above grade works commencing, material samples of all external facing materials to be used in the carrying out of this permission shall be presented on site and details of their specifications submitted to the Local Planning Authority for approved in writing. The development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 11 Before the first occupation of the building/extension hereby permitted, the refuse storage arrangements shown on the approved drawing referenced 1616-NMA-00-00-DR-A-20100/RevP4 shall be provided and made available for use by the occupiers of the dwellings/premises and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 12 Before the first occupation of the building/extension the cycle storage facilities as shown on drawing 1616-NMA-00-00-DR-A-20100/RevP4 shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 13 Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

## Reason

To ensure the development complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

- 14 The residential windows at first and second floor level on the south elevation of the building shall be obscure glazed and fixed shut as identified on approved plan 1616-NMA-00-ZZ-DR-A-20201/revP5. These windows shall not be replaced or repaired otherwise than with obscure glazing.

## Reason

In order to protect the privacy and amenity of the occupiers and users of the adjoining premises at Timbrell Place (564 Rotherhithe Street) from undue overlooking in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 - High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 'Protection of Amenity' of the Southwark Plan 2007.

- 15 The commercial use hereby permitted for the lower ground and ground floors shall not be carried on outside of the hours of 07:00 to 23:00 on Monday to Sunday.

## Reason

To safeguard the amenity of neighbouring residential properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High environmental standards of The Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of The Southwark Plan 2007.

- 16 The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014

## Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 17 Party walls, floors and ceilings between the commercial premises and residential dwellings shall be designed to achieve a minimum weighted standardized level difference of 55dB DnTw+Ctr. The partition's acoustic performance shall be permanently maintained thereafter.

## Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 18 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:

Bedrooms - 35dB LAeq T<sub>Δ</sub>, 30 dB LAeq T\*, 45dB LAFmax T \*

Living rooms- 35dB LAeq T<sub>Δ</sub>

\* - Night-time 8 hours between 23:00-07:00

Δ - Daytime 16 hours between 07:00-23:00.

## Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 19 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority [LPA]) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the LPA.

**Reason**

To ensure that potential unforeseen risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 20 Within six months of the completion of archaeological site works, an assessment report detailing the proposals for post-excavation works, publication of the site and preparation of the archive shall be submitted to and approved in writing by the Local Planning Authority and that the works detailed in this assessment report shall not be carried out otherwise than in accordance with any such approval given.

**Reason**

In order that the archaeological interests of the site are secured with regard to the details of the post-excavation works, publication and archiving to ensure the preservation of archaeological remains by record in accordance with Strategic Policy 12 - Design and Conservation of The Core Strategy 2011, Saved Policy 3.19 Archaeology of the Southwark Plan 2007 and the National Planning Policy Framework 2012.

**Statement of positive and proactive action in dealing with the application**

The pre-application service was used for this application and the advice given has been followed in part.

**Informatives**

Applicants are advised that all demolition and construction activities should proceed in accordance with the following legislation, standards and best practice:

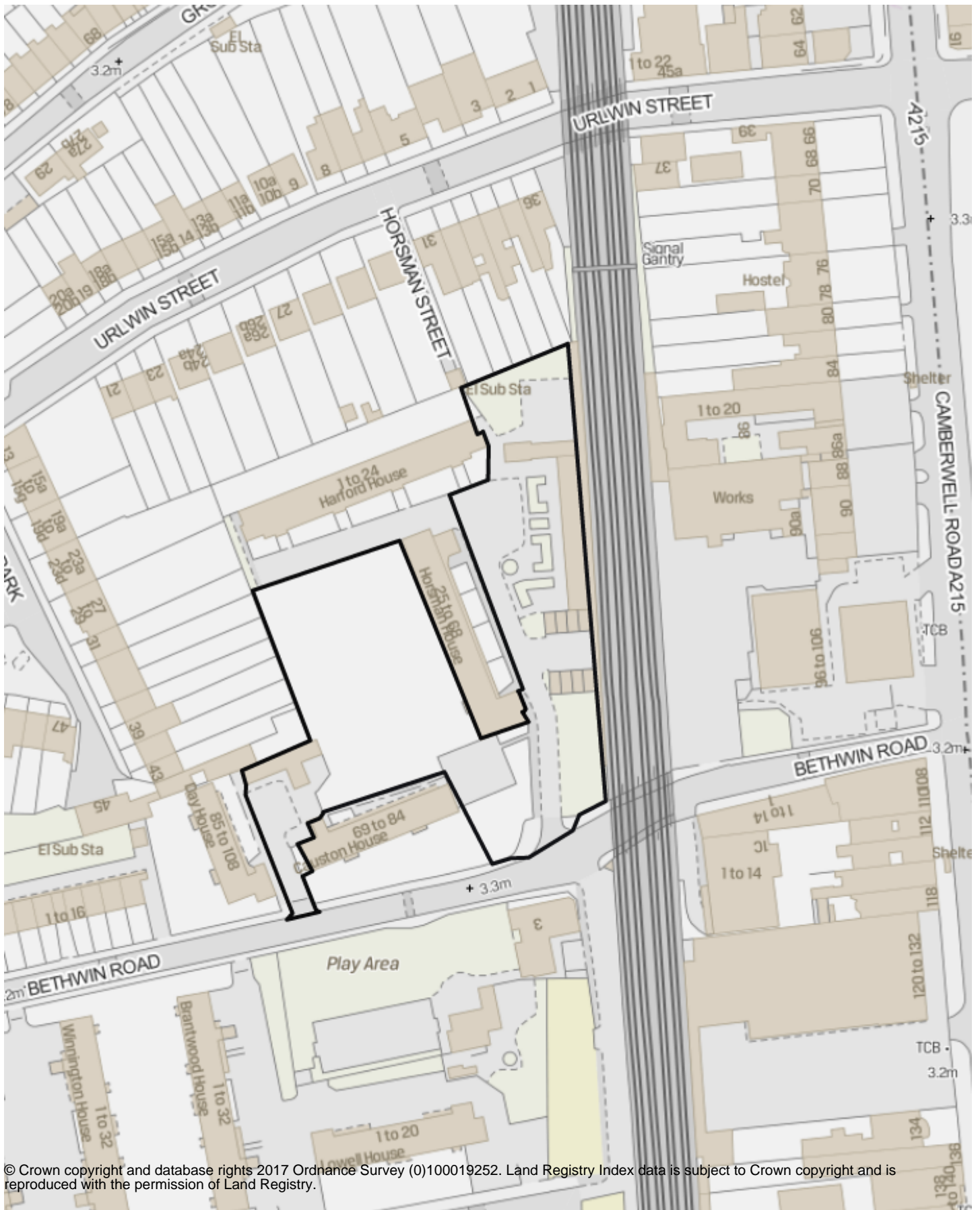
- Southwark Council's Technical Guide for Demolition & Construction at <http://southwark.gov.uk/air-quality/the-main-causes-of-air-pollution>
- S61 of Control of Pollution Act 1974,
- The London Mayors Supplementary Planning Guidance 'The Control of Dust and Emissions During Construction and Demolition',
- The Institute of Air Quality Management's 'Guidance on the Assessment of Dust from Demolition and Construction' and 'Guidance on Air Quality Monitoring in the Vicinity of Demolition and Construction Sites',
- BS 5228-1:2009+A1:2014 'Code of practice for noise and vibration control on construction and open sites',
- BS 7385-2:1993 Evaluation and measurement for vibration in buildings. Guide to damage levels from ground borne vibration,
- BS 6472-1:2008 'Guide to evaluation of human exposure to vibration in buildings - vibration sources other than blasting,
- Relevant EURO emission standards to comply with Non-Road Mobile Machinery (Emission of Gaseous and Particulate Pollutants) Regulations 1999 as amended,
- Relevant CIRIA practice notes, and
- BRE practice notes.
- Party Wall Act 1996

Changes to the vehicular access to the site will require the creation of a new crossover on to Patina Walk and the reinstatement of the kerb line at the existing access points. This will require a separate s278 agreement to be entered into with the Highways Authority.

# Agenda Item 7.2



## AGENDA 7.2 - GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5



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50 m

Scale = 1 : 1250

21-Sep-2017

<b>Item No.</b> 7.2	<b>Classification:</b> OPEN	<b>Date:</b> 3 October 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Council's own development Application 17/AP/1333 for: Council's Own Development - Reg. 3  <b>Address:</b> GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5  <b>Proposal:</b> Construction of a 5-storey block adjoining Causton House and a 4-storey block located adjacent to Harford House to provide 6 x 1 bed, 6 x 2 bed and 5 x 3 bed residential units (17 units) together with associated landscaping		
<b>Ward(s) or groups affected:</b>	Camberwell Green		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 03/05/2017		<b>Application Expiry Date</b> 02/08/2017	
<b>Earliest Decision Date</b> 11/06/2017			

## RECOMMENDATION

1. That planning permission is granted subject to completion of a Section 106 unilateral undertaking and planning conditions.
2. In the event that the unilateral undertaking is not completed by 3 November 2017, the Director of Planning be authorised to refuse planning permission for the reasons detailed in paragraph 87 of this report.

## BACKGROUND INFORMATION

### Site location and description

3. The application site forms part of the Goshen Estate which is a council estate in the Camberwell Green area of the borough. Bounded by the railway viaduct to the east and Bethwin Road to the south the proposed application relates to the eastern part of the estate which is composed of a large central amenity space. This is flanked by Harford House (three storeys) to the north, Horsman House (seven storeys) to the east, Causton House (four storeys) to the south and Day House (six storeys) to the east.
4. There are existing ancillary garages, car parking, cycle parking and landscaping across the site. Adjacent to the open area of amenity space there is a derelict single storey pram store and meeting room.
5. The surrounding area is predominately residential and characterised by post-war

blocks of flats to the south (five to twenty one storeys) and two/three storey dwelling houses to the north.

6. The site is located within the:
  - Urban Zone
  - Air Quality Management Area
  - North Camberwell Controlled Parking Zone
  - PTAL4/5 (good/very good)
  - Flood Risk Zone 3
7. There are no heritage assets within the site boundary. Within the wider context of the site it should be noted that the site bounds the Grosvenor Park Conservation Area to the north, with the Grade II listed buildings of 31-36 Urlwin Street being directly adjacent. On the opposite side of the railway to the east are the Grade II listed buildings of 66-92 Camberwell Road.

### **Details of proposal**

8. This application is part of the New Homes Delivery Programme which together with other corporate programmes will deliver more affordable housing within the borough. A total of 17 units would be provided within two residential blocks. These would be a north block adjacent to Harford House that would provide nine dwellings, and a south block adjacent to Causton House and Horsman House that would provide eight dwellings.
9. The proposal would maintain the principal access from Bethwin Road but reconfigure internal the access roads to re-provide car parking spaces and enhance the landscaping and planting. Eight existing garages and the former TRA Hall (which is no longer in use) would be demolished. A total of 41 car parking spaces would be re-provided as part of the development which equates to the provision of 15 additional spaces. Two of these spaces would be dedicated for wheelchair users.
10. The new buildings will be predominantly brick built with metalwork detailing to the fenestration and balconies. Photovoltaic panels will be installed at roof level.

### **Planning history**

11. No planning history of relevance.
12. Pre-application advice under reference 16/EQ/0125 has been previously sought. This related to the demolition of the existing garages and drying sheds and the erection of 28 new flats across two new buildings with varying storey heights between 4-7 storeys. Concerns were raised by officers with regard to the height, massing, quality of accommodation and neighbour amenity. The proposal was subsequently amended in line with officer advice and was scaled back to form the proposal currently under consideration.

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

13. None of relevance.

## KEY ISSUES FOR CONSIDERATION

### Summary of main issues

14. The main issues to be considered in respect of this application are:
- a. The principle of development and conformity with strategic land use policies;
  - b. Affordable housing;
  - c. Impact on the amenity of existing neighbours and that of the wider area;
  - d. Design issues, including urban design impacts and the quality of accommodation;
  - e. Transport issues;
  - f. Environmental sustainability;
  - g. Any other material considerations.

### Planning policy

15. National Planning Policy Framework (the Framework)  
 The National Planning Policy Framework (NPPF) sets out the Government's strategy for the delivery of sustainable development. Whilst its guidance does not constitute planning policy, all local policies must be in general conformity with the NPPF and it is a material consideration in the determination of planning applications. The following sections are of greatest relevance to this proposal:

Section 6: Delivering a wide choice of high quality homes

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

On 19 March 2013, the council's cabinet considered whether Southwark's planning policies were consistent with guidance in the NPPF, as required by NPPF paragraph 215. All policies and proposals were reviewed and the council satisfied itself that those in use were in general conformity with the NPPF. The resolution was that with the exception of Southwark Plan policy 1.8 (location of retail outside town centres) all policies would be saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

16. The London Plan 2016
- 2.9 Inner London
  - 3.1 Equal life chances for all
  - 3.2 Improving health and assessing health opportunities for all
  - 3.3 Increasing housing supply
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.6 Children and young peoples play and informal recreation facilities
  - 3.8 Housing choice
  - 3.9 Mixed and balanced communities
  - 3.10 Definition of affordable housing
  - 3.11 Affordable housing targets
  - 3.13 Affordable housing thresholds



- 5.2 Minimising carbon dioxide emission
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and waste water infrastructure
- 5.15 Water use and supplies
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes
- 8.2 Planning obligations
- 8.3 Community Infrastructure Levy

17. Core Strategy 2011

- Strategic policy 2 - Sustainable transport
- Strategic policy 4 - Places for learning and enjoyment
- Strategic policy 5 - New homes
- Strategic policy 6 – Homes for people on different incomes
- Strategic policy 7 - Family homes
- Strategic policy 12 - Design and conservation
- Strategic policy 13 - High environmental standards
- Strategic policy 14 - Implementation and delivery

18. Southwark Plan 2007 (July) - saved policies

- Policy 2.1- Enhancement of Community Facilities
- Policy 2.2 - Provision of new community facilities
- Policy 3.2 - Protection of amenity
- Policy 3.3 - Sustainability assessment
- Policy 3.6 - Air quality
- Policy 3.7 - Waste reduction
- Policy 3.11 - Efficient use of land
- Policy 3.12 - Quality in design
- Policy 3.13 - Urban design
- Policy 3.14 - Designing out crime
- Policy 3.18 - Setting Of Listed Buildings, Conservation Areas And World Heritage Sites
- Policy 4.2 - Quality of residential accommodation
- Policy 4.3 - Mix of dwellings
- Policy 4.4 - Affordable housing
- Policy 5.1 - Locating developments

Policy 5.2 - Transport impacts  
 Policy 5.3 - Walking and cycling  
 Policy 5.6 - Car parking

19. Supplementary Planning Documents  
 Section 106 Planning obligations and Community infrastructure levy SPD (2015)  
 2015 Technical update to the residential design standards (2011)  
 Draft Affordable Housing SPD (2011)  
 Sustainable transport SPD 2010  
 Sustainability assessments SPD 2009  
 Sustainable design and construction SPD 2009  
 Development Viability SPD (2016)

### **Summary of consultation responses**

20. Nine responses were received through the first round of public consultation. The key points raised were:
- Impacts on daylight/sunlight and outlook of neighbouring properties;
  - Adequate amenity space for both existing and future residents should be secured;
  - The buildings are too high;
  - Impacts of transport construction;
  - More housing contributing to overcrowding of the area;
  - Lack of car parking and loss of existing cycle storage;
  - Potential for increases in public nuisance and anti-social behaviour;
  - Home should be genuinely affordable;
  - Lack of existing play facilities in the area;
  - Noise pollution and disturbance.
21. These issues are considered below in the relevant sections of the report.

### **Principle of development**

22. The proposed development would introduce new homes into a predominantly residential area, making more efficient use of an existing residential estate and would bring back areas such as redundant stores into active use. The former tenant's room is in a state of decay and forms part of a derelict pram store, which would be demolished as part of this development. The estate Tenants and Residents Association meet in the Wyndham and Comber Community hall, which is located nearby and has been recently refurbished, its loss is therefore not resisted. The principle of development is consistent with the ambitions and policies of the Development Plan and guidance in the NPPF, and is consequently supported.

### **Environmental impact assessment**

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

### Affordable housing

24. The proposed development form part of the council's Direct Delivery Programme, one part of the council's ambition to deliver 11,000 new council homes over the period up to 2043, with 1,500 by 2018. As such, all of the units will be provided as affordable, social rented homes.
25. The proposal therefore introduces a conflict with saved policy 4.4 of the Southwark Plan which requires a tenure mix of 70:30 social rented: intermediate housing, and Core Strategy Policy 6 which requires a minimum of 35% private. The application however is made in the knowledge that the council's Strategic Housing Market Assessment (SHMA) which identifies a net affordable housing requirement of 1,472-1,824 units per year between 2013 and 2031. The SHMA states that affordable housing represents 48% of Southwark's total annual housing need. All of the units however would be retained as Council homes and as such the proposed tenure mix is considered acceptable as it meets an identified need.
26. Recent planning changes, such as the change in threshold for sites to deliver affordable housing from 10 to 11 and the permitted change of use of B class sites to residential has meant that some schemes which would previously have delivered affordable housing are no longer required to do so. In delivering an entirely affordable scheme, the proposal directly responds to the identified housing need and is in accordance with the Council Plan commitment to deliver Quality Affordable Homes.
27. A viability report has been provided to address the requirements of the council's Development Viability SPD 2016 and demonstrates that the necessary funding is in place to deliver a fully affordable scheme.

### Accommodation mix

28. The proposal comprises the following:

Unit Type	Social Rent	Shared Ownership	Private	Total	
1 bed	6	-	-	6	35.3%
2 bed	6	-	-	6	35.3%
3 bed	5	-	-	5	29.4%
total	17	-	-	17	100%

29. Core Strategy Policy 7 requires that in this area 60% of units should have 2 or more bedrooms and 20% be 3+ bedrooms. At 29.4% 3 bed and 35.3% 2 bed, the split is policy compliant in both respects.
30. Saved Southwark Plan policy 4.4 states that 10% of homes should be provided as wheelchair accessible dwellings. The proposal includes 2 wheelchair accessible units being 1x3 bed and 1x2 bed, which satisfies this requirement. Both wheelchair accessible units are located at ground floor level. It is noted that the units will be designed to achieve the South East London Housing Partnership Wheelchair Housing

Design Guidelines, a standard advocated in the council's residential design standards SPD and one that is superior to the requirements of Building Regulations.

### **Quality of accommodation**

#### 31. Space standards and aspect

The overall unit sizes achieve the Nationally Described Space Standards. In addition, room sizes are compliant with the individual rooms sizes set out in the council's Residential Design Standards SPD.

#### 32. Layouts

Ground floor units on the southern elevations of the blocks have their own front doors leading on to small areas of private defensible space. As well as improving the arrival to these units, this helps to provide some animation and natural surveillance of the surrounding public space. Upper floors and the rear ground floor unit within the north block are accessed via communal cores, with no more than 3 flats on any floor accessed from the same core. This ratio of flats to cores makes the development more secure and helps create a more private, personal setting. All units are designed to incorporate bulk storage, as specified in the council's residential design standards SPD as one aspect of exemplary design. All units achieve either dual or triple aspect, contributing to improved outlook and daylighting conditions for these units.

#### 33. Internal daylight

Herrington Consulting have assessed the internal daylight conditions for the new flats. Their assessment concludes that all habitable rooms in the scheme will either meet or exceed the minimum levels of daylight recommended by the Building Research Establishment (BRE). All of the units within the development will also have direct access to a private balcony or garden area which will enhance the amenity value gained from direct sunlight. Consequently, it can be concluded that all units within the proposed development will receive good levels of direct sunlight. These results are impressive given the proximity of the site to existing properties and the railway and are likely to be attributed to the generous aspect and high level of design for the units.

### Amenity space and children's play

34. Ground floor units have access to private areas of garden whilst the upper units all have generous balconies that either meet or which are in excess of required standards. The overall provision of private amenity space is a strength of the scheme.

35. Landscaping improvements will be made to the communal garden and areas of landscaping on the fringes of the estate. The new landscaped gardens will act as the communal amenity space for both existing and proposed residents and will represent a significant improvement to the existing situation.

36. Two distinct zones are proposed within the communal areas being areas of planting and a herb garden, and designated playspace for younger children (0-4 years). In accordance with the GLA play space requirement calculation this development would generate a child yield of 17 and a requirement to provide 172sqm of children's play space. 80sqm of this being required for 0-4year olds. A condition would ensure that

full details of this area were submitted for approval.

37. Given the site restraints and the characteristics of the estate it is not considered suitable to provide play space for older children on site. In accordance with the council's s106 and CIL SPD, a financial contribution of £13,892 should be required to invest in local play facilities for older children so that they are better able to absorb the additional demand created by this proposal. Full details of the hard and soft landscaping for the whole site will be required by way of a condition.

#### Noise and Vibration

38. A noise and vibration assessment has been prepared by KP Acoustics. This allows the assessment of daytime and night time levels and recommends a scheme of mitigation that will ensure a satisfactory noise environment for future residents. A standard condition specifying the internal noise parameters during the day and night is recommended.
39. Measurement of vibration from rail activity indicates that vibration levels are below the threshold of human perception in accordance with the relevant British Standard.
40. Overall, the accommodation can be considered to be of a high quality having regard to Southwark Plan policy 4.2 and the detailed guidance in the council's Residential Design Standards SPD.

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

##### Overlooking and privacy

41. The Residential Design Standards SPD states that a 12m separation distance should be achieved between buildings on opposite sides of a highway and a 21m separation distance to the rear of new buildings.
42. To the north a minimum distance of 24m is maintained between the rear elevation of the north block and the rear elevation of those dwellings on Urlwin Close. To the south, 20m is maintained across Bethwin Road. In both instances therefore suitable separation distances are maintained.
43. Within the existing estate layouts are less typical and do not follow a traditional pattern which would allow the above distances to be applied. Rather the layout of the blocks and internal room arrangement ensure no overlooking would occur. The new blocks align with those that are existing. The only area where there would be facing elevations would be across the estate road between Horsman House and the north block. Here a minimum of 19m would be maintained which is considered acceptable to retain existing levels of privacy.
44. Elsewhere the blocks are set at right angles to Causton House and Harford House, thus resulting in no direct face to face windows. Any overlooking experienced to existing private amenity spaces would be no greater than already experienced from existing windows. Officers are satisfied that the separation distances achieved,

coupled with the layouts of the new units, will ensure that the privacy of existing neighbours will not be unduly affected.

#### Daylight impacts

45. A daylight and sunlight assessment has been prepared to consider the impacts on neighbours around the perimeter of the site. Primarily, the assessment relies on the Vertical Sky Component (VSC) test - the amount of skylight falling on the plane of the window. The guidance states that where the reduction in VSC is less than 20% or where the remaining VSC is 27% or above, the occupier is unlikely to notice any change in lighting conditions.

#### *Vertical Sky Component*

46. The assessment was carried out for a total of 105 rooms across Causton House, Horsman House, Harford House and 3 Bethwin Road. 98 of those tested passed the BRE guidance with the resulting impact being considered negligible in that the reduction in daylight is unlikely to be noticeable.
47. Six windows, three in Horsman House and three in Harford House, would experience a minor adverse transgression and 1 in Harford House would experience a moderate adverse transgression. Whilst a reduction in VSC as shown would be experienced and does indicate a 'noticeable' change this does not necessarily mean that the degree of change is detrimental or unacceptable. The rooms would still receive VSC levels of between 26.57% and 19.33% a good absolute level for an urban location. It should be noted that this assessment only indicates the amount of skylight falling on a window, it does not give an accurate picture of the quality of light within a space. Further, the BRE emphasis that these results need to be considered in context; that the values recommended should be applied sensibly and flexibly. While some reductions in VSC would be noticeable, the resultant absolute levels would remain good.
48. Indicative layout plans for the affected dwellings shows that these units are dual aspect with relatively narrow floorplans. Any reductions in VSC on one window will not negate the benefits of having a second aspect that will contribute daylight and sunlight to a room.

#### *No Sky Line/Daylight Distribution*

49. In line with the BRE guidance, the Daylight Distribution test has also been completed to consider the extent of rooms from which the sky will be visible, before and after the development takes place. 73 windows are suitable for this form of assessment and the submitted details demonstrate that all of the rooms tested would pass; experiencing no reduction in daylight distribution. This is likely a result of the shallow floorplans and large windows for properties in the existing Goshen Estate.
50. Any reductions in daylight would not result in an adverse impact on existing residents in accordance with the BRE guidance.

### Sunlight impact

51. A Daylight and Sunlight report provided also assesses the impact on the number of hours of sunlight received by existing properties in the vicinity of the development site. A total of 41 windows in 35 rooms across Causton, Horsman and Harford Houses have been tested using the Annual Probable Sunlight Hours Assessment method. This method uses three tests and for a development to be considered to have an adverse effect all three would need to fail. It has been demonstrated that all of the windows and rooms pass at least one of the tests and consequently the proposed scheme is considered to have a negligible impact on neighbouring buildings with regard to sunlight.
52. It is important to note that this assessment needs to be considered in the context of the overall design of the scheme. As described above, adequate separation distances are maintained between the new development and existing neighbours and the building height proposed is comparable to existing buildings.

### **Density**

53. The application lies within the urban density zone and has a PTAL level of 4/5, reflecting the sites high accessibility by public transport. Strategic Policy 5 expects new development to have a density of between 200-700 habitable rooms per hectare.
54. Calculation of the proposed buildings in isolation is likely to skew the figures as they are situated within a larger than normal site area which encompasses the wider estate. It is therefore considered more appropriate to examine the whole estate as existing and compare this to the whole estate with the proposed development. The density of the existing estate has been calculated at 286 habitable rooms per hectare, this low figure is a result of the generous areas of amenity space and underused associated areas of land such as store and hard surfacing.
55. This figure would increase to 324 habitable rooms per hectare as a result of the proposed development. This sits comfortably within the expected density range for this part of the borough and is acceptable in principle, subject to detailed design as discussed below.

### **Design**

#### Site Layout

56. The two proposed blocks are sited to utilise existing areas of open space within the estate. However, neither location is strategic or central to the overall design and layout of the wider estate and they constitute logical locations for the new buildings to be sited. In design terms therefore the replacement of the open space with buildings in the proposed locations is considered to be acceptable.
57. The existing estate road that runs through the site is to be landscaped with high quality paving and planting. This represents a dramatic improvement to the current landscape and general amenity for existing, and future, residents.

### Scale and Form

58. At five storeys in height the southern block sits between the heights of its two adjacent existing buildings being Horsham House and Causton House. The development retains Horsham House as the highest building on this part of the estate and acts as a bridge, stepping down to Causton House which then faces onto Bethwin Road. Given the position and layout of the site, this maintenance of hierarchy is appropriate and has been successfully achieved.
59. The north block is located in a secondary position adjacent to Harford House and is maintained at four storeys in height. The secondary location of its siting is such that this lower height is also appropriate relating itself more closely in form to the Harford House and the scale of the railway viaduct. It also responds appropriately to the scale of the listed building to the north, ensuring existing height relationships are maintained.
60. Both of the proposed blocks are linear in form which picks up on the form of the existing estate buildings.

### Architectural Design and Quality

61. The architecture of the existing estate is dominated by the deck access arrangements of its buildings. This produces a very linear horizontal effect and also some depth to the long facades of each building. In contrast the new blocks will have balconies on the ends of each block; these are supported by strong sculptural brick columns on the southern elevations. These have been well detailed and are carefully proportioned. The northern elevation of the south block retains a more open aspect with unsupported balconies which allows views into the central amenity area to be experienced and widens the pedestrian entrance into this part of the estate.
62. The longer flank elevations have been broken up by a series of window openings and textured brick patterns. Spandrel panels above the windows are highlighted in off white, which picks up on the subtle detailing of the existing building. Generous entrances with canopies provide clear definition and welcoming points of access into the communal areas of the buildings.
63. The architecture of the development is largely defined by the buildings confident form and relatively simple materials palette. Predominantly constructed in a brick colour similar to the existing buildings on the estate this would be paired with a lighter mortar, again, as per the existing blocks. Steel metalwork detailing and large areas of glazing will provide a decorative richness to the predominantly brick buildings.
64. In conclusion the design is undoubtedly high in quality. Overall, the height, massing and layout of the scheme is well thought through and will produce buildings of an appropriate scale, well related in form to adjacent estate buildings, along with a much improved amenity space. The quality of the building will rely to a great degree on the quality of execution in construction and for that reason the detailed architectural design and the choice of materials should be reserved by condition.



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

65. The application site is close to two conservation areas: Grosvenor Park Conservation Area to the north and the Addington Square Conservation Area to the east. The view of the proposal from these conservation areas therefore must be considered in order to assess the wider impact of the development on the local area. Furthermore the Grade II listed buildings of 31-36 Urlwin Street are located directly to the north and on the opposite side of the railway to the east are the Grade II listed buildings of 66-92 Camberwell Road.
66. Submitted massing diagrams demonstrate that in views from Urlwin Street to the north and from Grosvenor Park Conservation Area neither of the proposed blocks is visible. In particular the height of the north block has been kept low to avoid it projecting above the line of the listed views and therefore preserving their setting.
67. When viewed from Addington Square Conservation Area to the east, the existing estate buildings including Horsman House can be seen rising above the railway viaduct. However this is partly due to the lower form of the adjacent petrol filling station which fronts Camberwell Road in this position. The proposed development would result in views also being experienced of the south block when looking along Bethwin Road. Whilst it would be seen, it is not considered to be detriment to the wider setting of the heritage assets.
68. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes statutory duties on LPAs in sections 66 to ensure that any development shall have special regard to: the desirability of preserving the heritage asset or its setting; and in section 72 the desirability of preserving or enhancing the character or appearance of designated conservation areas. Officers are satisfied that this proposal achieves these key statutory objectives and not harm any heritage assets.

### **Transport issues**

69. The site is located in an area of good/very public transport accessibility, with a PTAL rating of 4/5. The southern section of the site including Bethwin Road falls with zone 5, whilst the north block and Harford House are in zone 4. The site is also located in a Controlled Parking Zone (CPZ) and so kerbside parking does require a permit.

#### Car parking

70. The existing estate makes provision for 26 parking spaces, and a parking survey has indicated that there is a high level of parking stress on the estate roads and in the surrounding streets.
71. The wider landscaping plan for the estate involves the demolition of the existing TRA hall and the enlargement of the existing car parking areas from 6 spaces to 14 spaces. Furthermore due to the demolition of the garages and pramsheds adjacent to the railway it has been possible to adjust the path of the estate road which runs next to Horsman House. This allows for the provision of end on parking spaces on both sides of the road which would allow a total of 27 spaces to be provided. The total net

gain in spaces would be 15. Two of these would be wheelchair parking spaces located close to the new wheelchair units within the north block.

72. Saved Southwark Plan Policy 5.6 requires developments to minimise the number of spaces provided and in areas with an existing CPZ developments would be expected to be car-free. However the existing estate roads and parking bays are not covered by way of the CPZ and therefore the additional units could put further pressure on existing parking. This is a concern which has been raised by existing residents. 15 new spaces are proposed, 13 of which would be general needs for use both by new residents and existing, along with two new disabled bays.
73. Given the existing level of parking stress and concerns raised by residents the proposed provision is considered to be a suitable balance which would appropriately provide for the existing and future needs of the estate. The operation of the car parking will be subject to the management of estate.
74. In order to further restrict parking stress on surrounding streets all new occupiers of the development will be restricted from the purchase of parking permits for the surrounding CPZ; however this would not cover the estate parking. In order to further encourage more sustainable methods of transport it is proposed that 3 years' free car club membership will be made available to new residents in order to further reduce the need for private car use.
75. Furthermore, in line with the GLA published document 'Parking Standards Minor Alterations to the London Plan' 20% of all of the spaces should be for electric vehicles with a further 20% passive provision for electric vehicle in the future. This will be secured by way of a condition.

#### Cycle parking

76. London Plan policy 5.2 requires 1 cycle parking space for 1 bedroom flats and 2 cycle spaces for each larger flat. This leads to a total requirement of 28 cycle parking spaces. Saved Southwark Plan policy 5.3 stipulates that all cycle parking should be secure, convenient and weatherproof.
77. Cycle parking for the proposed units would be provided within internal communal storage areas for each of the blocks. The northern block would provide a minimum of 16 spaces and the southern block a minimum of 12 spaces thus meeting the required 28 spaces. Storage is via Sheffield stands which is consistent with the London Plan and Southwark Plan requirements and is therefore supported.
78. Additionally, a ratio of 1 visitor cycle space for every 40 dwellings is required. This has been applied separately for each new block with an external Sheffield stand provided close to the entrances which provide an additional four spaces.
79. In addition to providing new cycle storage for the proposed dwellings, the relocation of existing cycle facilities which would be displaced would be provided. There are currently three existing Sheffield stands next to Harford House and 20 existing cycle lockers between Causton House and Horsman House. The Sheffield stands would be re-provided in approximately the same position, whilst the existing lockers would be

split with seven located adjacent to the new South block and Causton House, and 13 re-provided on the opposite side of the estate road adjacent to the railways viaduct.

#### Refuse storage and servicing

80. Refuse stores are adequately sized to accommodate recycling and general waste arising from the development and have been appropriately located. Vehicle tracking diagrams have been provided to demonstrate that the new estate road can accommodate a refuse and other servicing vehicles. The diagrams demonstrate that there is sufficient manoeuvring space for these vehicles.
81. Existing bins stores for the estate which would be displaced as a result of the development have been identified and have been re-provided in appropriate locations.

#### **Trees and ecology**

82. London Plan policy 5.10 states that all major developments should incorporate sufficient green infrastructure to improve their environmental credentials and biodiversity value. An arboricultural survey has been carried out and a report prepared to inform on the suitability of proposed development with regard to the impact on trees.
83. 25 individual trees and two groups were examined as part of the survey. As a result of the development three mature trees are proposed for removal with one (T13 lime) being considered as having a significant impact on the surrounding landscape due to its prominence within the Bethwin Road street scene. The remaining two mature trees to be removed (T6 and T7 Sycamore) are categorised as having a moderate amenity value due to their size and position. A further five trees and one tree group of less value would also be removed. This total a stem girth of 832cm and details have been reviewed by the council's urban forester and ecologist, who recommend planning conditions to address the protection of trees during construction and the submission of further detail of the planting and ecological features to be incorporated within the development.
84. Extensive planting would be provided as part of the landscape plan and because this does not meet the required replacement stem girth a payment in-lieu if replacement planting would be made to provide additional planting in the locality. This figure would be £17,719.

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

85. A s106 unilateral undertaking will be required to secure the affordable housing units, to identify the relevant highways improvement works and to secure payments for off-site children's play space, off site trees and to the council's carbon offset fund, as described in the relevant sections of the report. These contributions are as follows:
  - On-site affordable housing
  - Children's Play Space £13,892
  - Off site trees £17,719
  - Carbon offset fund £27,528

86. In the absence of a unilateral undertaking to secure the above, the proposal would be contrary to saved policies 2.5 'Planning obligations', 4.2 'Quality of accommodation' and 4.4 'Affordable housing' of the saved Southwark Plan 2007; Strategic Policies 7 'Homes for people of different incomes' and 13 'High environmental standards' of the Core Strategy 2011; London Plan Policies 3.12 'Negotiating affordable housing on individual private residential and mixed use schemes', 5.2 'Minimising carbon dioxide emissions' and 8.2 'Planning obligations'; and Section 6: 'Delivering a wide choice of high quality homes' of the NPPF 2012.
87. In the event that the Section 106 unilateral agreement is not in place by 3 November 2017, it is recommended that the Director of Planning be authorised to refuse planning permission, if appropriate, for the following reason:

*The proposal, by failing to provide an appropriate mechanism for securing affordable housing delivery, indicative highways works and financial contributions towards children's play space, trees and carbon offset, fails to demonstrate conformity with strategic planning policies and fails to adequately mitigate the particular impacts associated with the development in accordance with saved policy 2.5 'Planning obligations' of the Southwark Plan (2007), Strategic Policy 14 'Delivery and implementation' of the Core Strategy (2011) and London Plan Policy 8.2 'Planning obligations', as well as guidance in the council's s106 planning obligations and Community Infrastructure Levy SPD (2015).*

### **Sustainable development implications**

#### Air quality

88. An air quality assessment has been prepared to address the potential impacts on air quality arising during demolition, construction and on occupation. The site is located within an area identified as experiencing elevated pollutant concentrations. Additionally the site is located within the vicinity of a rail line. The assessment indicates that some small impacts might arise during demolition and construction, but that the scale of work means that this can be adequately addressed via routine mitigation.
89. Results of modelling also indicated high pollutant concentrations at all levels of the development and that suitable mitigation should be included in the development. This should include a filtered mechanical ventilation system to supply clean air to all affected areas. This should be implemented for all residential units within both the northern and southern development blocks and can be secured by way of condition.
90. The London Plan states that new developments must be considered Air Quality Neutral. Pollutant emissions associated within the proposed development were compared to relevant benchmarks. This indicated both oxides of nitrogen and particulate matter transport emissions from the proposals were above the benchmarks and as such, further action will be required to tackle the excess pollutant emissions. Based on the assessment, the site is considered suitable for the proposed end use and that with appropriate mitigation measures it can be considered as Air Quality Neutral. However further information will be required to demonstrate that measures will be implemented to ensure that this standard is met, this will be secured by way of

condition.

91. Contamination

The desk based contamination assessment prepared concludes that the risk of contamination at the site is low and a remediation strategy has been prepared. Colleagues in the environmental protection team have reviewed the submitted reports and have confirmed that they are satisfied with the details. Standard conditions requiring the said remediation to be carried out and to ensure appropriate reporting and control of unexpected contamination should it be identified during construction.

Energy

92. London Plan policy 5.2 sets out that through a combination of building design measures, clean energy supply and the use of renewable technologies, all major residential developments are required to reduce their regulated carbon dioxide emissions. As of October 2016, the policy set a target of a 100% reduction relative to Building Regulations 2013.

93. An energy assessment has been provided to demonstrate that through fabric efficiency measures and the installation of photovoltaic panels at roof level, an annual saving of 35.48% of regulated carbon emissions can be achieved. In accordance with Mayoral Guidance and the council's s106 and CIL SPD 2015, the shortfall in carbon reduction can be bridged via a payment to the council's carbon offset fund. A fee of £27,528 will be secured by way of a unilateral undertaking.

Flood risk

94. The site is located in Flood Zone 3 and is at risk of tidal flooding from the River Thames. Both the Sequential and Exception Tests have been applied to determine whether suitable and appropriate mitigation can be incorporated into the development to ensure that it is sustainable in terms of flood risk.

95. Furthermore, the FRA demonstrates that the development will not increase flood risk elsewhere. Through the incorporation of appropriate mitigation measures and SUDS features within the design of the surface water drainage system, it will be possible to limit the impact with respect to surface water run-off. Details of a SUDS measures will be secured by way of condition. It has therefore been demonstrated that the development passes the required tests and will therefore meet the requirements of the NPPF.

**Other matters**

Community Infrastructure Levy (CIL)

96. The Localism Act 2011 states that 'local financial considerations' are material considerations in the determination of planning applications, though the amount of weight to attach is an issue for the decision maker. The delivery of new homes would normally be liable for both the Mayoral and Southwark CIL.

97. The Mayoral CIL is levied in Southwark at £35 per sqm and Southwark CIL at £50 per

sqm in this location; both charges are subject to indexation. The development would provide 1691.92sqm of floorspace amounting to approximately £59,220 of MCIL and £84,600 of SCIL. Affordable housing relief is available and in the event that planning permission is granted an application should be made to secure this prior to the commencement of development.

### **Conclusion on planning issues**

98. The scheme would deliver high quality affordable homes in well-designed buildings that would respect the local context. The massing, height and internal configuration of the development has been carefully designed to maintain the amenity of existing residents and to provide good living conditions for future occupiers, while also making a more efficient use of the land. In particular, the demolition of existing structures and creation of a high quality landscaped space represents a significant improvement in the outlook and general amenity for existing residents.
99. Though the scheme does not provide private/market dwellings, the proposal specifically addresses an acute need for affordable homes that is identified in the council's housing market assessment and this is a significant material consideration. It is considered that the proposal is consistent with the ambitions and policies of the development plan and that planning permission should be granted.

### **Community impact statement**

100. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

### **Consultations**

101. Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1. This application was the subject of a reconsultation in August 2017 to allow for further representations to be made on detailed design amendments.
102. Details of people who replied to the consultation are set out in Appendix 2. A summary of the issues raised in responses is outlined in Paragraph 21, above.

### **Human rights implications**

103. 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.
104. This application has the legitimate aim of providing details of new affordable housing

within an existing residential estate. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/H1017 Application file: 17/AP/1333 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5254 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>	Amy Lester, Team Leader	
<b>Version</b>	Final	
<b>Dated</b>	13 September 2017	
<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 Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>	21 September 2017	

**APPENDIX 1****Consultation undertaken****Site notice date:** 19/05/2017**Press notice date:** 18/05/2017**Case officer site visit date:** n/a**Neighbour consultation letters sent:** 19/05/2017**Internal services consulted:**

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

**Statutory and non-statutory organisations consulted:**

Environment Agency  
 Metropolitan Police Service (Designing out Crime)  
 Natural England - London Region & South East Region  
 Network Rail (Planning)  
 Thames Water - Development Planning  
 Transport for London (referable & non-referable app notifications and pre-apps)

**Neighbour and local groups consulted:**

51 Horsman House Bethwin Road SE5 0YL	11 86 Camberwell Road SE5 0EG
51 Horsman House Bethwin Road Se5 0yl	12 86 Camberwell Road SE5 0EG
35 Urlwin Street London SE5 0NF	13 86 Camberwell Road SE5 0EG
15e Grosvenor Park London SE5 0NH	10 86 Camberwell Road SE5 0EG
15f Grosvenor Park London SE5 0NH	7 86 Camberwell Road SE5 0EG
23a Grosvenor Park London SE5 0NH	8 86 Camberwell Road SE5 0EG
15d Grosvenor Park London SE5 0NH	9 86 Camberwell Road SE5 0EG
15a Grosvenor Park London SE5 0NH	Unit 2 76-78 Camberwell Road SE5 0EG
15b Grosvenor Park London SE5 0NH	Flat 1c 86 Camberwell Road SE5 0EG
15c Grosvenor Park London SE5 0NH	Flat A 1a Bethwin Road SE5 0SJ
31f Grosvenor Park London SE5 0NH	Flat B 1a Bethwin Road SE5 0SJ
33a Grosvenor Park London SE5 0NH	Flat 18 1a Bethwin Road SE5 0SJ
35c Grosvenor Park London SE5 0NH	Flat 15 1a Bethwin Road SE5 0SJ
31e Grosvenor Park London SE5 0NH	Flat 16 1a Bethwin Road SE5 0SJ
23b Grosvenor Park London SE5 0NH	Flat 17 1a Bethwin Road SE5 0SJ
23c Grosvenor Park London SE5 0NH	92b Camberwell Road London SE5 0EG



23d Grosvenor Park London SE5 0NH  
 24a Urlwin Street London SE5 0NF  
 25a Urlwin Street London SE5 0NF  
 13 Grosvenor Park London SE5 0NH  
 39 Grosvenor Park London SE5 0NH  
 41 Grosvenor Park London SE5 0NH  
 29b Urlwin Street London SE5 0NF  
 31a Urlwin Street London SE5 0NF  
 34a Urlwin Street London SE5 0NF  
 29a Urlwin Street London SE5 0NF  
 25b Urlwin Street London SE5 0NF  
 26a Urlwin Street London SE5 0NF  
 26b Urlwin Street London SE5 0NF  
 35d Grosvenor Park London SE5 0NH  
 Railway Arch 279 Bethwin Road SE5 0YW  
 Railway Arch 280 Bethwin Road SE5 0YW  
 Railway Arch 281 Bethwin Road SE5 0YW  
 Railway Arch 278 Bethwin Road SE5 0YW  
 Railway Arch 270 Bethwin Road SE5 0YW  
 Railway Arch 271 To 272 Bethwin Road SE5 0YW  
 Railway Arch 276 Bethwin Road SE5 0YW  
 Flat 1 112 Camberwell Road SE5 0EE  
 Flat 1 90 Camberwell Road SE5 0EG  
 Flat 2 116 Camberwell Road SE5 0EE  
 Flat 1 90a Camberwell Road SE5 0EG  
 Railway Arch 282 Bethwin Road SE5 0YW  
 First Floor Flat 118 Camberwell Road SE5 0EE  
 Flat C 72 Camberwell Road SE5 0EG  
 24b Urlwin Street London SE5 0NF  
 92a Camberwell Road London SE5 0EG  
 31b Urlwin Street London SE5 0NF  
 Unit 2 90a Camberwell Road SE5 0EG  
 35f Grosvenor Park London SE5 0NH  
 37b Grosvenor Park London SE5 0NH  
 37e Grosvenor Park London SE5 0NH  
 27d Grosvenor Park London SE5 0NH  
 37 Urlwin Street London SE5 0NF  
 38 Urlwin Street London SE5 0NF  
 27c Grosvenor Park London SE5 0NH  
 34b Urlwin Street London SE5 0NF  
 27a Grosvenor Park London SE5 0NH  
 27b Grosvenor Park London SE5 0NH  
 36 Urlwin Street London SE5 0NF  
 Railway Arch 275 Bethwin Road SE5 0YW  
 Railway Arch 277 Bethwin Road SE5 0YW  
 15g Grosvenor Park London SE5 0NH  
 76-78 Camberwell Road London SE5 0EG  
 Flat 4 74 Camberwell Road SE5 0EG  
 Flat 5 74 Camberwell Road SE5 0EG  
 66-68 Camberwell Road London SE5 0EG  
 21b Grosvenor Park London SE5 0NH  
 21c Grosvenor Park London SE5 0NH  
 21d Grosvenor Park London SE5 0NH  
 21a Grosvenor Park London SE5 0NH  
 35g Grosvenor Park London SE5 0NH  
 43 Grosvenor Park London SE5 0NH  
 Flat 3 Harford House Goschen Estate SE5 0YN  
 Flat 4 Harford House Goschen Estate SE5 0YN  
 Flat 5 Harford House Goschen Estate SE5 0YN  
 Flat 24 Harford House Goschen Estate SE5 0YN  
 Flat 21 Harford House Goschen Estate SE5 0YN  
 Flat 22 Harford House Goschen Estate SE5 0YN  
 Flat 23 Harford House Goschen Estate SE5 0YN  
 Flat 1 74 Camberwell Road SE5 0EG  
 Flat 2 74 Camberwell Road SE5 0EG  
 Flat 3 74 Camberwell Road SE5 0EG  
 Flat 9 Harford House Goschen Estate SE5 0YN  
 Flat 6 Harford House Goschen Estate SE5 0YN  
 Flat 7 Harford House Goschen Estate SE5 0YN  
 Flat 8 Harford House Goschen Estate SE5 0YN  
 Flat C 1a Bethwin Road SE5 0SJ  
 Flat D 1a Bethwin Road SE5 0SJ  
 Basement Flat 118 Camberwell Road SE5 0EE  
 Unit 7 76-78 Camberwell Road SE5 0EG  
 Unit 8 76-78 Camberwell Road SE5 0EG  
 Unit 9 76-78 Camberwell Road SE5 0EG  
 Unit 6 76-78 Camberwell Road SE5 0EG  
 Unit 3 76-78 Camberwell Road SE5 0EG  
 Unit 4 76-78 Camberwell Road SE5 0EG  
 Unit 5 76-78 Camberwell Road SE5 0EG  
 Unit 14 76-78 Camberwell Road SE5 0EG  
 Flat 7a 1a Bethwin Road SE5 0SJ  
 Flat 7b 1a Bethwin Road SE5 0SJ  
 Unit 13 76-78 Camberwell Road SE5 0EG  
 Unit 10 76-78 Camberwell Road SE5 0EG  
 Unit 11 76-78 Camberwell Road SE5 0EG  
 Unit 12 76-78 Camberwell Road SE5 0EG  
 Railway Arch 276 Camberwell Road SE5 0EG  
 Flat 7 3 Bethwin Road SE5 0YJ  
 Flat 8 3 Bethwin Road SE5 0YJ  
 Flat 9 3 Bethwin Road SE5 0YJ  
 Flat 6 3 Bethwin Road SE5 0YJ  
 Flat 3 3 Bethwin Road SE5 0YJ  
 Flat 4 3 Bethwin Road SE5 0YJ  
 Flat 5 3 Bethwin Road SE5 0YJ  
 Flat 12 1a Bethwin Road SE5 0SJ  
 Flat 13 1a Bethwin Road SE5 0SJ  
 Flat 2 1a Bethwin Road SE5 0SJ  
 Flat 11 1a Bethwin Road SE5 0SJ  
 First Floor Flat 84 Camberwell Road SE5 0EG  
 Flat 1 1a Bethwin Road SE5 0SJ  
 Flat 10 1a Bethwin Road SE5 0SJ  
 45 Grosvenor Park London SE5 0NH  
 Flat 4 84 Camberwell Road SE5 0EG  
 Basement Rear Of 90 SE5 0EG  
 Flat 1 116 Camberwell Road SE5 0EE  
 Flat 13 3 Bethwin Road SE5 0YJ  
 Flat 14 3 Bethwin Road SE5 0YJ  
 Flat 2 3 Bethwin Road SE5 0YJ  
 Flat 12 3 Bethwin Road SE5 0YJ  
 Flat 1 3 Bethwin Road SE5 0YJ  
 Flat 10 3 Bethwin Road SE5 0YJ  
 Flat 11 3 Bethwin Road SE5 0YJ  
 Flat 3 1a Bethwin Road SE5 0SJ  
 Flat 1 1c Bethwin Road SE5 0SG  
 Flat 2 1c Bethwin Road SE5 0SG  
 Flat 3 1c Bethwin Road SE5 0SG  
 Unit 4 1 Bethwin Road SE5 0YJ  
 Unit 6 1b Bethwin Road SE5 0SN  
 Unit 2 1 Bethwin Road SE5 0SH  
 Flat 4 90a Camberwell Road SE5 0EG  
 Flat 14 1a Bethwin Road SE5 0SJ  
 Railway Arch 275 Camberwell Road SE5 0EG  
 Flat 7 1c Bethwin Road SE5 0SG  
 Flat 4 1c Bethwin Road SE5 0SG  
 Flat 5 1c Bethwin Road SE5 0SG  
 Flat 6 1c Bethwin Road SE5 0SG  
 Flat 8 1a Bethwin Road SE5 0SJ  
 Flat 9 1a Bethwin Road SE5 0SJ  
 1a Bethwin Road London SE5 0YJ  
 Flat 7 1a Bethwin Road SE5 0SJ  
 Flat 4 1a Bethwin Road SE5 0SJ  
 Flat 5 1a Bethwin Road SE5 0SJ  
 Flat 6 1a Bethwin Road SE5 0SJ  
 Flat 12 1c Bethwin Road SE5 0SG  
 Flat 13 1c Bethwin Road SE5 0SG  
 Flat 14 1c Bethwin Road SE5 0SG  
 Flat 11 1c Bethwin Road SE5 0SG  
 Flat 8 1c Bethwin Road SE5 0SG  
 Flat 9 1c Bethwin Road SE5 0SG





19 86 Camberwell Road SE5 0EG  
 20 86 Camberwell Road SE5 0EG  
 17 86 Camberwell Road SE5 0EG  
 14 86 Camberwell Road SE5 0EG  
 15 86 Camberwell Road SE5 0EG  
 16 86 Camberwell Road SE5 0EG  
 Flat 1b 86 Camberwell Road SE5 0EG  
 Unit 1 76-78 Camberwell Road SE5 0EG  
 Unit 1a 76-78 Camberwell Road SE5 0EG  
 Flat 1a 86 Camberwell Road SE5 0EG  
 86a Camberwell Road London SE5 0EG  
 Railway Arches 270 271 And 272 Camberwell Road SE5 0EG  
 Rear Of 88 Camberwell Road SE5 0EG  
 4 86 Camberwell Road SE5 0EG  
 5 86 Camberwell Road SE5 0EG  
 6 86 Camberwell Road SE5 0EG  
 3 86 Camberwell Road SE5 0EG  
 Railway Arch 277 Camberwell Road SE5 0EG  
 Railway Arch 278 Camberwell Road SE5 0EG  
 2 86 Camberwell Road SE5 0EG

Flat 24 Boundary House Goschen Estate SE5 0YB  
 Flat 26 Boundary House Goschen Estate SE5 0YB  
 Flat 25 Boundary House Goschen Estate SE5 0YB  
 Flat 18 Boundary House Goschen Estate SE5 0YB  
 Flat 17 Boundary House Goschen Estate SE5 0YB  
 Flat 19 Boundary House Goschen Estate SE5 0YB  
 Flat 21 Boundary House Goschen Estate SE5 0YB  
 Flat 20 Boundary House Goschen Estate SE5 0YB  
 Flat 27 Boundary House Goschen Estate SE5 0YB  
 Flat 34 Boundary House Goschen Estate SE5 0YB  
 Flat 33 Boundary House Goschen Estate SE5 0YB  
 Flat 35 Boundary House Goschen Estate SE5 0YD  
 Flat 37 Boundary House Goschen Estate SE5 0YD  
 Flat 36 Boundary House Goschen Estate SE5 0YD  
 Flat 29 Boundary House Goschen Estate SE5 0YB  
 Flat 28 Boundary House Goschen Estate SE5 0YB  
 Flat 30 Boundary House Goschen Estate SE5 0YB  
 Flat 32 Boundary House Goschen Estate SE5 0YB  
 Flat 31 Boundary House Goschen Estate SE5 0YB  
 44 Horsman House Bethwin Road SE5 0YL  
 72 Causton House Bethwin Road, Goschen Estate SE5 0YF

**Re-consultation:** n/a

## APPENDIX 2

### Consultation responses received

#### Internal services

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

#### Statutory and non-statutory organisations

Metropolitan Police Service (Designing out Crime)  
 Natural England - London Region & South East Region  
 Thames Water - Development Planning  
 Transport for London (referable & non-referable app notifications and pre-apps)

#### Neighbours and local groups

Flat 1 112 Camberwell Road SE5 0EE  
 Flat 4 112 Camberwell Road SE5 0EE  
 Flat 44 Horsman House Goschen Estate SE5 0YL  
 Flat 55 Horsman House Goschen Estate SE5 0YL  
 35 Urlwin Street London SE5 0NF  
 44 Horsman House Bethwin Road SE5 0YL  
 51 Horsman House Bethwin Road SE5 0YL  
 51 Horsman House Bethwin Road Se5 0yl

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**RECOMMENDATION  
LDD MONITORING FORM REQUIRED**

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

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<b>Applicant</b>	Ms Sonia Hamilton London Borough of Southwark	<b>Reg. Number</b>	17/AP/1333
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/H1017
<b>Recommendation</b>	Grant subject to Legal Agreement		

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**Draft of Decision Notice**

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**Planning Permission was GRANTED for the following development:**

Construction of a 5-storey block adjoining Causton House and a 4-storey block located adjacent to Harford House to provide 6 x 1 bed, 6 x 2 bed and 5 x 3 bed residential units (17 units) together with associated landscaping

**At:** GOSCHEN ESTATE, BETHWIN ROAD, LONDON SE5

**In accordance with application received on 03/04/2017**

**and Applicant's Drawing Nos.**

Site Location Plan:

A1\_P101

Existing Plans:

A1\_P102, A1\_P103, A1\_P104, A1\_P105, A1\_P106, A1\_P107, A1\_P108 and Topographical Survey 01 14/1830K

Proposed Plans:

A1\_P109 Rev A, A1\_P110 Rev A, A1\_P111 Rev B, A1\_P112 Rev B, A1\_P113 Rev B, A1\_P114 Rev B, A1\_P115 Rev B, A1\_P116 Rev B, A1\_P117 Rev B, A1\_P118 Rev B, A1\_P119 Rev B, A1\_P120 Rev B, A1\_P121 Rev B, A1\_P122 Rev B, A1\_P123 Rev B, A1\_P124 Rev B, A1\_P125 Rev B, A1\_P126 Rev B, A1\_P127 Rev B, A1\_P128 Rev A, A1\_P129 Rev A, A1\_P130 Rev A, A1\_P131 Rev A, A1\_P132 Rev A, A1\_P133 Rev A, A1\_P134 Rev A, A1\_P135 and 2601133-HL-ZZ-XX-DR-E-630-0001

Other Documents:

Design and Access Statement Revision A August 2017

Flood Risk Assessment Issue 3 Rev 2 16 November 2016

Energy and Sustainability Strategy REP-2601133-08-MV-20170331 Rev 2

AIR QUALITY ASSESSMENT REF: AQ101478R3 22ND NOVEMBER 2016

ECOLOGICAL ASSESSMENT Ref: 5278.001 version: 2.0 29/11/2016

Daylight and Sunlight Assessment Issue 4 rev: 3 18th January 2017

Financial Viability Statement March 2016

REPORT ON GROUND INVESTIGATION 52441A June 2016

Landscape Design - October 2016 Rev A 07.10.16

NOISE AND VIBRATION ASSESSMENT Report 14081.NVA.01 4 July 2016

Planning Statement Version 1.0

Transport Statement BPAR/16/3106/TS01 December 2016

Arboricultural Impact Assessment DFCP 3856 rev. A 23.02.2017

MEP Engineering Stage 3 Report August 2016 Rev T1

Structural and Civil Engineering Report - Stage 3 August 2016 rev P1

Stage 1 Road Safety Audit November 2016 RW/SR/16/1314/GOSCHEN/RSA1

Indicative Construction Management Plan 760.000/ Indicative CMP

Unexploded Ordnance Desk Based Study with Risk Assessment JM5061-R8 20th April 2014

Remediation Method Statement VT/vt/52441E/8487 5 July 2017

**Subject to the following thirty conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

- 2 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:

A1\_P109 Rev A, A1\_P110 Rev A, A1\_P111 Rev B, A1\_P112 Rev B, A1\_P113 Rev B, A1\_P114 Rev B, A1\_P115 Rev B, A1\_P116 Rev B, A1\_P117 Rev B, A1\_P118 Rev B, A1\_P119 Rev B, A1\_P120 Rev B, A1\_P121 Rev B, A1\_P122 Rev B, A1\_P123 Rev B, A1\_P124 Rev B, A1\_P125 Rev B, A1\_P126 Rev B, A1\_P127 Rev B, A1\_P128 Rev A, A1\_P129 Rev A, A1\_P130 Rev A, A1\_P131 Rev A, A1\_P132 Rev A, A1\_P133 Rev A, A1\_P134 Rev A, A1\_P135 and 2601133-HL-ZZ-XX-DR-E-630-0001

Reason:

For the avoidance of doubt and in the interests of proper planning.

**Pre-commencement condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

- 3 Before any work hereby authorised begins, the applicant shall submit an updated Air Quality Assessment with associated mitigation measures, which demonstrate how the development will achieve the required Air Quality Neutral standard. This should be submitted to and approved in writing by the Local Planning Authority and the development carried out in accordance with the approved details.

Reason

In accordance with policy 7.14 Improving Air Quality of the London Plan 2016 and the National Planning Policy Framework 2012.

- 4 Following the completion of the measures identified in the approved remediation strategy VT/vt/52441E/8487, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing in consultation with the Environment Agency.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters (the site is located above a Secondary Aquifer), property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 5 Sustainable Urban Drainage

Before any work hereby authorised begins, details of a surface water drainage strategy, incorporating sustainable drainage principles, which achieves a reduction in surface water run-off rates as detailed in the Flood Risk Assessment (Herrington Consulting, November 2016) during a 1% Annual Exceedance Probability (AEP) event, incorporating 40% allowance for Climate Change, has been submitted to (2 copies) and approved in writing by Local Planning Authority. The surface water drainage scheme should incorporate Sustainable Drainage Systems (SuDS), in accordance with the recommendations of the Southwark Strategic Flood Risk Assessment (SFRA), the London Plan (2011). The SuDS hierarchy within the London Plan should be followed in the development of the surface water drainage scheme, with a preference for SuDS measures that control surface water at source. The site drainage must be constructed to the approved details.

No drainage systems for the infiltration of surface water drainage into the ground will be permitted unless it is demonstrated that there is no resultant unacceptable risk to Controlled Waters.

Reason:

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater, and to minimise the potential for the site to contribute to surface water flooding in accordance with saved policy 3.9 Water of the Southwark Plan, Strategic policy 13 of the

Core Strategy (2011) and guidance in the Sustainable Design and Construction SPD (2009).

- 6 Before any work hereby authorised begins, details of the temporary relocation of the existing cycle storage lockers shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle lockers shall be provided and retained for the duration of the construction period, until such time as they can be installed in their permanent position.

Reason

In order to ensure that satisfactory safe and secure cycle parking facilities are provided and retained in order to encourage the use of cycling as an alternative means of transport to the development and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 7 Bird and Bat Bricks/Boxes

Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the use hereby granted permission.

No less than 4 bat bricks and 8 nesting boxes/bricks (a range suitable for house sparrows, starlings and swifts) shall be provided and the details shall include the exact location, specification and design of the habitats. The boxes/bricks shall be installed with the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes / bricks shall be installed strictly in accordance with the details so approved, and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 5.10 and 7.19 of the London Plan 2011, Policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

- 8 Before any work hereby authorised begins, the existing refuse storage areas to be displaced as a result of this development shall be relocated, as shown on the approved plans A1\_P110 rev A and A1\_P135, and made available for use by the occupiers of the existing dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

- 9 Prior to works commencing, full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include tree pit cross sections, planting and maintenance specifications, use of guards or other protective measures and confirmation of location, species, sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Planting shall comply with BS5837: Trees in relation to demolition, design and construction (2012) and BS: 4428 Code of practice for general landscaping operations.

If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place in the first suitable planting season., unless the local planning authority gives its written consent to any variation.

To ensure the proposed development will preserve and enhance the visual amenities of the locality and is designed for the maximum benefit of local biodiversity, in addition to the attenuation of surface water runoff in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

- 10 Prior to works commencing, including any demolition, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

a) A pre-commencement meeting shall be arranged, the details of which shall be notified to the Local Planning Authority for agreement in writing prior to the meeting and prior to works commencing on site, including any

demolition, changes to ground levels, pruning or tree removal.

b) A detailed Arboricultural Method Statement showing the means by which any retained trees on or directly adjacent to the site are to be protected from damage by demolition works, excavation, vehicles, stored or stacked building supplies, waste or other materials, and building plant, scaffolding or other equipment, shall then be submitted to and approved in writing by the Local Planning Authority. The method statements shall include details of facilitative pruning specifications and a supervision schedule overseen by an accredited arboricultural consultant.

c) Cross sections shall be provided to show surface and other changes to levels, special engineering or construction details and any proposed activity within root protection areas required in order to facilitate demolition, construction and excavation.

The existing trees on or adjoining the site which are to be retained shall be protected and both the site and trees managed in accordance with the recommendations contained in the method statement. Following the pre-commencement meeting all tree protection measures shall be installed, carried out and retained throughout the period of the works, unless otherwise agreed in writing by the Local Planning Authority. In any case, all works must adhere to BS5837: (2012) Trees in relation to demolition, design and construction and BS3998: (2010) Tree work - recommendations.

If within the expiration of 5 years from the date of the occupation of the building for its permitted use any retained tree is removed, uprooted is destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

#### Reason

To avoid damage to the existing trees which represent an important visual amenity in the area, in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

11 Prior to any above grade works, section details at a scale of 1:5/1:10 shall be submitted to the local planning authority for approval in writing of the following elements of the building hereby granted:

- the facades, including specific brick detailing;
- parapets;
- roof edges;
- heads, cills and jambs of all openings and balconies;
- any signage incorporated within the building fabric.

The development shall not be carried out otherwise in accordance with any such approval given.

#### Reason

In order that the Local Planning Authority may be satisfied that the design quality presented in the approved plans can be delivered to the requisite quality in accordance with saved policies 3.12 'Quality in Design' and 3.13 'Urban Design' of the Southwark Plan 2007, Strategic Policy 12: 'Design and Conservation' of the Core Strategy 2011 and guidance in the National Planning Policy Framework.

12 Before any above grade work hereby authorised begins, detailed drawings demonstrating a minimum of 80sqm of designated playspace for younger children (0-4 years) shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with any such approval given and shall be permanently maintained.

#### Reason

So that the Council may be satisfied with the details of the playspace in accordance with The National Planning Policy Framework 2012 and policies of The Core Strategy 2011: SP12 Design and conservation and Saved Policies of The Southwark Plan 2007: Policy 3.12 Quality in Design and Policy 3.13 Urban Design, and Policy 3.6 Children and young peoples play and informal recreation facilities of the London Plan 2016.

13 Before any above grade work hereby authorised begins, a detailed method statement for the removal or long-term



management/eradication of Japanese Knotweed on the site shall be submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures to prevent the spread of Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

Reason:

Japanese Knotweed is an invasive plant, the spread of which is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent its spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment occurring.

14 Biodiversity Brown Roofs

Before any above grade work hereby authorised begins, details of Biodiversity Brown Roofs to be installed in combination with the proposed PV arrays, shall be submitted to and approved in writing by the Local Planning Authority.

The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

Reason:

To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity in accordance with policies: 2.18, 5.3, 5.10, and 5.11 of the London Plan 2011, saved policy 3.28 of the Southwark Plan and Strategic Policy 11 of the Southwark Core strategy.

15 Prior to above grade works commencing, material samples/sample-panels/sample-boards of all external facing materials to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

16 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Pre-occupation condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before the building(s) hereby permitted are occupied or the use hereby permitted is commenced.

17 Before the first occupation of the building hereby authorised, details of a communal satellite (or other equivalent) system to be placed on the top of each of the buildings to serve all residents in that building shall be submitted to

and approved in writing by the Local Planning Authority and the development shall not be carried out otherwise than in accordance with any such approval given.

Reason

To restrict the installation of multiple satellite dishes to the elevations of the buildings to ensure that the elevations remain free from unsightly satellite dishes in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.12 Quality in Design of the Southwark Plan 2007.

- 18 Prior to their occupation the wheelchair accessible units as shown on the hereby approved drawings shall be constructed and fitted out to the South East London Wheelchair Design Guide.

Reason

To ensure the wheelchair units approved are delivered to the relevant standard in accordance with The National Planning Policy Framework 2012, Policy 7.2 An inclusive environment of the London Plan 2011, Strategic Policy 2 Sustainable Transport of the Core Strategy 2011 and Saved Policies 3.12 Quality in Design and 3.13 Urban Design of the Southwark Plan 2007.

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

Access to and use of building standard M4(3a):

South Block - Units G.01, 1.01, 2.01, 2.02, 3.01, 3.02, 4.01 and 4.02

North Block - Units 1.02, 2.03, 2.04, 2.05, 3.03, 3.04, 3.05

Access to and use of building standard M4(2):

North Block - Units G.03 and G.02

Reason

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

- 20 Before the first occupation of the buildings hereby approved the following minimum cycle storage facilities, as shown on the approved drawings A1\_P109 rev A, A1\_P111 rev B and A1\_P116 rev B, shall be provided:

- 8 external spaces adjacent to North Block.
- 16 internal spaces within North Block.
- 2 external spaces adjacent to South Block.
- 12 internal spaces within South Block.
- 7 relocated cycle lockers adjacent to South Block.
- 13 relocated cycle lockers adjacent to railway viaduct.

Thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 21 Prior to occupation of the units hereby approved, 2 disabled parking spaces, as shown on approved plan A1\_P109 rev A, shall be made available, and retained for the purposes of car parking for the disabled for as long as the development is occupied.

Reason

To ensure that the parking spaces for disabled people are provided and retained in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy 2011 and Saved Policy 5.7 Parking standards for disabled people and the mobility impaired of the Southwark Plan 2007.

## 22 Car Parking

Before the first occupation of the development the car parking as shown on the approved plan A1\_P109 rev A, or approved subsequently in accordance with any condition of this permission, shall be made available, and retained for the purposes of car parking for vehicles of residents of the development and the surrounding Goschen Estate, and no trade or business shall be carried out thereon.

## Reason:

To ensure the permanent retention of the parking areas, to avoid obstruction of the surrounding streets by waiting vehicles and to safeguard the amenities of the adjoining properties in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity, Policy 5.2 Transport Impacts and 5.6 Car Parking of the Southwark Plan 2007 and Strategic Policy 2 Sustainable Transport of the Core Strategy 2011.

- 23 Before the first occupation of the building hereby approved, details of the installation (including location and type) of electric vehicle charger points for 20% of all of the spaces, a further 20% shall be designed as passive provision for electric vehicles in the future, shall be submitted to and approved in writing by the Local Planning Authority and the electric vehicle charger points shall be installed prior to occupation of the development and the development shall not be carried out otherwise in accordance with any such approval given.

## Reason

To encourage more sustainable travel in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 Sustainable Transport of The Core Strategy 2011 and Saved Policies 3.1 Environmental Effects and 5.2 Transport Impacts of the Southwark Plan 2007.

- 24 Before the first occupation of the buildings hereby permitted, the refuse storage arrangements as shown on the approved plans, referenced A1\_P116 rev B and A1\_P111 rev B, shall be provided and made available for use by the occupiers of the dwellings and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

## Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 25 Each dwelling hereby permitted shall be constructed to achieve at least the optional standard 36(2b) of Approved Document G of the Building Regulations (2015).

## Reason

To ensure the development complies with the National Planning Policy Framework 2012, Strategic Policy 13 (High environmental standards) of the Core Strategy 2011, saved policies 3.3 Sustainability and Energy Efficiency of the Southwark Plan and Policy 5.15 of the London Plan 2015 (Water use and supplies).

## 26 Ventilation

Before first occupation of the development a filtered mechanical ventilation system to supply clean air to all residential units within both the northern and southern development blocks shall be installed and maintained for as long as the development is occupied.

## Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of high pollutant concentrations from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 27 No developer, owner or occupier of any part of the development hereby permitted, with the exception of disabled persons, shall seek, or will be allowed, to obtain a parking permit within the controlled parking zone in Southwark in which the application site is situated.

## Reason

To ensure compliance with Strategic Policy 2 - Sustainable Transport of the Core Strategy 2011 and saved policy 5.2 Transport Impacts of the Southwark Plan 2007.

- 28 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels are not exceeded due to environmental noise:

Bedrooms - 30dB LAeq, T \* and 45dB LAFmax  
 Living rooms - 30dB LAeq, T \*\*

\* - Night-time 8 hours between 23:00-07:00

\*\* - Daytime 16 hours between 07:00-23:00.

**Reason**

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

- 29 No roof plant, equipment or other structures, other than as shown on the plans hereby approved or approved pursuant to a condition of this permission, shall be placed on the roof or be permitted to project above the roofline of any part of the buildings as shown on elevational drawings or shall be permitted to extend outside of the roof plant enclosures of any buildings hereby permitted.

**Reason**

In order to ensure that no additional plant is placed on the roof of the building in the interest of the appearance and design of the building and the visual amenity of the area in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies 3.2 Protection of Amenity and 3.13 Urban Design of the Southwark Plan 2007.

**Other condition(s)** - the following condition(s) are to be complied with and discharged in accordance with the individual requirements specified in the condition(s).

- 30 Environment Agency - Piling  
 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

**Reason:**

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. The Environment Agency recommend that where soil contamination is present, a risk assessment is carried out in accordance with their guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

**Statement of positive and proactive action in dealing with the application**

The Council has published its development plan and core strategy on its website together with advice about how applications are considered and the information that needs to be submitted to ensure timely consideration of an application. Applicants are advised that planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

The pre-application service was used for this application and the advice given was followed.

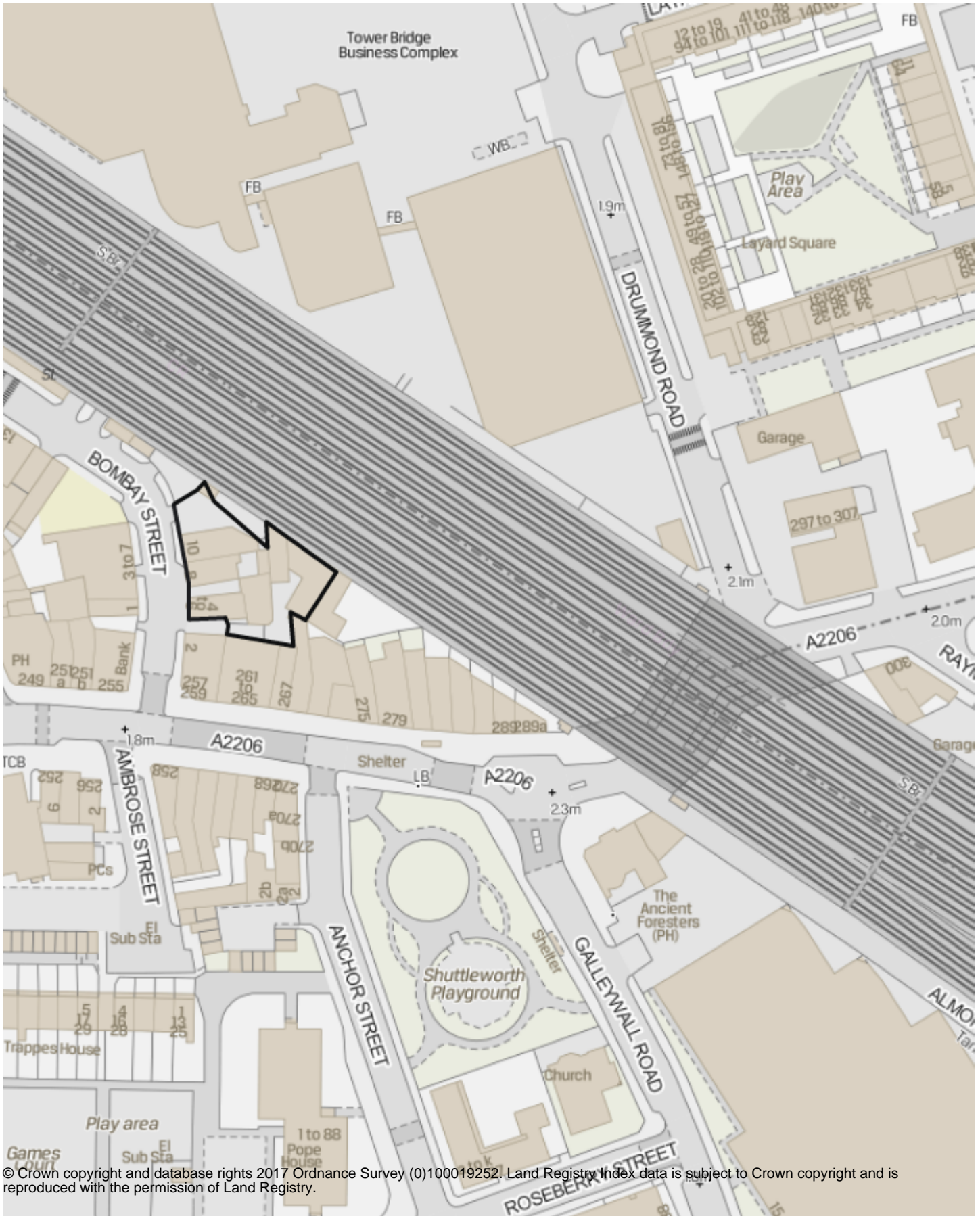
The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

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# Agenda Item 7.3




AGENDA 7.3 - 4-10 BOMBAY STREET, LONDON, SE16 3UX



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50 m Scale = 1 : 1250  
 21-Sep-2017



<b>Item No.</b> 7.3	<b>Classification:</b> OPEN	<b>Date:</b> 3 October 2017	<b>Meeting Name:</b> Planning Sub-Committee A
<b>Report title:</b>	<b>Development Management planning application:</b> Application 17/AP/0296 for: Full Planning Application  <b>Address:</b> 4-10 BOMBAY STREET, LONDON SE16 3UX  <b>Proposal:</b> Demolition of existing buildings and erection of a part 6 part 7 storey mixed-use building with 416sqm of flexible commercial and employment floorspace at ground and first floor level (Use Classes A1, A2 and B1), 18 flats (6 x 1Bed, 8 x 2Bed & 4 x 3Bed) comprising 2 wheelchair accessible units in the upper floors and associated private amenity areas, landscaping, pedestrian access points, cycle parking and refuse storage.		
<b>Ward(s) or groups affected:</b>	South Bermondsey		
<b>From:</b>	Director of Planning		
<b>Application Start Date</b> 10/02/2017		<b>Application Expiry Date</b> 12/05/2017	
<b>Earliest Decision Date</b> 17/03/2017			

## RECOMMENDATION

1. a. That planning permission is granted subject to conditions and the completion of a legal agreement.
- b. In the event that the legal agreement is not completed by 22 December 2017, that the Director of Planning be authorised to refuse planning permission for the reasons set out in paragraph 128 of this report.

## BACKGROUND INFORMATION

### Site location and description

2. The irregular-shaped site has an area of approximately 0.085 hectares and is located on the eastern side of Bombay Street, within the administrative boundary of the London Borough of Southwark.
3. The site comprises a group of one and two storeys non-descript commercial properties with rear extensions and internal courtyards.
4. The site is bounded by a railway line to the north east with industrial units in the railway arches, a single storey structure and dense trees coverage to the east and a four storey residential building to the south with retail units on the Southwark Park Road frontage. On the western side of Bombay Street are other two storey commercial and industrial properties.
5. The immediate area is characterised by predominantly residential and mixed use urban development, with retail and commercial units to the ground floor of properties on Southwark Park Road. Neighbouring buildings range from two to seven storeys in

height.

6. The application site is located on the fringes of The Blue Local Town Centre and within the Urban Density Zone, Flood Risk Zone 2 and the Air Quality Management Area. The site is not located within a Conservation Area, nor is the application site within the setting of any Statutory Listed Buildings.
7. The site has a Public Transport Accessibility Level rating of 4 'Good' and is well served by public transport.

### Details of proposal

8. This application seeks planning permission for the demolition of existing buildings and erection of a part 6 part 7 storey mixed-use building with 416sqm of flexible commercial and employment floorspace at ground and first floor level (Use Classes A1, A2 and B1), 18 flats (6 x 1Bed, 8 x 2Bed & 4 x 3Bed) comprising 2 wheelchair accessible units in the upper floors and associated private amenity areas, landscaping, pedestrian access points, cycle parking and refuse storage.
9. Schedule of accommodation:

Ground and first floors providing 416m<sup>2</sup> of flexible commercial floorspace within Use Classes A1, A2 and B1.

Flat No.	Floor	Type	Size	Tenure	Living / Kitchen / Dining	Bed 1	Bed 2	Bed 3	WC	Storage	Amenity
1	2nd	2B4P	107 (70)	Private	39 (27)	18 (12)	14 (7)		5.94 & 3.5 (3.5)	4.4 (2)	19 (10)
2	2nd	2B3P	82 (61)	Private	31 (27)	17 (12)	10 (7)		6.3 (3.5)	2.6 (2)	6 (10)
3	2nd	3B5P	87 (86)	Private	31 (30)	12 (12)	12 (7)	9 (7)	5.2 (3.5)	2.9 & 1.1 (2)	10 (10)
4	3rd	2B3P	62 (61)	Intermediate	27 (27)	14 (12)	9 (7)		4.3 (3.5)	1.5 (2)	9 (10)
5	3rd	2B4P	70 (70)	Intermediate	27 (27)	13 (12)	13 (7)		4.75 (3.5)	1 & 0.8 & 0.7 (2)	10 (10)
6	3rd	1B2P	51 (50)	Intermediate	27 (24)	12 (12)			4.3 (3.5)	1 & 0.5 (1.5)	6 (10)
7	3rd	3B5P	87 (86)	Private	31 (30)	12 (12)	12 (7)	9 (7)	4 (3.5)	2.9 & 1.1 (2)	10 (10)
8	4th	2B3P	62 (61)	Intermediate	27 (27)	14 (12)	9 (7)		4.3 (3.5)	1.5 (2)	8 (10)
9	4th	2B4P	70 (70)	Private	27 (27)	13 (12)	13 (7)		4.7 (3.5)	1 & 0.8 (2)	10 (10)
10	4th	1B2P	51 (50)	Intermediate	27 (24)	12 (12)			4.4 (3.5)	1 & 0.5 (1.5)	6 (10)
11	4th	3B5P	87 (86)	Private	31 (30)	12 (12)	12 (7)	9 (7)	4.2 (3.5)	2.9 & 1.1 (2)	10 (10)
12	5th	2B3P	62 (61)	Private	27 (27)	14 (12)	9 (7)		4.2 (3.5)	1.5 (2)	9 (10)
13	5th	2B4P	70 (70)	Private	27 (27)	13 (12)	13 (7)		4.7 (3.5)	0.7 & 0.8 (2)	10 (10)
14	5th	1B2P	51 (50)	Intermediate	27 (24)	12 (12)			4.3 (3.5)	1 & 0.5 (1.5)	6 (10)
15	5th	3B5P	87 (86)	Private	31 (30)	12 (12)	12 (7)	9 (7)	4 (3.5)	2.9 (2)	10 (10)
16	6th	1B2P	50 (50)	Intermediate	24 (24)	15 (12)			4.3 (3.5)	1 (1.5)	7 (10)

17	6 <sup>th</sup>	1B2P	50 (50)	Private	24 (24)	14 (12)			4.2 (3.5)	1 (1.5)	25 (10)
18	6 <sup>th</sup>	1B2P	50 (50)	Private	24 (24)	15 (12)			4.4 (3.5)	1 (1.5)	6 (10)

10. **Amenity space:**

Amenity space would be provided in the form of balconies with all residential units having access to some form of private outdoor space. An additional area of communal amenity space (85m<sup>2</sup>) would be provided in the form of a roof terrace at 6<sup>th</sup> floor level.

11. **Materials:**

All materials are referenced on Design and Access Statement ref: BBS-DS-00-ZZ-RP-A-D602 dated January 2017

12. Brickwork: Selected Dark Facings by Freshfield Lane

Cladding: Standing Seam Blue / Grey Zinc

Windows & Door Frames: Composite aluminium and timber windows. RAL Colour 7005.

Balconies: Steel Flat Balustrades

13. **Planning history**

16/EQ/0107 Application type: Pre-Application Enquiry (ENQ)  
Demolition of existing buildings and redevelopment of the site to provide a residential led mixed-use development in part 5 storey building part 6 storey, being the top floor set back. It comprises commercial and employment floorspace (flexible use class A1, A2, A3 and B1) to the ground floor, with a mix of residential units above, providing cycle parking and areas of shared and private amenity for residents  
Decision date 10/06/2016 Decision: Pre-application enquiry closed (EQC)

**Planning history of adjoining sites**

27-29 Blue Anchor Lane & 20 Bombay Street

14. 04-AP-0650

Demolition of existing garage repair workshop and redevelopment of site with part-4, part-6 and part-7 storey building comprising 6 live/work studios, 3 Class B1 light industrial/office units and 27 residential flats, including 2 storey buildings at the rear of 31-39 Blue Anchor Lane. Planning permission **granted** subject to S106 at committee on 17/05/05.

17-21 Blue Anchor Lane

15. 08-AP-1219

Demolition of existing building (car repair centre) and the erection of a new six storey mixed-use building consisting of a B1a unit (office) at ground/part first floor, and 5 residential units (1 x 1 and 4 x 2 bed flats) on the upper floors. Planning permission **granted** under delegated powers 08/07/08.

3-7 Bombay Street

16. 06-AP-0464

Demolition of existing building for the construction of new ground floor commercial units with residential entrances, refuse stores, cycle stores, two No disabled and one No visitor car parking spaces / new 27 residential units over four upper storeys (private/affordable ownerships) with external amenity decks. Application **withdrawn** by applicants following advice that the application would be refused.



41-47 Blue Anchor Lane & 9-13 Bombay Street

17. 08-AP-1744  
Demolition of existing buildings in connection with the redevelopment of the site to provide 5 x 3 bed three-storey terraced houses fronting Blue Anchor Lane, and a six-storey building fronting Bombay Street to provide 4 B1 commercial units at ground floor level and 16 flats (4 x 1 bed, 5 x 2 bed, 5 x 3 bed and 2 x 4 bed) on upper floors, with associated car and cycle parking facilities (total 21 residential units; 3 car-parking, 32 cycle-parking and 2 car-club spaces). Planning permission **granted** under delegated powers 16/07/2009.

257-265 Southwark Park Road

18. 04/AP/0997  
Planning permission **granted** under delegated powers 04/02/2005.

19. 261-265 Southwark Park Road

06/AP/1132

Planning permission **granted** under delegated powers 13/09/2006

**KEY ISSUES FOR CONSIDERATION****Summary of main issues**

20. The main issues to be considered in respect of this application are:
- a. The principle of the development in terms of land use and conformity with strategic policies
  - b. Design and appearance
  - c. Standard of Business Accommodation
  - d. Residential Amenity
  - e. Density
  - f. Neighbour Amenity
  - g. Traffic and Transportation
  - h. Flood Risk
  - i. Energy Efficiency & Sustainability

**Planning policy**

21. National Planning Policy Framework (the Framework)

Section 1 - Building a strong, competitive economy

Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 8 - Promoting healthy communities

Section 7 - Requiring good design

Section 10 - Meeting the challenge of climate change, flooding and coastal change

22. The London Plan 2016

Policy 4.2 - Offices

Policy 5.2 - Minimising carbon dioxide emissions

Policy 5.3 - Sustainable design and construction

Policy 5.10 - Urban greening

Policy 5.11 - Green roofs and development site environs

Policy 5.12 - Flood risk management

Policy 5.13 - Sustainable drainage

Policy 6.3 - Assessing effects of development on transport capacity  
 Policy 6.7 - Cycling  
 Policy 6.10 - Walking  
 Policy 7.4 - Local character  
 Policy 7.6 - Architecture  
 Policy 7.8 - Heritage assets and archaeology  
 Policy 7.14 - Improving air quality

23. Core Strategy 2011

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

24. Southwark Plan 2007 (July) - saved policies

The Council's cabinet on 19 March 2013, as required by para 215 of the NPPF, considered the issue of compliance of Southwark Planning Policy with the National Planning Policy Framework. All policies and proposals were reviewed and the Council satisfied itself that the policies and proposals in use were in conformity with the NPPF. The resolution was that with the exception of Policy 1.8 (location of retail outside town centres) in the Southwark Plan all Southwark Plan policies are saved. Therefore due weight should be given to relevant policies in existing plans in accordance to their degree of consistency with the NPPF.

1.4 - Employment Sites Outside the Preferred Office Locations and Preferred Industrial Locations  
 1.5 Small Business Units  
 3.1 Environmental Effects  
 3.2 Protection of Amenity  
 3.3 Sustainability Assessment  
 3.4 Energy Efficiency  
 3.5 Renewable Energy  
 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  
 4.1 Density of Residential Development  
 4.2 Quality of Residential Accommodation  
 5.1 Locating Developments  
 5.2 Transport Impacts  
 5.3 Walking and Cycling  
 5.6 Car Parking

25. Supplementary Planning Documents

Affordable Housing SPD (2008)  
 Development Viability SPD (2016)  
 2015 Technical Update to the Residential Design Standards (2011)

Section 106 Planning Obligations and Community Infrastructure Levy (CIL)  
Sustainability Assessment SPD (2009)  
Sustainable design and construction SPD (2009)  
Sustainable Transport SPD (2010)

### **Summary of consultation responses**

26. Two letters of objection received raising the following concerns:

- Objector did not received a consultation letter;
- That the ground floor plan is inaccurate (bank drawn in wrong place);
- That the development would impact on daylight / sunlight of the properties at 51/53 Blue Anchor Lane

#### **Noted:**

- Records indicate that consultation letters were sent to 51/53 Blue Anchor Lane on 15/02/2017
- Site visit indicated that drawings are accurate
- 51/53 Blue Anchor Lane is approximately 40m to the west of the site. As such it is not considered that the proposed development would have a detrimental impact on daylight or sunlight at these properties.

#### Environment Agency

27. Have no objections and recommend conditions

#### Transport for London

28. Due to the site location and nature of the development, there is unlikely to be any severe adverse impacts on TfL assets or services.

#### London Underground

29. Raised no objections.

#### Network Rail

30. Raised no objections.

#### London Fire and Emergency Planning Authority

31. Recommend that the proposal is built in accordance with Fire Safety Guidance Note Number GN29.

**Noted:** This would be covered through Building Regulations.

#### Metropolitan Police Service

32. Replied that the development is suitable to achieve Secured by Design accreditation, therefore they recommend a 'Secured by Design' condition.

#### Thames Water

33. Raised no objections.

Historic England

34. Commented that it is not necessary for this application to be notified to Historic England.

Transport Team

35. The proposed development is 'car-free' with no on-site car parking provision including wheelchair parking. Although evidence has been provided to demonstrate there is on-street capacity. There is concern that in reality there would be impact from this development. The proposal for managing the servicing and delivery of this site is satisfactory and detailed cycle parking should be subject to condition.

Urban Forester

36. Raised no objections as there are no existing trees or landscaping exists on site; however recommended a condition in regards to landscaping.

Ecology Officer

37. The Ecology Office has no concerns. The Green roof would offer greater ecological enhancement if it was a biodiverse roof.

Drainage Team

38. No objections; however they recommended non-return valves are installed for all connections to the sewer below the Environment Agency Thames breach modelling plus 300mm freeboard.

Archaeology officer

39. The application site is not within an Archaeological Priority Zone (APZ), although the 'Bermondsey Lake' APZ lies to the south of the site. Appraisal of this planning application using the Greater London Historic Environment Record (GLHER) and information submitted with the application indicates that, in this instance, it can be concluded that the archaeological resource would not be compromised by these works. No further archaeological assessment, fieldwork or conditions are required in consideration of this application.

Environmental Protection Officer

40. Raised no objections; however recommended conditions.

**Principle of development**

41. Saved Southwark Plan Policy 1.4 (Employment sites outside the Preferred Office Locations and Preferred Industrial Locations) states that on sites with an established Class B use that either front a classified road, are within the Central Activity Zone, a Strategic Cultural Area, Town and Local Centre or an Action Area Core, development should not result in a net loss of the Class B use. This is reinforced by Strategic Policy 10 of the Core Strategy which seeks to preserve the existing business floor space within the Borough.
42. The application form asserts that the existing site contains 563sqm of office floorspace (B1a). The proposal therefore represents a modest loss of 150sqm commercial space. As the site is located within a local centre, this is strictly contrary to policy 1.4, though there are several mitigating circumstances. The local centre

designation only covers the southern part of the site and so this boundary is slightly artificial. In addition, the scheme retains a sizeable amount of commercial floorspace at ground and first floor level. This space fronts the railway arches, which host several commercial tenants, and will represent an uplift in quality compared to the existing space. The provision of a mixed-used development is also consistent with the prevailing character of the area, as described above, and as such the minor loss of employment floorspace is considered a justifiable and appropriate response to the characteristics of the site.

43. An 'A' class use on the site is acceptable as part of the site is within the Blue Local Town Centre. It is proposed to retain 416m<sup>2</sup> of commercial floorspace falling within Use Class A1, A2 and B1 resulting in a modest loss of B1-floorspace of 149m<sup>2</sup>.
44. Furthermore, Southwark is delivering around 1650 homes a year which is among the highest in London. The Mayor of London has proposed a target for Southwark of 2,736 new homes per year. The proposed development is for a net increase of 18 units of accommodation which will go towards the required housing provision and will provide additional diversity in the housing stock in the surrounding area. The development would also not be developed at the expense of other important land uses thereby meeting the requirements of Policies SP14 and SP17.
45. The creation of new residential dwellings is also supported by Section 6 of the NPPF and Strategic Policy 5 of the Core Strategy which seeks to provide more housing opportunity for residents across the Borough. The proposal would also comply with the objectives of Saved Policy 3.11 of the Southwark Plan which seeks to make efficient use of brownfield land for development.
46. The development is therefore considered acceptable in principle.

#### **Environmental impact assessment**

47. The site does not require any formal assessment as it falls outside of the EIA criteria.

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

48. Strategic policy 13 of the Core Strategy requires consideration to be given to the impact of developments on the places in which people live, work and enjoy. Saved policy 3.2 of the Southwark Plan seeks to ensure an acceptable standard of amenity for existing and future occupiers.
49. The proposed building will not have a detrimental impact on the amenity of neighbouring residential properties through loss of sunlight/daylight, visual intrusion or loss of privacy.

#### Loss of privacy or overlooking

50. The proposed building would be to the north of the properties located between 257 and 275 Southwark Park Road, at a distance of between 10 and 12 metres. The proposed windows in the south elevation of the development fronting onto these properties would only service the lobby areas providing access to the flats.
51. The properties on Bombay Street immediately opposite the proposal site are in commercial use and to the north of the site is the railway viaduct.
52. Given the above, it is not considered that the proposed location of the development would result in any harmful loss of privacy or overlooking.

### Loss of daylight/sunlight

53. The BRE 2011 Guidance recommends two main methods of calculation for daylight impacts, the Vertical Sky Component (VSC) and No Sky Line (NSL) tests. In relation to sunlight, the BRE recommend a calculation of the Annual Probable Sunlight Hours (APSH).
54. The VSC method calculates the amount of sky visible at the centre of each window facing the site. The VSC is quantified as a percentage. The NSL is the line in a unit where an occupier no longer has a direct view of the sky and the method assesses the change in position of the NSL between the existing and proposed situations.
55. In relation to sunlight, the APSH calculation considers the amount of sun available in both the summer and winter to each given window that faces within 90 degrees of due south. Summer is considered to be the six months between 21 March and 21 September and winter the remaining months.

### Overshadowing (Sun Hours on Ground)

56. The Sun Hours on Ground assessment is based on the 21 March. This analysis establishes the area of a private garden or a public open space which receives at least two hours of sunlight on the found on 21 March.
57. The BRE 2011 Guidance to the council recommends that for a garden or amenity space, no more than half (50%) of the area should be prevented by buildings from receiving two hours of sunlight on the 21<sup>st</sup> March.

### Daylight / Sunlight analysis

#### **275 Southwark Park Road**

58. This property is located to the southeast of the proposed development site and comprises retail space at ground floor level with residential accommodation above.
59. The daylight and sunlight impacts to this property, as a result of the proposed development, are fully compliant with the guidance of the BRE.

#### **271-273 Southwark Park Road**

60. This property is located to the southeast of the proposed development site and comprises retail space at ground floor level with residential accommodation above.
61. The daylight and sunlight impacts to this property, as a result of the proposed development, are fully compliant with the guidance of the BRE.

#### **269 Southwark Park Road**

62. This property is located to the southeast of the proposed development site and comprises retail space at ground floor level with (presumably) residential accommodation above.
63. A single VSC daylight shortfall occurs to the first floor bedroom accommodation to this property. This reduction results in a VSC of almost 21%, just below the aspirational target of 27%. This still represents a reasonably good level of daylight reaching the window and is a level comparable to many other properties locally and recently consented. It is further noted that the BRE guidelines apply equally in all contexts,

including rural areas, and that this impacts affects a bedroom as opposed to a living space, where good levels of daylight are considered more important.

64. With the exception of the above single daylight shortfall, the daylight and sunlight impacts to this property, as a result of the proposed development, are fully compliant with the guidance of the BRE Guide.

#### **259-267 Southwark Park Road**

65. This property is located to the south of the proposed development site and comprises retail space at ground floor level with residential accommodation above at first to third floors.
66. We understand that all of the 50 windows serving the upper floors to this property serve either bedrooms or living / kitchen / dining (LKD) space. Whilst there are some shortfalls against the strict aspirations of the BRE Guide in terms of VSC, it is important to note that the BRE Guide states that daylight is less important to bedrooms.
67. With the exception of LKD space at first to third floor levels (Room "R2", in each case), all assumed LKD spaces achieve VSC compliance – when measured against the levels recommended by the BRE. Again, with the exception of the R2 LKD's, all LKD's achieve a NSL in excess of 80%. Therefore, whilst the assessment suggests a tangible impact to these properties, those rooms with the greatest need for daylight are not likely to be seriously affected.
68. A further ADF calculation has been undertaken to indicate the quality of daylight within the above rooms. Though this assessment can only be afforded limited material weight given the assumptions that it requires on factors like the internal decoration of rooms affected, with the exception of the R2 LKD's, it suggests that the majority of habitable rooms all exceed the minimum recommendations of the BRE.

#### **251b Southwark Park Road**

69. This property is located to the southwest of the proposed development site and comprises commercial space at ground floor level and residential and commercial accommodation above.
70. The daylight and sunlight impacts to this property, as a result of the proposed development, are fully compliant with the guidance of the BRE.

#### **Proposed Development - 4-10 Bombay Street**

71. The BRE offer further guidelines for the amount of daylight that should be available in new residential properties. This daylight (ADF) analysis shows that the Proposed Development will be fully compliant with the BRE Guide upon completion.
72. With the exception of just seven shortfalls against the BRE Guide aspirations, sunlight (APSH) analysis shows that shortfalls were only noted to the First Floor (R6) LKD door (labelled W10) and (R1) Bedroom window W1. Corresponding doors and windows at Second and Third floors also suffer shortfalls. As does door W12 - which corresponds with the First Floor R6 door.
73. These shortfalls are almost certainly affecting secondary glazed apertures in the form of doors in most locations. Furthermore, as they are serving bedrooms and kitchen which have lower aspirations for sunlight, than say a living room, they are less sensitive to some degree. These shortfalls occur as a result of the location of the

apertures in question, which are either facing almost due east or due west – thereby limiting the opportunity for them to benefit from sunlight. Also, the potential view of the sky, and therefore sun is hampered by balconies above – which, if removed, would result in greatly improved sky and therefore sun amenity. This is a common tension and requires a balance to be struck between the two policy aims of ensuring good levels of sunlight and providing private amenity space for new properties.

#### Overshadowing

74. The Proposed Development and the resulting overshadowing on 21 March will be fully compliant with the BRE Guide.
75. In interpreting these results, it needs to be emphasised that the BRE guidance is applied to all types of development in urban, suburban and rural situations and the results need to be considered in context. Appendix F of the BRE Guidance (2011) notes that in some contexts, such as historic town centres.
76. As a result of the site's location, the scale and massing of the development, and its separation from neighbouring properties, it is considered that the proposed development would not result in a detrimental impact on the amenity of nearby neighbours in regards to loss of daylight / sunlight or overshadowing.

#### **Impact of adjoining and nearby uses on occupiers and users of proposed development**

77. Saved Policy 3.2 states planning permission for development will not be granted where it would cause loss of amenity, including disturbance from noise, to present and future occupiers in the surrounding area or on the application site. Furthermore, Saved policy 3.11 Efficient use of land of the Southwark Plan 2007 states that all developments should ensure that they maximise the efficient use of land, whilst ensuring that, among other things, they do not unreasonably compromise the development potential of or legitimate activities on, neighbouring sites. It also states that the LPA will not grant permission for development that would not allow for satisfactory standard of accommodation and amenity for future occupiers of the site.
78. The site is bound to the west by Bombay street, to the south-west by a busy railway line, and is adjacent to a mixture of commercial and residential properties in both south and west directions.
79. The majority of the existing uses do not fall into the B1 land use category but rather are deemed to fall into either a B2 (General industrial) or (Sui generis) category, i.e., based on the nature of the activities and processes involved and the corollary of these, i.e., the level of noise which typically emanates from them including, in some cases, the emission of dust and fumes.
80. The existing commercial workshops are long-established which means they are unencumbered by any planning restrictions on when or how they operate. It was observed that works, including noisy and dust generating activities, are undertaken outside the units within the central alleyway. Such activity would create noise and disturbance that would affect the living conditions of any future occupiers of the surrounding flats.
81. This application seeks planning permission for a combination of flexible commercial and residential space.
82. The proposal has regard to the siting, design and layout of the proposed development and potential noise from the A1, A2 and B1 commercial premises. Calculations have



been undertaken in accordance with the guidance of BS8233:2014 & WHO 'Guidelines for Community Noise 1999' to provide suitable glazing and ventilation mitigation the development. As such, the proposed development should achieve internal noise levels for comfortable resting and sleeping. Conditions are recommended to this effect.

83. This proposal is therefore considered to comply with saved policies 3.2 (Protection of amenity) and 3.11 (Efficient use of land) of the Southwark Plan (2007) and policy 7.15 (Reducing and managing noise, etc.) of the London Plan (2015) and section 12 of the NPPF.

### **Transport issues**

84. Saved policy 5.2 of the Southwark Plan seeks to ensure that developments do not result in adverse highways conditions.
85. The site is within an area with a Public Transport Accessibility Level of 4 which is good. The application site is not within a controlled parking zone. Furthermore, the proposed development would be 'car-free' with no on-site car parking provision.

### Car parking

86. London Plan Policy 6.13 states that in locations with high public transport accessibility, car-free developments should be promoted (while still providing for disabled people).
87. The applicant submitted a transport assessment statement providing details that there are existing opportunities for on-street parking in the immediate vicinity of the site. Parking survey results, along with TRICS/Census-based traffic calculations for the existing and proposed uses confirm that there would only be a net increase in on-street parking demand at the site of 1 vehicle, and spare capacity exists to accommodate this demand (including residents of the 2 wheelchair units). The transport assessment goes further and states that the car-free proposals are also in accordance with current/emerging local planning policy, and the requirements of the London Plan, which all advocate efforts to minimise parking provision in areas with good access to public transport.
88. The car-free nature of the proposed scheme means that no on-site disabled parking spaces would be provided. However, the London Plan standards note that non-residential disabled parking can be on or off-street, whilst for residential uses it only states that on-site provision is *preferable*, rather than mandatory. The emerging local policy also acknowledges that the maximum of one-space per wheelchair unit needs to be considered in the context of several factors such as access to local amenities and public transport.
89. The development proposals include two wheelchair units, resulting in a maximum requirement for two blue badge spaces. Whilst these would not be provided on-site, the above calculations indicate that demand for parking could be accommodated on-street on Bombay Street in the vicinity of the site. When considered in tandem with the good opportunities for travel by public transport, as well as a variety of local facilities within a short walking distance, it is considered that the opportunities for parking on-street are sufficient to meet the requirements of the London Plan.
90. The council's transport team stated that even though evidence has been provided to demonstrate there is on street capacity. There is concern that in reality there would be impact from this development; however as a result of site constraints, a good PTAL level of 4 and that there is evidence of on street capacity it is considered that on balance the proposal complies with saved policy 5.6 – Car parking of the Southwark

## Plan 2007 and Policy 6.13 – Parking of The London Plan 2016

Cycle parking

91. The proposed Ground Floor Plan (BBS-DS-01-GF-DR-A-P100) indicates that 32 covered cycle parking spaces would be provided for residential use to the southern side of the building, and a further 6 covered cycle parking spaces would be provided for commercial use to the northern side of the building. Each commercial unit have a further 2 internal cycle parking spaces This level of provision would meet the London Plan cycle parking standards and would be supported.

Refuse storage**Residential Flats**

92. The proposed Ground Floor Plan (BBS-DS-01-GF-DR-A-P100) shows how the residential bin store would be located within the residential core, with access via gates at the southern end of the site frontage on Bombay Street. This storage area would be within 30 metres of all the flats in the horizontal plane, as required by the LBS guidance, and could be easily access via the lift/stairs. Drawing Number 162230-02 (see Transport Assessment Statement) confirms that the access to this bin store would be approximately 10 metres from the edge of Bombay Street, meeting the LBS maximum walking distance requirements. The drawing confirms that the refuse vehicle could successfully manoeuvre to wait at the eastern edge of Bombay Street, with the proposed 'keep clear' markings minimising the risk of parked vehicles preventing the refuse vehicle from stopping here. The refuse contractor should be provided with the means to enter the gates and bin store to collect waste, to prevent any unnecessary delays that could affect passing vehicles.
93. Refuse collections for the other residential dwellings on Bombay Street currently occur on Wednesdays, and so this should continue to occur for the proposed development as well. A refuse collection calendar should be provided in the residential core to remind residents of collection days.

**Commercial use**

94. Each office unit will be responsible for making the necessary arrangements with a local waste contractor for refuse collections. The ground floor layout plan confirms that the two units will be served by a shared bin store located at the northern edge of the proposed building, in between the two units. Access to the bin store would be external, and would be within 30 metres of the entrances to each unit.
95. To stop within the required 10 metres of the office bin store, Drawing Number 162230-02 confirms how refuse collection vehicles could reverse into the retained access to the site from Bombay Street.
96. All of the above issues are therefore considered to be satisfactory and in accordance with the relevant Development Plan policies set out above; however, a Service Management Plan will be required by condition to ensure detailed assessment and control of servicing and refuse collection.

**Design issues**

97. The NPPF stresses that good design is a key aspect of sustainable development, is indivisible from good planning (paragraph 56). This is echoed by Core Strategy Strategic Policy 12 which states that development will achieve the highest quality of design, helping to create attractive and distinctive places, while saved Southwark Plan

policy 3.13 asserts that the principles of good urban design must be taken into account in all developments. This 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.

#### Local Context

98. The existing urban context is predominately residential, with shops and businesses occupying the ground floor levels to the main roads, namely Southwark Park Road. 2-4 storey mixed-use buildings neighbour the Site immediately to the South, which form part of the Protected Shopping Frontage. Similar buildings and occupancies continue along Southwark Park Road to the West. To the North West of the Site the context begins to increase in scale, with new residential developments being constructed on sites adjoining the railway, which vary in height from 3 to 7 storeys.

#### Site Layout and Design

99. The scheme proposes a 6 storey corner block with a 7<sup>th</sup> storey set back which defines the curved section of Bombay Street and its relationship with the railway viaduct.
100. A commercial / retail unit at ground floor and first floor level, along with the main entrance to the residential units above provides the street with a desirable active frontage.
101. The height of the proposal has been carefully considered to relate to the surrounding context. The 6 storey building with a set back 7<sup>th</sup> storey is comparable in scale to recent developments along the railway to the east and west.
102. The scheme benefits from a communal terrace to the roof that is proposed to incorporate raised planters, paving and seating.
103. A courtyard is provided to the south between the proposed building and the existing residential block at No. 257-267 Southwark Park Road. This area is directly accessed from the residential core and gated off from Bombay Street and would be enhanced with high quality landscape.
104. Southwark Plan Policy 3.11 states that all developments should maximise the efficient use of land. It also goes on to state that the LPA will not grant permission for development that is considered to be an unjustified underdevelopment or over-development of a site. The scheme has been revised since initial pre-application discussions, with new plans received for upper floors to better address relationship with height of neighbouring developments and its relationship with the streetscape on Bombay Street through the set back from the street at ground and mezzanine levels. The proposal would not have an unreasonable impact on the outlook or privacy of existing neighbours.

#### Ground floor

105. The ground floor layout separates the entrances of the residential and commercial uses so there is no circulation crosses over. The residential element has a primary entrance to the west off Bombay Street and a secondary entrance to the south west via the communal landscaped area which also gives access to the bin store. All entrances are to be level access.
106. Ancillary elements such as bin / bike stores can be found within the development (residential) to the south and to the north of the site opposite the railway arches (commercial). This allows for an uninterrupted and active façade along Bombay

Street. The layout will enhance the safety and security of the site and surrounding area through passive surveillance from the commercial areas as well as the residential apartments above.

#### First floor

107. The commercial first floor is accessed internally via the commercial units from the ground floor. The set back from the street at ground and mezzanine levels coupled with full height curtain wall glazing will enhance the street scene with active commercial frontage over two levels.

#### 2nd to 5th Floors

108. The dwellings are accessed off a communal corridor which benefits from natural light and ventilation via a window which overlooks the communal landscaped area below. The dwellings are dual aspect where possible, with single aspect dwellings having large windows to maximize natural light and ventilation. The layout of the proposal avoids any overlooking to the neighbouring property to the south.

#### 6th Floor

109. At sixth floor level the massing steps back, creating a communal landscaped roof terrace and private roof terraces for the dwellings. This set back sixth floor is typical of new developments in the surrounding area. The communal landscaped roof terrace faces south.

#### Materials

110. The external materials proposed are sympathetic to the surroundings with facing brickwork and zinc cladding. This simple palette of materials compliments the unfussy and clean lines of the building.
111. Overall, officers consider that the proposed development makes an appropriate response to the site, demonstrates a strong understanding of local character and will deliver a building of an appropriate scale and quality to enhance the streetscape. Subject to appropriate conditions that will require materials samples and detailed section drawings to be agreed in due course, officers are satisfied that the development will deliver a sufficiently high quality of design.

#### **Density**

112. The site is located within the Urban Density Zone which has a density range of 200-700hr/ha in areas of predominantly four or more storeys in height and a public transport accessibility level (PTAL) of 4-6. This site has a PTAL of 4; this range is considered most appropriate given the densities and heights of buildings in the immediate vicinity. It would be unreasonable to apply a lesser density range in this case.
113. The density of the proposed development would equate to 600hr/ha.

#### **Quality of residential accommodation**

114. Saved policy 4.2 requires new residential developments to provide a good standard of accommodation. The details of the proposed Schedule of Accommodation are shown in paragraphs 9 & 10.

### Size/Layout

115. The proposal would provide a satisfactory standard of accommodation for future residential occupiers which would meet the minimum standards in the Residential Design Standards SPD. The majority of the units would be dual aspect with views over Bombay Street and the railway viaduct. Flats 2, 6, 10, 14, 16 and 18 would be single aspect but would have appropriate orientation of south and north-east. These units have large balconies and large windows. This would enable maximum sunlight and daylight to penetrate the units and it is not considered that this would warrant a reason for refusal. All proposed room sizes in all units would be more than adequate for their intended purpose with good levels of natural sunlight and daylight.

### Residential Mix

116. All major residential new-build should provide an appropriate mix of dwelling sizes and types. The majority of units should have two or more bedrooms and developments of 15 or more units should provide at least 10% of the units with three or more bedrooms. Furthermore as least 10% of units should be suitable for wheelchair users.
117. Of the 18 units proposed 4 provide 3 or more bedrooms, whilst 2 units have been designed as wheelchair accessible. Furthermore over 67% of the development is made up of units of 2 or more bedrooms. The application proposal therefore meets the requirements of the Core Strategy with regard to dwelling mix.

### Amenity Space

118. Amenity space would be provided in the form of private balconies for each residential unit. Although some of the areas fail to meet the recommended standards as outlined within the Residential Design Standards SPD it is considered that due to the constraints of the site an appropriate balance has been reached in terms of amenity space. All family units have access to a balcony/terrace of at least 10sqm. All the dwellings are generous in size and it is considered that they would meet the needs of future residential occupiers.
119. The Residential Design Standards SPD states that where it is not possible to provide 10 sqm of private amenity space, as much space as possible should be provided as private amenity space, with the remaining amount added towards the communal amenity space requirement. It is therefore proposed to provide 85m<sup>2</sup> communal amenity space in the form of a roof terrace on the 6<sup>th</sup> floor and it is considered that they would adequately meet the needs of future residential occupiers.

### **Quality of Business Accommodation**

120. It is considered that the standard of accommodation within the business units proposed is acceptable and meets known market demands for small business units in the area. The units are proposed for Use Classes A1, A2 and B1 which are considered most appropriate for this particular site and compatible with the residential accommodation above.

### **Impact on trees**

121. The site is not within a Conservation Area nor are there any protected (TPO) trees on the site therefore it is considered that the proposal would not result in a detrimental impact on the site in regards to trees.

### **Affordable Housing (Number and Tenure)**

122. The council's current affordable housing policies are set out in the saved policies of the Southwark Plan (2007) and the Core Strategy (2011). Further guidance is provided in the Affordable Housing SPD (2008), the Draft Affordable Housing SPD (2011), and the Development Viability SPD (2016).
123. Core Strategy Policy 6 requires new developments of 10 or more homes to provide a minimum of 35% affordable housing, while Policy 4.4 (affordable Housing) of the Southwark Plan 2007 sets out a required split of 70% social rented and 30% intermediate.
124. The mechanism for securing the provision of affordable housing is a legal agreement which would run with the land and would require the owner to provide the requisite affordable housing when the planning permission is implemented.
125. Where an applicant is able to demonstrate that a scheme cannot viably provide a policy compliant level of affordable housing the council may grant planning permission. Viability must be demonstrated by recourse to a full and transparent viability appraisal and any sub-policy compliant schemes will only be granted planning permission subject to a post implementation viability review to ensure that a proportion of any subsequent uplift in scheme value following the grant of planning permission contributes towards plugging the affordable housing deficit. The Development Viability SPD (2016) provides detailed guidance relating to the assessment of scheme viability.
126. The application has been accompanied by a financial appraisal of the viability of providing affordable housing.
127. The initial financial appraisal provided by the applicant's consultant (undertaken in accordance with the RICS guidance notes) stated that only 25% affordable housing could be delivered without making the development unviable.
128. The financial appraisal was scrutinised by the council's consultant who adopted both the RICS approach and the method advocated by the council's Development Viability SPD. The outcome of sensitivity testing relating to sales values and profit was that a scheme providing 32% intermediate housing, as a result of the small scale development with a single staircore, could be supported on site without adversely affecting the viability of the proposed scheme.
129. Following negotiation the applicant has offered 32% on site affordable housing of which all are intermediate housing. This equates to seven units of intermediate accommodation.
130. The council's consultant, having considered the valuation sensitivities and the unpredictable outcome of any potential appeal, consider that this is the maximum reasonable amount of affordable housing that can be substantiated. The affordable housing would be secured by way of a legal agreement which would be subject to a standard review mechanism.

### **Planning obligations (Section 106 undertaking or agreement)**

131. Saved policy 2.5 of the Southwark Plan and Policy 6A.5 of the London Plan advise that planning obligations should be secured to overcome the negative impacts of a generally acceptable proposal. Saved policy 2.5 of the Southwark Plan is reinforced by the Supplementary Planning Document (SPD) on Section 106 Planning Obligations, which sets out in detail the type of development that qualifies for planning obligations, and the NPPF, which advises that every planning application will be

judged on its merits against relevant policy, guidance and other material considerations when assessing planning obligations.

132. A draft Section 106 agreement has been negotiated with the application to secure the following:

There are seven affordable units: 04, 05, 06, 08, 10, 14 and 16 (all intermediate).  
There are two Wheelchair Units: 01 and 02 (all private).

and the following contributions (all of which are in accordance with the council's Section 106 and CIL SPD):

Carbon offset: £48,546  
Loss of employment floorspace: £4,300  
2% Admin charge: £971  
**Total: £53,817**

133. In the absence of a satisfactory legal agreement being completed by 22 December 2017, the applicant will have failed to adequately mitigate against the impacts of the development on the local community and infrastructure. In such circumstances, the development would therefore fail to be in accordance with saved policy 2.5 (Planning contributions) of the Southwark Unitary Development Plan (2007) and the Section 106 Planning Obligations and Community Infrastructure Levy SPD (2015) and it would be recommended that the application be refused on this basis.

#### **Sustainable development implications**

134. The National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute towards the achievement of sustainable development. Sustainable development is described as consisting of three broad dimensions, economic, social and environmental.
135. The development will make efficient and effective use of the site, providing for good quality residential development including affordable family housing in a sustainable location within reasonable walking distance of local facilities and public transport.

#### Energy use

136. The energy statement demonstrates how the energy hierarchy has been applied to the proposed development in order to achieve the carbon reduction targets set out in Strategic Policy 13 of the Core Strategy and the London Plan. The London Plan expects major residential developments to achieve a 100% saving in their regulated carbon dioxide emissions, relative to Part L of the 2013 Building Regulations. Policies set out that 35% of the savings should be achieved on-site, where possible with 20% attributable to renewable energy technologies, and with the remainder addressed through off-site works and/or a financial contribution.
137. Renewable energy is being incorporated in the form of photovoltaic panels as well as various 'Be Lean' and 'Be Clean' design principles that together will lead to an overall saving of 35% over the 2013 Building Regulations. A Section 106 contribution of £48,546 is proposed to bring the carbon savings to 100% thereby allowing the development to achieve carbon zero. This is policy compliant.

#### Flood risk

138. The site is located in Flood Zone 3 which is defined as having a 'high probability' of river and sea flooding and accordingly the applicant has submitted a Flood Risk

Assessment. The Environment Agency does not raise any objection to the proposal.

#### Air Quality

139. PM10 and NO2 concentrations are not expected to exceed the relevant air quality objectives. Although the site is located on a busy road traffic generally moves freely along this part of Southwark Park Road. The dwellings are also intended to have a high level of air-tightness so to reduce heat loss but this have the further beneficial impact of providing a more robust barrier to air pollution. Furthermore the dwellings would be set back from Southwark Park Road and be buffered by buildings on Southwark Park Road.
140. The development will not result in any significant air quality impacts on existing properties given the modest increase in on-site parking as compared to the existing office use of the site.

#### **Other matters**

#### Mayoral and Southwark Community Infrastructure Levies (CIL)

141. Section 143 of the Localism Act states that any financial contribution received in terms of 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.
142. In Southwark the Mayoral CIL was established at a rate of £35 per sqm of new development, although this is an index linked payment. The Southwark CIL rate is based on the type and location of the development. The Mayoral CIL in Southwark currently is calculated on the basis of £40.02 per sqm and this equates to **£69,038** and the Southwark CIL is amount is **£312,169**.
143. Contamination:  
A preliminary site assessment (for contamination and ground conditions) was carried out by the applicant. The Council's Environmental Protection Team (EPT) has reviewed this and raises no objection; however a condition will be imposed.

#### **Conclusion on planning issues**

144. For the reasons set out above and subject to the suggested conditions and the satisfactory completion of an appropriate s106 legal agreement the proposal is considered to be acceptable.

#### **Community impact statement**

145. In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

a) The impact on local people is set out above.

#### **Consultations**



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

### Consultation replies

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

### Human rights implications

148. 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.

149. This application has the legitimate aim of providing new housing. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/181-4 Application file: 17/AP/0296 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: <a href="mailto:planning.enquiries@southwark.gov.uk">planning.enquiries@southwark.gov.uk</a> Case officer telephone: 020 7525 5451 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>	Neil Loubser, Senior Planning Officer	
<b>Version</b>	Final	
<b>Dated</b>	1 September 2017	
<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 & Governance	No	No
Strategic Director, Environment and Social Regeneration	No	No
Strategic Director of Housing and Modernisation	No	No
Director of Regeneration	No	No
<b>Date final report sent to Constitutional Team</b>		21 September 2017

**APPENDIX 1****Consultation undertaken**

**Site notice date:** 20/02/2017

**Press notice date:** 16/02/2017

**Case officer site visit date:** 20/02/2017

**Neighbour consultation letters sent:** 15/02/2017

**Internal services consulted:**

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

**Statutory and non-statutory organisations consulted:**

EDF Energy  
Environment Agency  
Greater London Authority  
Historic England  
London Fire & Emergency Planning Authority

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

### Neighbour and local groups consulted:

258 Southwark Park Road London SE16 3RN  
 260 Southwark Park Road London SE16 3RN  
 264 Southwark Park Road London SE16 3RN  
 256 Southwark Park Road London SE16 3RN  
 252 Southwark Park Road London SE16 3RN  
 254 Southwark Park Road London SE16 3RN  
 269 Southwark Park Road London SE16 3TP  
 281 Southwark Park Road London SE16 3TP  
 37 Blue Anchor Lane London SE16 3UL  
 267 Southwark Park Road London SE16 3TP  
 266 Southwark Park Road London SE16 3RN  
 268 Southwark Park Road London SE16 3RN  
 261-265 Southwark Park Road London SE16 3TP  
 6 Ambrose Street London SE16 3NY  
 4 Old Dairy Apartments 55-57 Blue Anchor Lane SE16 3UL  
 5 Old Dairy Apartments 55-57 Blue Anchor Lane SE16 3UL  
 273a Southwark Park Road London SE16 3TP  
 3 Old Dairy Apartments 55-57 Blue Anchor Lane SE16 3UL  
 1 Old Dairy Apartments 55-57 Blue Anchor Lane SE16 3UL  
 2 Old Dairy Apartments 55-57 Blue Anchor Lane SE16 3UL  
 8 Bombay Street London SE16 3UX  
 2 Ambrose Street London SE16 3NY  
 4 Ambrose Street London SE16 3NY  
 251b Southwark Park Road London SE16 3TS  
 Flat 1 268 Southwark Park Road SE16 3RN  
 Flat 2 268 Southwark Park Road SE16 3RN  
 Flat 3 268 Southwark Park Road SE16 3RN  
 First Floor Flat 277-279 Southwark Park Road SE16 3TP  
 First Floor Flat 260 Southwark Park Road SE16 3RN  
 First Floor Flat 258 Southwark Park Road SE16 3RN  
 First Floor Flat 271-273 Southwark Park Road SE16 3TP  
 3-7 Bombay Street London SE16 3UX  
 2-14 Bombay Street London SE16 3UX  
 268a Southwark Park Road London SE16 4AT  
 273 Southwark Park Road London SE16 3TP  
 275 Southwark Park Road London SE16 3TP  
 275a Southwark Park Road London SE16 3TP  
 Ground Floor Front 270 Southwark Park Road SE16 3RN  
 266 Ambrose Street London SE16 3NY  
 6a Bombay Street London SE16 3UX  
 283 Southwark Park Road London SE16 3TP  
 271-273 Southwark Park Road London SE16 3TP  
 277-279 Southwark Park Road London SE16 3TP  
 251 Southwark Park Road London SE16 3TS  
 53 Blue Anchor Lane London SE16 3UL  
 39 Blue Anchor Lane London SE16 3UL  
 49 Blue Anchor Lane London SE16 3UL  
 51/53 Blue Anchor Lane London SE16 3UL  
 262 Southwark Park Road London SE16 3RN  
 1 Bombay Street London SE16 3UX  
 4-6 Bombay Street London SE16 3UX  
 251a Southwark Park Road London SE16 3TS

253-255 Southwark Park Road London SE16 3TS  
 Flat 9 257-265 Southwark Park Road SE16 3TP  
 Flat 10 257-265 Southwark Park Road SE16 3TP  
 Flat 11 257-265 Southwark Park Road SE16 3TP  
 Flat 8 257-265 Southwark Park Road SE16 3TP  
 Flat 5 257-265 Southwark Park Road SE16 3TP  
 Flat 6 257-265 Southwark Park Road SE16 3TP  
 Flat 7 257-265 Southwark Park Road SE16 3TP  
 268b Southwark Park Road London SE16 3RN  
 41 Blue Anchor Lane SE16 3UL  
 Living Accommodation The Blue Anchor SE16 3TS  
 Flat 12 257-265 Southwark Park Road SE16 3TP  
 Flat 13 257-265 Southwark Park Road SE16 3TP  
 Flat 14 257-265 Southwark Park Road SE16 3TP  
 Flat 4 257-265 Southwark Park Road SE16 3TP  
 Second Floor Flat 260 Southwark Park Road SE16 3RN  
 Ground Floor 257-259 Southwark Park Road SE16 3TP  
 53a Blue Anchor Lane London SE16 3UL  
 Second Floor Flat 258 Southwark Park Road SE16 3RN  
 Flat 1 257-265 Southwark Park Road SE16 3TP  
 Flat 2 257-265 Southwark Park Road SE16 3TP  
 Flat 3 257-265 Southwark Park Road SE16 3TP  
 16-18 Bombay Street London SE16 3UX  
 Flat 1 267 Southwark Park Road SE16 3TP  
 Flat 2 267 Southwark Park Road SE16 3TP  
 15 Alfred Court 13 Bombay Street SE16 3UX  
 16 Alfred Court 13 Bombay Street SE16 3UX  
 11 Bombay Street SE16 3UX  
 14 Alfred Court 13 Bombay Street SE16 3UX  
 11 Alfred Court 13 Bombay Street SE16 3UX  
 12 Alfred Court 13 Bombay Street SE16 3UX  
 13 Alfred Court 13 Bombay Street SE16 3UX  
 2a Ambrose Street London SE16 3NY  
 10 Bombay Street London SE16 3YU  
 281a Southwark Park Road London SE16 3TP  
 Flat 3 267 Southwark Park Road SE16 3TP  
 15 Bombay Street SE16 3UX  
 10 Alfred Court 13 Bombay Street SE16 3UX  
 1 Alfred Court 13 Bombay Street SE16 3UX  
 2 Alfred Court 13 Bombay Street SE16 3UX  
 47a Blue Anchor Lane London SE16 3UL  
 43 Blue Anchor Lane SE16 3UL  
 45 Blue Anchor Lane SE16 3UL  
 47 Blue Anchor Lane SE16 3UL  
 7 Alfred Court 13 Bombay Street SE16 3UX  
 8 Alfred Court 13 Bombay Street SE16 3UX  
 9 Alfred Court 13 Bombay Street SE16 3UX  
 6 Alfred Court 13 Bombay Street SE16 3UX  
 3 Alfred Court 13 Bombay Street SE16 3UX  
 4 Alfred Court 13 Bombay Street SE16 3UX  
 5 Alfred Court 13 Bombay Street SE16 3UX  
 257 Southwark Park Road London SE16 3TP

**Re-consultation:** n/a

**APPENDIX 2****Consultation responses received****Internal services**

None

**Statutory and non-statutory organisations**

Environment Agency

Historic England

London Underground Limited

Metropolitan Police Service (Designing out Crime)

Natural England - London Region & South East Region

Network Rail (Planning)

Thames Water - Development Planning

Transport for London (referable & non-referable app notifications and pre-apps)

**Neighbours and local groups**

257 Southwark Park Road London SE16 3TP

51/53 Blue Anchor Lane London SE16 3UL

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## RECOMMENDATION

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This document shows the case officer's recommended decision for the application referred to below.  
This document is not a decision notice for this application.

<b>Applicant</b>	Mr Thompson Southwark Park Road Developments Ltd	<b>Reg. Number</b>	17/AP/0296
<b>Application Type</b>	Full Planning Application	<b>Case Number</b>	TP/181-4
<b>Recommendation</b>	Grant subject to Legal Agreement		

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### Draft of Decision Notice

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**Planning Permission was GRANTED for the following development:**

Demolition of existing buildings and erection of a part 6 part 7 storey mixed-use building with 416sqm of flexible commercial and employment floorspace at ground and first floor level (Use Classes A1, A2 and B1), 18 flats (6 x 1Bed, 8 x 2Bed & 4 x 3Bed) comprising 2 wheelchair accessible units in the upper floors and associated private amenity areas, landscaping, pedestrian access points, cycle parking and refuse storage.

**At:** 4-10 BOMBAY STREET, LONDON, SE16 3UX

**In accordance with application received on** 26/01/2017 12:01:04

**and Applicant's Drawing Nos.** Air quality assessment; Daylight/Sunlight assessment; BREEAM PRE-ASSESSMENT; Energy statement; Flood risk assessment; Noise impact assessment; Planning statement; Transport statement; Viability assessment

Site location plan - BSS-DS-01-GF-DR-A-D001 REV P0

9670\_E - Elevations; 9670\_G - Ground Floor; 9670\_T - Topographical Survey

BBS-DS-01-ZZ-DR-A-P200--S2-P1-Proposed West Elevation AA; BBS-DS-01-ZZ-DR-A-P300 - PROPOSED SECTION DD; BBS-DS-01-ZZ-DR-A-P202 - PROPOSED SOUTH ELEVATION; BBS-DS-01-ZZ-DR-A-P201 - PROPOSED EAST ELEVATION; BBS-DS-01-GF-DR-A-P100-S2-P1-Proposed Ground Floor Plan; BBS-DS-01-01-DR-A-P101-S2-P1-Proposed First Floor Plan; BBS-DS-01-02-DR-A-P102-S2-P1-Proposed Second Floor Plan; BBS-DS-01-03-DR-A-P103-S2-P1-Proposed Third Floor Plan; BBS-DS-01-04-DR-A-P104-S2-P1-Proposed Fourth Floor Plan; BBS-DS-01-05-DR-A-P105-S2-P1-Proposed Fifth Floor Plan; BBS-DS-01-06-DR-A-P106-S2-P1-Proposed Sixth Floor Plan; BBS-DS-01-06-DR-A-P107-S2-P1-Proposed Roof Plan

**Subject to the following fifteen conditions:**

**Time limit for implementing this permission and the approved plans**

- 1 The development hereby permitted shall not be carried out otherwise than in accordance with the following approved plans:  
BBS-DS-01-ZZ-DR-A-P200--S2-P1-Proposed West Elevation AA; BBS-DS-01-ZZ-DR-A-P300 - PROPOSED SECTION DD; BBS-DS-01-ZZ-DR-A-P202 - PROPOSED SOUTH ELEVATION; BBS-DS-01-ZZ-DR-A-P201 - PROPOSED EAST ELEVATION; BBS-DS-01-GF-DR-A-P100-S2-P1-Proposed Ground Floor Plan; BBS-DS-01-01-DR-A-P101-S2-P1-Proposed First Floor Plan; BBS-DS-01-02-DR-A-P102-S2-P1-Proposed Second Floor Plan; BBS-DS-01-03-DR-A-P103-S2-P1-Proposed Third Floor Plan; BBS-DS-01-04-DR-A-P104-S2-P1-Proposed Fourth Floor Plan; BBS-DS-01-05-DR-A-P105-S2-P1-Proposed Fifth Floor Plan; BBS-DS-01-06-DR-A-P106-S2-P1-Proposed Sixth Floor Plan; BBS-DS-01-06-DR-A-P107-S2-P1-Proposed Roof Plan

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the end of three years from the date of this permission.

Reason

As required by Section 91 of the Town and Country Planning Act 1990 as amended.

**Pre-commencement condition(s)** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work in connection with implementing this permission is commenced.

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

Unit reference numbers

Access to and use of building standard

Units 3 to 18

M4(2)

Units 1 & 2

M4(3a)

Reason

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

- 4 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

a) The Phase 1 site investigation (desk study, site categorisation; sampling strategy etc.) ref: J16306 dated January 2017 was submitted to the Local Planning Authority before the commencement of any intrusive investigations. The subsequent Phase 2 site investigation and risk assessment shall be conducted in accordance with any approved scheme and submitted to the Local Planning Authority for approval prior to the commencement of any remediation that might be required.

b) In the event that contamination is present, a detailed remediation strategy to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared and submitted to the Local Planning Authority for approval in writing. The scheme shall ensure that the site would not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. The approved remediation scheme (if one is required) shall be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works.

c) Following the completion of the measures identified in the approved remediation strategy, a verification report providing evidence that all work required by the remediation strategy has been completed shall be submitted to and approved in writing by the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified, it shall be reported in writing immediately to the Local Planning Authority, and a scheme of investigation and risk assessment, a remediation strategy and verification report (if required) shall be submitted to the Local Planning Authority for approval in writing, in accordance with a-c above.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with saved policy 3.2 Protection of amenity of the Southwark Plan (2007), strategic policy 13 High environmental standards of the Core Strategy (2011) and the National Planning Policy Framework 2012.

**Commencement of works above grade** - the details required to be submitted for approval by the condition(s) listed below must be submitted to and approved by the council before any work above grade is commenced. The term 'above grade' here means any works above ground level.

- 5 Prior to above grade works commencing, material samples/sample-panels/sample-boards of reconstituted stone, bricks and mortar (1 sqm) and metal cladding to be used in the carrying out of this permission shall be presented on site and approved in writing by the Local Planning Authority; the development shall not be carried out otherwise than in accordance with any such approval given.

Reason:

In order to ensure that these samples will make an acceptable contextual response in terms of materials to be used, and achieve a quality of design and detailing in accordance with The National Planning Policy Framework 2012, Strategic Policy 12 - Design and Conservation of The Core Strategy 2011 and Saved Policies: 3.12 Quality in Design and 3.13 Urban Design of The Southwark Plan 2007.

- 6 Before any above grade work hereby authorised begins, detailed drawings of a hard and soft landscaping scheme showing the treatment of all parts of the site not covered by buildings (including cross sections, surfacing materials of any parking, access, or pathways layouts, materials and edge details), shall be submitted to and approved in writing by the Local Planning Authority. The landscaping shall not be carried out otherwise than in accordance with any such approval given and shall be retained for the duration of the use.

The planting, seeding and/or turfing shall be carried out in the first planting season following completion of building works and any trees or shrubs that is found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of the same size and species in the first suitable planting season. Planting shall comply to BS: 4428 Code of practice for general landscaping operations, BS: 5837 (2012) Trees in relation to demolition, design and construction and BS 7370-4:1993 Grounds maintenance Recommendations for maintenance of soft landscape (other than amenity turf).

Reason

So that the Council may be satisfied with the details of the landscaping scheme in accordance with The National Planning Policy Framework 2012 Parts 7, 8, 11 & 12 and policies of The Core Strategy 2011: SP11 Open spaces and wildlife; SP12 Design and conservation; SP13 High environmental standards, and Saved Policies of The Southwark Plan 2007: Policy 3.2 Protection of amenity; Policy 3.12 Quality in Design; Policy 3.13 Urban Design and Policy 3.28 Biodiversity.

**Compliance condition(s)** - the following condition(s) impose restrictions and/or other requirements that must be complied with at all times once the permission has been implemented.

- 7 Before the first occupation of the building the cycle storage facilities as shown on drawing BBS-DS-01-GF-DR-A-P100-S2-P1-Proposed Ground Floor Plan shall be provided and thereafter such facilities shall be retained and the space used for no other purpose and the development shall not be carried out otherwise in accordance with any such approval given.

Reason

To ensure that satisfactory safe and secure bicycle parking is provided and retained for the benefit of the users and occupiers of the building in order to encourage the use of alternative means of transport and to reduce reliance on the use of the private car in accordance with The National Planning Policy Framework 2012, Strategic Policy 2 - Sustainable Transport of The Core Strategy and Saved Policy 5.3 Walking and Cycling of the Southwark Plan 2007.

- 8 Before the first occupation of the building hereby permitted, the refuse storage arrangements shown on the approved drawing referenced BBS-DS-01-GF-DR-A-P100-S2-P1-Proposed Ground Floor Plan shall be provided and made available for use by the occupiers of the premises and the facilities provided shall thereafter be retained and shall not be used or the space used for any other purpose.

Reason

To ensure that the refuse will be appropriately stored within the site thereby protecting the amenity of the site and the area in general from litter, odour and potential vermin/pest nuisance in accordance with The National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 201 and Saved Policies 3.2 Protection of Amenity and Policy 3.7 Waste Reduction of The Southwark Plan 2007

- 9 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason

The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit

piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 10 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason

There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 11 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason

Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater in accordance with saved policy 3.2 'Protection of amenity' of the Southwark Plan (2007), strategic policy 13' High environmental standards' of the Core Strategy (2011) and the National Planning Policy Framework 2012.

- 12 The development must be designed to ensure that habitable rooms in the residential element of the development are not exposed to vibration dose values in excess of 0.13 m/s during the night-time period of 23.00 to 07.00hrs.

Reason

To ensure that the occupiers and users of the proposed development do not suffer a loss of amenity by reason of excess vibration from transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 13 The Rated sound level from any plant, together with any associated ducting shall not exceed the Background sound level (LA90 15min) at the nearest noise sensitive premises. Furthermore, the Specific plant sound level shall be 10dB(A) or more below the background sound level in this location. For the purposes of this condition the Background, Rating and Specific Sound levels shall be calculated fully in accordance with the methodology of BS4142:2014

Reason

To ensure that occupiers of neighbouring premises do not suffer a loss of amenity by reason of noise nuisance or the local environment from noise creep due to plant and machinery in accordance with the National Planning Policy Framework 2012, Strategic Policy 13 High Environmental Standards of the Core Strategy 2011 and Saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007).

- 14 A scheme of sound insulation for the commercial premises shall be designed by a suitably qualified expert and installed to provide reasonable resistance to the transmission of sound sufficient such to ensure that NR25 is not exceeded in residential rooms sharing a party wall or floor with the commercial premises. Any measures required to ensure compliance with this standard shall be implemented prior to the commencement of the use hereby permitted and shall be permanently maintained thereafter for the duration of the use.

Reason:

To ensure that the occupiers of immediately adjoining residential premises do not suffer a loss of amenity by reason of noise nuisance and other excess noise from activities within the commercial premises in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011), saved Policy 3.2 Protection of Amenity of the Southwark Plan (2007) and the National Planning Policy Framework 2012.

- 15 The dwellings hereby permitted shall be designed to ensure that the following internal noise levels specified by BS 8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings are not exceeded due to environmental noise:



Bedrooms - 35dB LAeq T<sub>δ</sub>, 30 dB LAeq T\*, 45dB LAFmax T \*

Living rooms- 35dB LAeq T<sub>δ</sub>

Dining room - 40 dB LAeq T<sub>δ</sub>

\* - Night-time 8 hours between 23:00-07:00

δ - Daytime 16 hours between 07:00-23:00.

#### Reason

To ensure that the occupiers and users of the development do not suffer a loss of amenity by reason of excess noise from environmental and transportation sources in accordance with strategic policy 13 'High environmental standards' of the Core Strategy (2011) saved policies 3.2 'Protection of amenity' and 4.2 'Quality of residential accommodation' of the Southwark Plan (2007), and the National Planning Policy Framework 2012.

#### **Statement of positive and proactive action in dealing with the application**

The pre-application service was used for this application and the advice given was followed.

The applicant was advised of amendments needed to make the proposed development acceptable. These amendments were submitted enabling the application to be granted permission.

Negotiations were held with the applicant to secure changes to the scheme to make it acceptable and the scheme was amended accordingly.

The application was subject to a planning performance agreement and was determined with the agreed timescale.

#### **Informatives**

We recommend non return valves are installed for all connections to the sewer below the Environment Agency Thames breach modelling plus 300mm freeboard.

The developer/applicant must ensure that their proposal, both during construction and after completion of works on

site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land

cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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